

HOUSE OF ASSEMBLY

Wednesday, April 7, 1971

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

QUESTIONS

RURAL YOUTH CENTRE

Mr. HALL: Will the Minister of Works, in the absence of the Premier and as the Minister representing the Minister of Agriculture, find out what stage the project to build a rural youth centre in South Australia has reached? The former Liberal and Country League Government approved this important project, and I should have thought that by now work would be well under way. This centre will be of great assistance as a venue for leadership meetings and the many activities concerned with the excellent rural youth group that operates throughout South Australia.

The Hon. J. D. CORCORAN: The Public Works Committee was investigating this matter, and I think it has reported on it. That committee was concerned about some of the financial arrangements that had been entered into. As I cannot give a full and accurate reply to the Leader now, I will inquire of my colleague. It will not be possible to give a reply in the House, but a reply will be given by letter.

DARLINGTON HOUSE

Mr. HOPGOOD: My question, which is to the Minister of Roads and Transport, is as follows:

1. Is the Minister's department negotiating to purchase the house on allotment No. 6, Ridge Crest Avenue, Darlington?

2. Is the Minister aware that this house was built in 1965 by Bellevue Constructions, a subsidiary of C. Murray Hill and Co.; that it was sold for \$17,000 and has recently been repurchased by the original builder for \$13,000; that it is of extremely shoddy construction, having a warp in the roof, one wall which is 9 degrees out of vertical, a ceiling which has partly collapsed, leaning piers which provide inadequate support for the flooring joists, and foundations which contravene the Building Act, being no wider than the walls which they support?

3. Is the Minister aware that the former owners intend to bring a court action against the builder and that among evidence tendered will be a document which the former owners allege is a forged foundation certificate?

The Hon. G. T. VIRGO: Probably one of the most troublesome spots in the whole of the metropolitan area is Ridge Crest Avenue, Darlington, and the dwellings in that street, to one of which the member for Mawson now refers.

Mr. Rodda: Is this because of the earthquake?

The Hon. G. T. VIRGO: No, it is because of the shoddy workmanship put into these properties, which were sold by this firm only, I think, two or three weeks before the public release of the Metropolitan Adelaide Transportation Study Report. The situation concerning this street has caused considerable difficulty to many of the residents there—

Mr. Millhouse: These are serious allegations which you are making and which the member for Mawson has already made.

The SPEAKER: Order!

Mr. Millhouse: They should not be made—

The SPEAKER: Order! The member for Mawson has asked a question of the Minister of Roads and Transport, and interjections are out of order. The Minister of Roads and Transport is on his feet replying, and he must be heard in silence.

The Hon. G. T. VIRGO: I am well aware of the gravity of the charges made, and I am also extremely sympathetic towards the people in this street who have had considerable difficulty since they first occupied these houses. I do not know offhand who is the owner of lot No. 6, but I know of a person who has been to see me over a period and who recently had his house sold at a figure (the figures the honourable member has quoted are almost identical to those I was given) considerably less than the sum he paid initially.

Mr. MILLHOUSE: I take a point of order, Mr. Speaker. The member for Mawson, in explaining his question has said that at least one of these dwellings is the subject of legal proceedings. Quite apart from the gravity of the charges which have been made and which, of course, cannot be answered in this House (there will be no chance for anyone else to answer them) I take the point of order that, as the matter is subject to legal proceedings on the honourable member's own statement, it is quite out of order for the issues to be canvassed in this way in the House.

The Hon. J. D. Corcoran: It is not *sub judice*.

The SPEAKER: I cannot uphold the point of order. From the explanation, I do not understand that this matter is *sub judice*.

Mr. Millhouse: He said so.

The SPEAKER: He did not. The honourable Minister of Roads and Transport.

The Hon. G. T. VIRGO: I am sorry if the question and reply are upsetting the member for Mitcham.

Mr. Millhouse: It certainly is, because—

The SPEAKER: Order! I ask the Minister to confine his remarks to replying to the question. Interjections are out of order, and I ask him not to take notice of any interjections from anyone on either side. I ask the Minister to reply to the question.

The Hon. G. T. VIRGO: I will certainly have a look at the matter the honourable member has raised. I repeat that I have knowledge, from both my Ministerial activities and my activities before becoming a Minister, that there is considerable concern about the houses in this area among the people who apparently purchased their houses from the firm of Bellevue Constructions. It seems from the information given to me that these houses do not conform, and never did conform, to the requirements of the Building Act. I will have the matter examined because if, as has been suggested by the honourable member, this person has lost \$4,000 in value in such a short period it certainly needs the greatest public airing possible. If there is shoddy workmanship, or if there are any other factors not in the interests of people who invest their life savings, I think the whole matter should be exposed, and I will certainly give the honourable member as much information as possible.

QUESTIONS WITHOUT NOTICE

Mr. MILLHOUSE: I address my question to you, Mr. Speaker. Will you follow the procedure adopted by all of your predecessors in my experience, going back to the time of Sir Robert Nicholls, of ensuring that no other member wants to ask a further Question without Notice before calling on the business of the day, provided that it is not yet 4 o'clock? Yesterday, I asked a question of, I think, the Minister of Roads and Transport and, as soon as the Minister had finished his reply, you immediately called on the business of the day without (if I may suggest, with respect) looking around the Chamber to see whether any other member desired to ask a question. My recollection of my actions a few minutes earlier was that I signalled you

to let you know that I had a couple of questions to ask. There may have been a misunderstanding between me and you, Sir, about how many questions I wanted to ask but, be that as it may, as soon as the Minister had finished you started to speak. I got to my feet because I had another question to ask, but you would not allow me to ask my question because, you said, questions had finished and you were calling on the business of the day. In my experience, every other Speaker under whom I have sat in this House (Sir Robert Nicholls, the Hon. B. H. Teusner, the Hon. T. C. Stott and the Hon. L. G. Riches) has always checked round on both sides to make sure that there were no other questions and to give members an opportunity to get to their feet to ask another question. I well remember when this was often done (quite properly, too) by the present Minister of Education before the business of the day was called on: in other words, previous Speakers have allowed latitude in this matter, but you, yesterday certainly if not on other occasions, allowed no latitude whatsoever. This has not been the procedure of the House until now.

The Hon. G. T. Virgo: You are reflecting on the Chair.

Mr. MILLHOUSE: I therefore ask you, Sir, whether you will today and during the remainder of your time as Speaker during the next two sessions—

The Hon. D. A. Dunstan: Not according to your Leader.

Mr. MILLHOUSE: —follow the practice that has been adopted by your predecessors, which is, I suggest, fair and proper, of ensuring, before cutting off Question Time and calling on the business of the day, that no other member has a question to ask.

The SPEAKER: The position regarding yesterday's incident is quite clear: members indicate to the Speaker by holding up their hand that they desire to ask a question. Although I have ideas about this method, it has worked satisfactorily in the past. It is not the function of any Speaker to solicit either side to see whether members desire to ask questions. Everyone gets a fair and reasonable opportunity to do so. I never experienced, during my time prior to being elected as Speaker, any Speaker canvassing, sending word round or looking about. The Speaker recalls who wants to ask questions and, after those questions have been exhausted, it is his function to call on the business of the day, as was done yesterday. I make no

apology for that and, indeed, I intend in the future to follow the procedure I adopted yesterday.

The Hon. D. N. BROOKMAN: As I understand your answer, Sir, you have said that the only way the member for Mitcham can get the call to ask a question is by having his name recorded with you beforehand either by giving a signal or possibly by discussing the matter with you. I understand that the practice of the House is that when a member wishes to speak he shall rise in his place. If two or more members rise at the same time, the Speaker shall call on the member who, in his opinion, first rose in his place. Yesterday, the member for Mitcham wanted to ask a question, and apparently you did not see his signal. It seemed to me that there was absolutely no reason why the honourable member should not have been seen by you when you rose to your feet. From the answer you gave, it appears that you have no intention of looking around the House when you have reached the end of the list of members wishing to ask questions. At that stage you then intended to call on the business of the day without looking around to see whether anyone else wished to have the call.

Mr. Millhouse: It was a supplementary question.

The Hon. Hugh Hudson: He was too slow.

The Hon. D. N. BROOKMAN: I ask your protection, Sir, from the rude interjections by Government members on the front bench—

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: —who seem to be concerned only with trying to stifle debate in this House, as they have done very effectively.

The SPEAKER: Order! The honourable member is not explaining his question: he is starting to debate the matter.

The Hon. J. D. Corcoran: He has been since he got on his feet.

The Hon. D. N. BROOKMAN: I simply asked for your protection.

The Hon. Hugh Hudson: You should get your facts right.

The Hon. D. N. BROOKMAN: I ask you, Mr. Speaker, to clarify this position, because it is important for members to have the right to be able to rise and get the call from the Speaker at any time, without giving prior notice.

The SPEAKER: The Standing Order to which the honourable member for Alexandra has referred is the Standing Order that deals with the rules of debate. Honourable members in this Chamber know that the procedure adopted in this Chamber for asking questions is that a member shall signify by holding up his hand that he wishes to ask a question, and the Speaker records this, on a sheet, against the member's name. The honourable member for Alexandra knows well that on many occasions he, in common with other members, has put up two fingers. When that happens I signify "Two", and the honourable member nods his head; this practice has always applied. Never before have questions been signalled merely by members jumping to their feet.

Mr. Millhouse: They have. In the previous Parliament a member—

The SPEAKER: Order! The honourable member for Mitcham should contain himself a little.

Mr. Millhouse: I wouldn't say that.

The SPEAKER: If the honourable member will not contain himself, it is my responsibility to keep order in this Chamber and I will do so. Honourable members know that the method of getting the call for a question is by holding the hand up and this is recorded; and I am not changing the method. In fact, members on the Opposition side have asked that the system be continued and I have no desire to alter that, because it has proved satisfactory. The answer to the question has been given and I am not going to prolong my reply.

UNLEY INTERSECTION

Mr. LANGLEY: Will the Minister of Roads and Transport obtain a report on when work on the intersection of Unley Road and Greenhill Road will be completed? This intersection is one of the busiest in the southern suburbs, and at present the work being done is causing a bottleneck at peak periods, there being no traffic lights but only "stop" signs at the intersection, which is dangerous. I assure the Minister that any speeding up of this work would be appreciated. Also, I thank the Highways Department for the excellent work it has done ahead of time at the intersection of King William Road and Greenhill Road, which, with its "turn right" signals, is a wonderful success.

The Hon. G. T. VIRGO: I shall be pleased to get the information for the honourable member.

WATER RATING

Mr. COUMBE: Yesterday the Minister of Works said he would try to get information by today about the effect on the revenue of the State of the sum to be collected from the increased cost from 30c to 40c for rebate water to operate from July 1, and also information about the valuation of properties, which was to be restored to parity, an increase of about 10 per cent. Has he that information?

The Hon. J. D. CORCORAN: Although I do not have a reply for the honourable member, I will inquire and see whether I can get a reply for him before Question Time is completed.

MOUNT GAMBIER WALKWAY

Mr. BURDON: Has the Minister of Roads and Transport a reply to the question I asked recently about a walkway to be constructed over North Terrace, Mount Gambier?

The Hon. G. T. VIRGO: The provision of an elevated walkway as suggested by the honourable member is a matter for consideration by the local authority. No approach has yet been made to the Road Traffic Board by the Corporation of the City of Mount Gambier in this matter. However, the board would be pleased to endorse the construction of such a facility should a submission be received.

VISTA TANK

Mrs. BYRNE: Will the Minister of Works have his officers investigate the safety factor of the Vista water tank which is under construction? The Minister informed me by letter on February 2 that work had commenced on the construction of a 2,000,000gall. reinforced concrete water tank at Vista which was to be in service in the latter half of 1971. I have inspected the site and seen the work proceeding but, because the tank is being built on the side of the hill, there is a drop of about 35ft. where excavations have taken place. The site, which borders the much used Perseverance Road, is mainly unfenced and any fencing that is there is inadequate, with the result that children at times play on the property. People living nearby fear a tragedy and this is why I direct this matter to the Minister's attention.

The Hon. J. D. CORCORAN: I will have the matter investigated by the department to see whether steps can be taken to solve the problem raised by the honourable member.

HOLDEN HILL SCHOOL

Mrs. BYRNE: Has the Minister of Education a reply to my recent question regarding accommodation at the Holden Hill Primary School?

The Hon. HUGH HUDSON: Tenders are programmed to be called in September, 1971, for the erection of the open-space teaching unit, and it has been expected that the accommodation will be available by April, 1972. It is intended to transfer a transportable unit, now sited at Athelstone Primary School, to the Holden Hill Primary School. It is expected that this will be available for transfer at the end of this month, and that the transfer will be effected soon after. I have asked for further information about likely enrolments at the school at the beginning of next year, and this information indicates that it may be necessary to reconsider the programme for the open-space teaching unit to be built at the school, with a view to having it available at the beginning of 1972 rather than in April of that year.

OAKLANDS CROSSING

Mr. MATHWIN: Will the Minister of Roads and Transport ask for police help to control peak-hour traffic during the week and on Saturday mornings at the Oaklands railway crossing? I know that the Minister is seeking information on this point, but the matter is extremely urgent, many people having approached me regarding the dangers of this crossing. On Monday I received a telephone call from a man who last Saturday morning was nearly caught on this crossing when the wig-wag signals were working. He was able to get off only by desperate effort, and this concerned him greatly. Indeed, he said he would have had no chance to escape had he been caught on the railway line, because his wife and five children were with him in the car. In the interests of safety, police control on the crossing would help until something could be done by way of providing an over-pass or some other means of crossing the line.

The Hon. G. T. VIRGO: I will refer the matter to the Chief Secretary, who is the Ministerial head of the Police Department, and find out whether he will obtain a report.

GAUGE STANDARDIZATION

Mr. KENEALLY: Can the Minister of Roads and Transport say whether further progress has been made in reaching agreement with the Commonwealth Government on the linking of Adelaide with the standard gauge

railway system? The question is so important that it does not need explaining.

The Hon. G. T. VIRGO: I think I have told the House of the discussions that I had with the former Commonwealth Minister for Shipping and Transport, following the Premier's earlier discussions with the former Prime Minister. Arising from these discussions, officers of the South Australian Railways and of the Commonwealth Railways have made a searching investigation of the South Australian Railways proposal for standardization. This has now been completed, certainly to the satisfaction of the South Australian Railways and I hope to the satisfaction of all others concerned. Next Tuesday the Commonwealth Minister for Shipping and Transport will come to Adelaide to discuss with me the findings made by these officers. I hope that, as a result of these discussions, I shall be able to relieve the public of South Australia by telling them that the South Australian proposals have been accepted. As I have said before (and I think most people accept this), unless the standard gauge connections are made to industry, the proposals resulting from the Maunsell investigation would be of little, if any, value to South Australia as a whole.

SCHOOL CLASSROOMS

Mr. ALLEN: Has the Minister of Education a reply to the question I asked yesterday regarding the provision of additional classrooms at the Burra and Hallett Primary Schools?

The Hon. HUGH HUDSON: Site plans for the location of timber classrooms at Burra and Hallett have recently been forwarded to the Public Buildings Department. I am informed that the additional accommodation is expected to be erected at Hallett by late May, 1971, and at Burra by mid-June, 1971.

RAILWAY MODERNIZATION

Mr. PAYNE: Can the Minister of Roads and Transport say whether increased Commonwealth Government financial aid is likely to be available to the States to assist the State railways to embark on a programme of track and rolling stock modernization? In the March issue of *Network*, a railway journal, the editorial states that a survey by a Canberra economist has pointed out that only Commonwealth Government aid can help arrest the decline in State railway profitability.

The Hon. G. T. VIRGO: I certainly agree with the opinion of the economist in Canberra to which the honourable member has referred.

I cannot say that the Commonwealth Government will assist the States: I can only express the hope that it will. In the former Prime Minister's policy speech delivered before the last election, he made great play of the need for public transport in the various States and promised that the Commonwealth Government would provide the finance. At the recent meeting of the Australian Transport Advisory Council, this matter was raised (I think it reasonable to say that it was raised fairly vigorously) by Ministers present. So that there will be no misunderstanding, I may say that I did not speak on this matter, because I thought that it was being raised vigorously enough by Ministers from other States and I was content to leave it at that. I hope that, as a result of the Commonwealth Minister's promise at the meeting to have discussions with Cabinet to try to have the Prime Minister honour his promise to the people of Australia, finance will be forthcoming for the public transport sector, which, after all, is the only way we have of solving the traffic problems that each city in the Commonwealth is suffering in varying degrees.

COWELL SCHOOL

Mr. CARNIE: Has the Minister of Education a reply to the question I asked last week about work at the Cowell Area School?

The Hon. HUGH HUDSON: When the next programme of timber classrooms listed for completion during the first half of 1972 is drawn up, a triple-unit library for Cowell Area School will be included.

POORAKA SCHOOL

Mr. GROTH: Has the Minister of Education a reply to my recent question about the Pooraka Primary School?

The Hon. HUGH HUDSON: Tenders closed on March 12, 1971, for the erection of a new canteen building at the Pooraka Primary School. The tenders are being appraised, and a recommendation on the acceptance of a tender should be made shortly.

MAITLAND COURTHOUSE

Mr. FERGUSON: Can the Minister of Works say whether finality has been reached in regard to calling tenders for the building of a new courthouse and police residence at Maitland? I am sure there is no need for me to explain my question as the Minister knows that negotiations concerning this matter have been proceeding for a long time.

The Hon. J. D. CORCORAN: Offhand, I do not know whether any finality has been reached, but I will inquire and inform the honourable member by letter.

MURRAY BRIDGE PRIMARY SCHOOL

Mr. WARDLE: Has the Minister of Education a reply to my recent question about upgrading the Murray Bridge Primary School?

The Hon. HUGH HUDSON: For some time investigation has been proceeding into possible upgrading of the Murray Bridge Primary School. Plans are now being prepared for additions to provide for both primary and infant students and the removal of all timber buildings. This upgrading of the present school will include open-space teaching units, but, because of the difficulties of the school site, will not make use of the four-teacher or six-teacher units which are being constructed in other schools. Sketches commenced for this upgrading in February last, the tender call target is August, 1972, and availability in March, 1974, is expected. It is emphasized that the beginning of the 1974 school year is a target date. Upgrading problems in schools are always difficult, and invariably in the past there has tended to be some departure from the original timetable. Therefore, I do not want the honourable member to take these target dates as being necessarily absolutely certain.

LOANS TO PRODUCERS

Mr. VENNING: Has the Treasurer a reply to my recent question about loans to producers?

The Hon. D. A. DUNSTAN: The Under Treasurer and Chairman of the State Bank states that information has already been supplied on March 23 in answer to a Parliamentary question on the amounts of loans outstanding under the Loans to Producers Act classified in categories. It would not seem proper to release as public information the actual names of individual borrowers and the amounts involved for each borrower, except with the consent of the borrowers themselves. This would seem to be information which ordinarily should be regarded as private and confidential, unless the responsible Minister should be satisfied that the public interest calls for the disclosure. I am not so satisfied.

SCHOOL CLOSURES

Dr. EASTICK: Can the Minister of Education say when a decision will be made on the schools to be closed at the end of the

1971 school year? The Minister will be aware of the difficulties that arose towards the end of 1970, and we had his assurance that this matter would be fully considered and the parties involved notified in future. Can the Minister say when it is likely that the decision in question will be made and released?

The Hon. HUGH HUDSON: I cannot give a precise reply to the honourable member's question at this stage, although I assure him again that it will be earlier than last year. I am sure he will appreciate the problems that I had concerning this matter. We will notify the school committees concerned and, if the honourable member so desires, we will notify the people in the relevant areas who might be affected by the closures.

DRAINAGE SCHEME

Mr. RODDA: Will the Minister of Works ask the Minister of Lands whether there is any likelihood that the area in the South-East within a proclaimed drainage area, now being included in a proposal involving a blanket drainage charge, will be added to in future? I have been approached by landholders within the delineated area, in respect of which it is proposed to institute a blanket charge, and by landholders outside that area expressing the fear that the scheme, under which \$100,000 will be raised, represents a piecemeal approach. It is feared that the levy will be fixed and then extended after consideration of the Bill giving authority to raise money within the delineated area.

The Hon. J. D. CORCORAN: I think I can say categorically on behalf of my colleague that there is no intention to alter in any way the proposal that has been put to the people concerned. I think the honourable member is fully aware of just how much the Government is writing off in this matter: the Government has stated that it is prepared to collect \$100,000 a year and to forgo the rest, provided that the scheme is spread over this area. However, I believe the Government suggested to the people concerned, who were members of, I think, the South-Eastern Drainage Protest Association, or whatever it may be called (I am not sure of the correct title, but the honourable member knows to which organization I refer), that it was up to them to examine the proposal. If these people can come up with something better, we shall be happy to examine any suggestion they make. I think a series of meetings has been held throughout the area concerned, and varying attitudes have been adopted. However, in order to ensure

that what I have said is correct, I will take up the matter with my colleague and inform the honourable member by letter, if necessary. But it is not the Government's intention to advance one proposition and then, having established that, to deceive people by enlarging the scheme. I guess the people concerned would not mind if it were decreased at any time.

WATTLE PARK INTERSECTION

Mrs. STEELE: Can the Minister of Roads and Transport say, before the conclusion of this session, what steps the Road Traffic Board will recommend to eliminate the dangerous situation existing at the intersection of Penfold and Kensington Roads? I asked a question of the Minister on this subject almost immediately following the most recent fatal accident that occurred at this intersection, but I know that it would be of great interest (and it is certainly a matter of great concern) to the residents who live near this intersection if they knew that something was being done to eliminate the danger that exists. Although "stop" signs were promptly placed at the intersection as an interim measure, I point out that because of the dangerous nature of the intersection, especially as it involves traffic travelling south along Penfold Road, I believe the Road Traffic Board may intend to provide more extensive safety devices at this intersection.

The Hon. G. T. VIRGO: I think that if this is to be the last sitting of the Parliament the reply obviously is that I will not by some ungodly hour tomorrow morning have any further information than I now have. If, however, because of circumstances beyond the control of this House, we find that we are in session next week dealing with matters referred to us from another place, the situation could change. I trust that that will not be the case. In any event, I will keep the honourable member informed by correspondence.

BREATHALYSER

Mr. McANANEY: Has the Minister of Roads and Transport a reply to my recent question regarding breathalyser tests?

The Hon. G. T. VIRGO: Section 47b (1) of the Road Traffic Act provides that any person who is convicted of driving or attempting to drive a motor vehicle while there is present in his blood a concentration of .08 grams or more of alcohol in 100 millilitres of blood is liable for a second offence to a penalty of not less than \$100 and not more than \$300, or imprisonment for not more than three

months and, in addition to either penalty, the court may by order disqualify the person convicted of the offence from holding and obtaining a driver's licence for a period of not less than six months and not more than three years. It is considered that the penalty provided is adequate. It is, of course, for the convicting magistrate to impose such penalty as he considers warranted, taking into consideration the mandatory requirements of the law and the circumstances of each case.

DAM SINKING

Mr. GOLDSWORTHY: Will the Minister of Works say whether his department intends to inhibit or prohibit dam sinking in the Adelaide Hills catchment areas? I have been contacted by a resident of the Hills area who is engaged in this work and who believes that this may be the case. As this man intends to purchase further expensive equipment, it is imperative that this question be answered.

The Hon. J. D. CORCORAN: To the best of my knowledge, this is not so; my officers have not discussed, at least with me, the possibility of prohibiting or limiting dam sinking in the Adelaide Hills. However, in view of the honourable member's question and the alarm that has been expressed to him by his constituent, I shall be happy to take up the matter with the department and to give him a written reply.

LOXTON HIGH SCHOOL

Mr. NANKIVELL: Will the Minister of Education ascertain what progress has been made on the provision of a new canteen shell for the Loxton High School? I understand that this matter has been discussed and an undertaking given that a new canteen shell is to be built at this school. I am told that the present situation is not satisfactory; the existing building is in bad shape and the school committee will soon have to spend much money to upgrade it. However, the committee does not want to spend this money unless it is absolutely necessary for it to do so; indeed, this expenditure will not be necessary if the Minister can give an assurance that the provision of this canteen shell will not be delayed.

The Hon. HUGH HUDSON: I will look into the matter for the honourable member and inform him in a suitable manner.

EMPIRE TIMES

Mr. MILLHOUSE: Will the Attorney-General give me the answer to the questions I have asked from time to time about the *Empire*

Times, the Flinders University publication? This was the question I would have asked yesterday had you, Sir, allowed me to ask it.

The Hon. L. J. KING: I have authorized a prosecution against the alleged publisher of the September issue of *Empire Times* on charges of printing and publishing indecent matter. I understand that there has been some difficulty in effecting service of the summons.

SOUTH AFRICAN SPORTING TEAM

Mr. HALL: Can the Premier say whether the South African rugby team, which I understand is to play on the Norwood Oval during the mid-year, is to get the same official cold shoulder from the South Australian Government as apparently the South African cricket team is to receive?

The Hon. D. A. DUNSTAN: Yes. The South African Government has chosen to indicate that it will intrude its racial policies upon the sporting teams emanating from South Africa. This Government has not, as the Leader has seen fit to accuse it, introduced politics into sport: it is the South African Government that has seen fit to do so. The Leader has said publicly that this Government has not seen fit to show the same attitude towards cultural troupes that have come here from the Soviet Union. However, I think I have more reason than the Leader to deplore the attitude of the Soviet Government towards Soviet Jewry: after all, my children are Jews, racially and traditionally. What has not happened in that case is that the policies of the Government objected to have been intruded upon the selection of people to visit this country. What has happened in this instance, however, is that, against the views of the cricket authority of South Africa and against the views of the cricketers themselves, the South African Government has chosen to intrude its racist policies and has done so on a basis completely contrary to that accepted by this Parliament. In those circumstances, any troupe which comes here and which is based upon a selection completely contrary to the United Nations Convention on Racial Discrimination, which has been accepted by this Parliament, will receive from this Government exactly the same treatment as has been predicated in the case of the South African cricketers.

The Hon. D. N. BROOKMAN: In view of the Premier's statement yesterday regarding the South African cricket team, will the Premier now say what facilities he intends to withdraw from the team, and will this action take the form of any personal discourtesy to

the members of the visiting team? As far as I can ascertain, the Government did absolutely nothing for the last M.C.C. team that visited this State, except to accept invitations to watch it play cricket and, on one occasion, to be represented by the Minister of Education at a Lord Mayoral reception.

The Hon. D. A. DUNSTAN: I seem to remember there was a reception at Government House.

Mr. Millhouse: I hope that they weren't insulted there.

The SPEAKER: Order! There are far too many interjections. The member for Alexandra has asked a question, and the Premier is on his feet replying. Honourable members must not be discourteous in back-chatting across the Chamber; they must conduct themselves in a proper manner and in accordance with Standing Orders.

The Hon. D. A. DUNSTAN: The Government will not be involved in any arrangements concerning the tour by the South African cricketers. This will mean that there will be no Government attendance at functions involving the team; nor will there be any Government support for such functions. Further, the Government will not make special arrangements for charges at the Adelaide Oval, as was done in the case of the M.C.C. tour. If the honourable member wants to involve himself in support of a tour by cricketers who themselves have protested against their Government's action, he may do so.

The Hon. D. N. Brookman: You aren't answering the question.

The Hon. D. A. DUNSTAN: I am, and, if the honourable member wants to demonstrate his support for racialism, he may do so.

The Hon. D. N. BROOKMAN: I ask that the Premier withdraw his imputation that I am supporting racialism.

The Hon. D. A. DUNSTAN: I do not withdraw at all.

The Hon. D. N. BROOKMAN: I object to that. The Premier has made an imputation that I support racialism. It is quite incorrect.

The SPEAKER: What is the objection? What did the honourable Premier say?

The Hon. D. A. DUNSTAN: If the honourable member wants to know what I said, I said that if the honourable member wants to support racialism he may do so.

The Hon. D. N. BROOKMAN: I asked the Premier to speak on the question.

The SPEAKER: Order! There is no point of order.

The Hon. D. N. BROOKMAN: The Premier has made a clear imputation that I am supporting racialism, and the Premier means it as such.

Members interjecting:

The SPEAKER: Order! The honourable Premier said that if the honourable member wants to do that, he may do so. There is no imputation in that. There is no point of order.

The Hon. D. N. BROOKMAN (Alexandra) moved:

That the Speaker's ruling be disagreed to.

The SPEAKER: The honourable member must bring up his reasons in writing.

The Hon. D. N. BROOKMAN: I will do so.

The SPEAKER: The honourable member for Alexandra states:

That I move disagreement to your ruling that there was no point of order, because the Premier's words expressed as they were as a rhetorical question contained a clear and arrogant imputation that I was a racist, a charge that I deny.

Is the motion seconded?

Mr. MILLHOUSE: Yes, Mr. Speaker.

The Hon. D. N. BROOKMAN: It is now clear that it is extremely difficult for Opposition members to ask a question in the House without its being twisted in reply by Ministers (and in this case I refer to the Premier) who then receive the protection of the Chair. I asked the Premier the following clear question:

What facilities does the Premier intend to withdraw from the South African team, and will this take the form of any personal discourtesy to the members of the visiting team?

I then added a statement explaining that, as far as I knew, the Government had done absolutely nothing for the M.C.C. team, which was here recently. The question I asked was fair and could have been simply answered. It was prompted by a concern not with racialism or with whether there should be criticism of the South African Government but by a concern that young people from another country may come here on an official visit and possibly be snubbed personally during that visit. No Government should put itself in that position. There have been references earlier—

The SPEAKER: Order! The honourable member is debating a motion of dissent to the Speaker's ruling; he must not embark on a wider debate, but must confine his remarks to the motion before the Chair.

The Hon. D. N. BROOKMAN: I am leading up to the events that enabled the Premier, with your protection, to smear me as a racist. In doing so, I point out the importance in this community of not insulting the wrong people. During the last few months, there has been playing cricket for the South Australian team (and members of the Government, along with others, have been happy to watch him) a young South African cricketer who has been given every courtesy. In asking my question, I am only concerned lest other young men, who are probably similar types to Barry Richards, may be treated with discourtesy. When I asked my question I saw no reason for the Premier to twist it into an attack on me (he had no right to do this) and to make a clear and unmistakable imputation that I was a racist. I do not think the Premier will deny that he did that: he does not say anything now. When I objected to this, you, Sir, supported the Premier in allowing him to do that. Last week the Premier shouted out to a member on this side that that member had uttered a filthy lie. You did not take up the Premier on that matter.

The SPEAKER: Order! Neither did any other honourable member, and the honourable member must raise such a matter when it happens; he is out of order in raising that point later.

The Hon. D. N. BROOKMAN: I know very well that if I charged a Government member with uttering a filthy lie I would be checked by you immediately, without your waiting for any member opposite to raise the matter. I am disgusted with the way in which this House is being conducted at times. I believe that some of the things that have gone on in this Chamber want further ventilation. Some time ago, I went through the *Hansard* report of a week's debate and tabulated the admonitions that you had issued to members; there were 27 against Opposition members and five against Government members. When Opposition members ask clear and courteous questions, we are entitled to the protection of the Chair against abuse and personal imputations by Government members. I am complaining on this occasion about one member of the Government, the Premier: the man who complains about being smeared more often than anyone else does and who is only too happy to throw accusations at other people. I object to the way you have protected him.

Mr. MILLHOUSE (Mitcham): I support the honourable member for Alexandra on

every point he has made. There can be no doubt that, when anything that could possibly be objected to comes from this side, we are pulled up, but when the same thing comes from the other side the member is hardly ever pulled up.

The SPEAKER: Order! If the honourable member wants to reflect on the Chair, he will have to make a special motion of it. Otherwise, he must confine his remarks to the motion before the Chair.

Mr. MILLHOUSE: The member for Alexandra has said that there was a clear imputation behind the Premier's reply: even though he may not have said it in as many words, the implication from what the Premier said was that the member for Alexandra sympathized with the policies of the South African Government and therefore was a racist. There are two distinct matters in this: I should think that very few members on either side, if any, have any time for the policies of the South African Government. The overwhelming majority of us have no time for them. That is one matter: the other is whether, irrespective of what we may think about the policies of the South African Government, we believe that the tour of the South African cricketers and football players should proceed. That is entirely a different matter. The member for Alexandra asked a question about that second matter—whether the tour should proceed, what the attitude of the Government would be, and what facilities and courtesies would be withdrawn. That has nothing whatever to do with the question of racist policies of the South African Government but the Premier, in his reply, chose to link the two together and imply that the member for Alexandra, because he had asked questions about one matter, therefore sympathized with the policies of the South African Government. It is utterly wrong that that imputation should have been made.

In this day and age an imputation of racialism against a person is a serious attack on him, certainly in our community, and that is the attack which the Premier made upon the honourable member for Alexandra and to which the honourable member has taken objection. You know, Mr. Speaker, that there are a number of aspersions, which are regarded as objectionable and which are set out in *Erskine May*, and others which have been ruled upon from time to time in this House. I believe that the aspersion of racialism should now be added to the list because it is entirely

objectionable, and I believe the member for Alexandra is entirely right to ask for protection from the attack, which was completely ill-founded, inappropriate and unnecessary, made upon him by the Premier.

The Hon. D. A. DUNSTAN (Premier and Treasurer): The member for Alexandra chose to impute to the South Australian Government personal discourtesy to cricketers, very many of whom have themselves publicly demonstrated their disagreement with the policies of the South Australian Government in relation to the selection of their teams, but then to show that the South Australian Government in similarly demonstrating its disapproval of that policy was being discourteous personally to the cricketers who had demonstrated their disapproval of those policies.

The Hon. D. N. Brookman: Two of them.

The Hon. D. A. DUNSTAN: Not two, all 22 of them. The honourable member is free, apparently, to hand out that imputation to the South Australian Government of discourtesy to personal sportsmen but, when it is suggested to him that he is not, if he follows the course he is following, doing what is proper on the question of racial policies, he then complains. Nothing that I said in reply to the honourable member, which was similar to the imputation he cast upon this Government, has been in any way contrary to the rules of this Parliament. Sir, your ruling is perfectly correct, and that the Opposition should seek to justify the way in which it has endeavoured to throw overboard the Standing Orders of this Parliament during this session and make an attack upon you, Sir, which both Opposition members who have spoken have seen fit to do, is an attack not only on you personally but also on the institution of this Parliament.

Mr. McANANEY (Heysen): The Premier has said that we will have a cricket team coming here with certain ideas, but surely we, as a State, must accept them as sportsmen—

The SPEAKER: Order! The honourable member must speak to the motion before the Chair. We are not debating the cricket team.

Mr. McANANEY: Did you limit the Premier to the motion? He opened up the debate and I am speaking on similar lines.

The SPEAKER: The honourable member must confine his remarks to the question before the Chair: that is, disagreement to the Speaker's ruling.

Mr. McANANEY: Once again we are getting different treatment between one side of the House and the other.

The SPEAKER: Order! I request the honourable member for Heysen to withdraw that remark, particularly when a motion of dissent from the Speaker's ruling is being discussed.

Mr. McANANEY: I will withdraw on this occasion, Sir. I think I have made my point very clear. Standing Order No. 153 states:

No member shall digress from the subject matter of any question under discussion; and all imputations of improper motives, and all personal reflections on members shall be considered highly disorderly.

The SPEAKER: I ask the honourable member to observe that Standing Order.

Mr. McANANEY: When you do, I will. An imputation of personal reflection was made on the member for Alexandra and I support him to the full.

Mr. Clark: You just reflected on the Speaker.

Mr. McANANEY: The Premier, in reply to the question asked by the member for Alexandra, digressed and dealt with other matters. When he got up just now he widened the debate even more, yet we are being told that we have to stick strictly to the motion before the Chair. On two occasions this afternoon when he has digressed from the subject matter before the Chair he has not been pulled up, and I say this is completely unfair and a misinterpretation of the Standing Orders.

The Hon. HUGH HUDSON (Minister of Education): The question at issue is whether the words used by the Premier, namely, "If the honourable member wants to support racist policies he may do so"—

The Hon. D. N. Brookman: To "demonstrate" them.

The Hon. HUGH HUDSON: Well, "If he wants to demonstrate his support for racist policies": I am not sure of the exact words. However, the words are clearly hypothetical and also permissive. The member for Alexandra has a sensitive approach to these matters. He wants to read into all sorts of statements that are made, including this one, a direct reflection on him, in this case an accusation that he is a racist. Then, when the Speaker gives a ruling that, on an ordinary interpretation of these words, they are not a reflection on the honourable member, the honourable member says, "If I say they are a reflection on me, they are a reflection on me and, therefore, I must move

to disagree to the Speaker's ruling." This is the guts of the argument that the honourable member is using. He says, "I am the judge of whether anything is a reflection on me and, if I get upset, you had better listen to me."

The Hon. J. D. Corcoran: "Here come de judge!"

The Hon. HUGH HUDSON: Yes, and the jury, too. I suggest to the honourable member that, if he considers this matter calmly and when he has had a good sleep (perhaps he did not have enough sleep last night), he will see that he is reading into the situation more than can be read into it and that your ruling, Mr. Speaker, is correct. I think the honourable member would have been well advised to seek leave to make a personal explanation to make his views quite clear if he considered there was any doubt about them.

Mr. Millhouse: You agree that, from what the Premier said, there was some doubt, don't you?

The Hon. HUGH HUDSON: No, only in the mind of the member for Alexandra and the mind of the member for Mitcham. What goes on in the mind of the member for Mitcham, I could not say.

Mr. McANANEY: I rise on a point of order, Mr. Speaker. The Minister is not speaking to the motion before the Chair. He is digressing all over the place.

The Hon. HUGH HUDSON: I will not pursue that matter, except to say that, if one needs to reply to the member for Mitcham—

Dr. TONKIN: I rise on a point of order, Mr. Speaker. The Minister has said that he will not pursue the matter further but then he has gone on to speak about it.

The SPEAKER: What is the point of order?

Dr. TONKIN: That the Minister is carrying on directly in contravention of your ruling.

The SPEAKER: Order! I have not given any ruling on that.

Mr. McANANEY: It's about time you did.

The SPEAKER: There are too many interjections and, if honourable members contain themselves a little and listen rather than jump to conclusions, I think the business of this House will be conducted in a much better way. The honourable Minister of Education.

The Hon. HUGH HUDSON: The main point I wish to make is that, if any honourable member reads into a statement made in this House a personal attack or an implication of

such an attack, or if he interprets the statement as a personal attack, the normal course to adopt is to make a personal explanation, particularly in circumstances where the statement made is not a reflection on the member. This can happen often regarding one's imagination. It has occurred to me on occasions and I have subsequently made personal explanations. I suggest to the member for Alexandra and to other honourable members opposite that, on calmer reflection, they should withdraw the motion and, if the member for Alexandra then wishes to make a personal explanation, the House can give him leave.

Mr. GOLDSWORTHY (Kavel): I support the motion to dissent from your ruling, Mr. Speaker. The Minister of Education has done his best to play down the serious implication that the Premier has made in reflection on the member for Alexandra. A simple question was asked about what facilities the Government intended to withdraw, and the implication in the Premier's reply is perfectly clear. The Premier said, "If the honourable member wishes to demonstrate his support for racialism, he is free to do so." There has been a noticeable shift of ground in the defence by Government members. The Premier made no attempt to deny that an imputation was there. In fact, he saw fit to state that, in the question, there was an implication against the Government.

Members opposite must make up their minds. The burden of the argument by the Minister of Education was that there was no imputation. However, it is perfectly obvious that there was in the reply a clear and definite imputation of racialism. The Premier has stated that there was, in the question, an imputation, but such imputation was not there.

The Hon. G. T. Virgo: What do you think?

Mr. GOLDSWORTHY: In answer to the interjection—

The SPEAKER: Interjections should not be replied to.

Mr. GOLDSWORTHY: There was a clear imputation in the Premier's reply that the member for Alexandra was a racist. This sort of behaviour is not uncommon in replies from Ministers.

The SPEAKER: Order! The honourable member cannot pursue that line. He must confine his remarks to the motion before the Chair.

Mr. GOLDSWORTHY: I shall have no difficulty in linking my remarks with this motion. The point I am making is that, in the replies given by Ministers to questions, there are imputations of this nature.

The SPEAKER: Order! The matter that the honourable member is raising is not dealt with in this motion. If anything happens during Question Time, the honourable member must raise the point when it occurs.

Mr. GOLDSWORTHY: I am simply pointing out that this behaviour is common to Ministers. This is the sort of treatment to which we are becoming accustomed.

Mr. Langley: Hooey!

Mr. GOLDSWORTHY: It is not hooey.

The SPEAKER: Order! The honourable member is debating a motion about whether imputations have been made and is taking the opportunity to try to reflect on the Chair all the time. He must withdraw that remark.

Mr. GOLDSWORTHY: With respect, I have made no reflection on the Chair. My remarks have been confined to the replies we get from Ministers. By no stretch of the imagination can we consider this a reflection on the Chair. The point I am pursuing is that yesterday the same thing happened to me, and it came from the Minister of Roads and Transport.

The SPEAKER: Order! That is not the subject matter under discussion.

Mr. GOLDSWORTHY: Well, it appears that one is only permitted to get up in this debate and say, "I disagree with your ruling." What does impinge on this question? This is the treatment meted out to us day after day in this House, and it is no understatement to say that we are getting heartily sick of it.

Mr. Langley: Well, why don't you resign?

The SPEAKER: Order! The honourable member cannot continue to make imputations in speaking on this motion. I ask him to confine his remarks to the motion.

Mr. GOLDSWORTHY: Under the narrow confines of the ruling regarding members on this side—

The SPEAKER: Order! I ask the honourable member to withdraw that remark. I give him ample opportunity to do so.

Mr. GOLDSWORTHY: On what grounds am I asked to withdraw the remark?

The SPEAKER: It is a reflection on the Chair.

Mr. GOLDSWORTHY: The observation I have made is that the confines of this debate have been narrowed down to the arguments we have advanced. I cannot interpret this as

being a reflection on the Chair. In these circumstances, I cannot see any point in withdrawing what I do not consider to be an imputation. The fact of the matter is—

The SPEAKER: Does the member for Kavel withdraw?

Mr. GOLDSWORTHY: As I said earlier, I cannot by any stretch of the imagination see what there is to withdraw. I ask you, Sir, to define what I have said that is an imputation against the Chair.

The SPEAKER: Order! It is not the function of the Speaker to define matters during the course of debate for the purpose of giving rulings. I have asked the honourable member to withdraw the imputation against the Chair, namely, that a certain set of rules applies to one side and another set applies to the other side.

Mr. GOLDSWORTHY: I am asking you to tell me what I am asked to withdraw. My words were that we are getting heartily sick of the behaviour in this House: this is not an isolated complaint.

The SPEAKER: If that is what the member thinks he said, I suggest that he contain himself and be more careful regarding what he does say. If that is the remark he made, there is no withdrawal. The member for Kavel definitely reflected on the Speaker in regard to rulings and to applying Standing Orders in debate.

Mr. Goldsworthy: What did I say Mr. Speaker? I would like to know what I am being asked to withdraw.

Members interjecting:

The SPEAKER: Order!

Mr. Goldsworthy: I know, but does the Speaker know?

The SPEAKER: The honourable member said that members on his side were restricted regarding rules of debate, and I asked him to withdraw that statement because it was a reflection on the Chair. Is the honourable member willing to withdraw?

Mr. GOLDSWORTHY: We are restricted by the rules of debate; that is the operation of this House. I cannot see any point in withdrawing a statement of fact.

The SPEAKER: The honourable member said that it was restricted by the Speaker.

Mr. Goldsworthy: I didn't get that one.

The SPEAKER: The honourable member referred earlier to the Speaker's rulings in debate in this House.

Mr. HALL: On a point of order, Mr. Speaker.

The Hon. G. T. Virgo: How can you take a point of order when there is a motion before the Chair?

Mr. HALL: I ask for your same imposition of law and order in the House on this side as on the other. Listening to what has been said, I am totally confused about what the member for Kavel is expected to withdraw and, if I am confused, I am sure the honourable member is confused—

The SPEAKER: What is the point of order?

Mr. HALL: —especially as the result of interjections emanating from the other side of the House. I should like to know what the honourable member is expected to withdraw.

The SPEAKER: There is no point of order. I have asked the member for Kavel to withdraw the imputation that the Speaker was not applying the rules of debate to both sides of the Chamber alike. Is the honourable member prepared to withdraw?

Mr. GOLDSWORTHY: The statement I have been asked to withdraw is that you have confined this debate. As I think this is a statement of fact, I cannot see that it is a reflection on the Chair, and I am not prepared to withdraw.

The SPEAKER: I have no alternative but to name the member for Kavel. The honourable Premier.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I think under Standing Order 170 the honourable member has the right to make an explanation or apology before a motion is moved by me.

The SPEAKER: Does the member for Kavel wish to say anything?

Mr. GOLDSWORTHY: I am prepared to make an explanation. The statement I am asked to withdraw is that the Speaker has confined the limits of this debate.

The Hon. Hugh Hudson: It is not.

Mr. GOLDSWORTHY: They were the words. Of course, the difficulty is that there are 47 memories to consult, including your own, Mr. Speaker, and 49 including the Clerks'. My memory of the words I have been asked to withdraw is that "the Speaker has limited the confines of this debate". I think that is a statement of fact; I cannot see by any stretch of the imagination that this is a reflection on the Chair, and in these circumstances—

The SPEAKER: Order! The allegation which I asked to be withdrawn and which the honourable member made was that the rules were applied to his side, and that is a

reflection on the Chair. In effect, that is what he said.

Mr. GOLDSWORTHY: The restriction was placed on members on this side. No instruction was given to the Premier, when he spoke, to confine his remarks to the debate. The statement I made was that a direction was given to members on this side to confine our remarks to the question under discussion. This is a statement of fact, and I am not prepared to withdraw a statement of fact.

The SPEAKER: The honourable member must withdraw from the Chamber.

The honourable member for Kavel having withdrawn from the Chamber:

The Hon. D. A. DUNSTAN moved:

That the honourable member for Kavel be suspended from the service of the House for the remainder of today's sitting.

The House divided on the Hon. D. A. Dunstan's motion:

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

Noes (17)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Hall (teller), Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin and Wardle.

Pairs—Ayes—Messrs. Jennings and Lawn.
Noes—Messrs. Gunn and Venning.

Majority of 7 for the Ayes.

Motion thus carried.

The Hon. D. N. BROOKMAN (Alexandra): There have been two speakers in opposition to my motion, the contribution of the first of whom (the Minister of Education) was too childish, trifling and weakly humorous to be taken seriously. The Minister seems to take the attitude that, by adopting a pseudo-paternal attitude, he can somehow impress members on this side.

The Hon. Hugh Hudson: We cannot impress members on your side.

The SPEAKER: Order! Interjections are out of order.

The Hon. D. N. BROOKMAN: He knows very well that I was gravely and seriously smeared by the Premier this afternoon, and I consider that the very weakness of his attempt to defend the Premier indicates his knowledge of the Premier's guilt in this respect. On the other hand, the Premier made one other statement: he said that I had imputed

nasty things to the Government in my question. For the interest of honourable members, I will tell them on what I based my question: it was based on an article in yesterday afternoon's *News*, wherein the Premier was reported as saying:

I cannot ban them from South Australia, but the State Government will withdraw facilities to any South African sporting team in cases where the South African Government refuses anyone who is not white the right to be included in the team.

As a result of that statement, which is fairly emphatic, I asked the Premier what facilities he intended to withdraw, knowing that he had not provided facilities for visiting teams from other countries. That was a perfectly reasonable question to ask. I also asked whether this would take the form of a personal discourtesy to the members of the visiting team. That was another fair question, which was not in any way an imputation but which was based entirely on the reported remarks of the Premier. How that can be charged as an imputation against him, I do not know. I was simply asking the Premier a question and inviting him to answer it and to give the House information. Instead of doing that, the Premier smeared me by making a statement that the Minister of Education seemed to think, in his tolerant way, was not a nasty imputation. The Premier said that, if I wanted to demonstrate my support for racialism, I could do so.

The Hon. Hugh Hudson: He said that, if you wanted to demonstrate, it—

The Hon. D. N. BROOKMAN: You shut up!

The SPEAKER: Order! Interjections are out of order.

The Hon. D. N. BROOKMAN: Had I said, in reply to a statement from the Minister of Education, "If he wants to demonstrate his support for Communism", would the Minister of Education have objected?

Mr. Nankivell: Would he ever!

The Hon. D. N. BROOKMAN: The Minister obviously cannot deny that: he knows very well that he would have objected, and objected strongly, just as I have objected strongly to the Premier's nasty, smearing imputation. I do not usually take exception to matters such as this in debate.

Members interjecting:

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: Members get tired of hearing the Premier say that he is being smeared, and we get tired of his

charging everyone on this side with smearing him. Here, he has made a most unpleasant imputation which, if turned (as I have proved) into the word "Communism" in relation to the Minister of Education—

The Hon. Hugh Hudson: You haven't proved anything of the sort.

The Hon. D. N. BROOKMAN: —would have resulted in the Minister's objecting strongly.

The Hon. Hugh Hudson: I would have made a personal explanation.

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: The Premier's words constitute a nasty smear, and he knows it, as does every other member of the House.

The House divided on the Hon. D. N. Brookman's motion:

Ayes (17)—Messrs. Allen, Becker, Brookman (teller), Carnie, Coumbe, Eastick, Evans, Ferguson, Hall, Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin and Wardle.

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

Pairs—Ayes—Messrs. Gunn and Venning.

Noes—Messrs. Jennings and Lawn.

Majority of 7 for the Noes.

Motion thus negatived.

NO-CONFIDENCE MOTION

Mr. HALL (Leader of the Opposition) moved:

That Standing Orders be so far suspended as to enable me to move a motion without notice.

Motion carried.

Mr. HALL moved:

That, in view of his weakness and partiality this session, this House no longer has confidence in the Speaker.

Mr. MILLHOUSE seconded the motion.

Mr. HALL: I move the motion with much reluctance, because I had hoped that this session would end without another demonstration of the partiality to which our members have objected during the progress of the sittings of this Parliament. Mr. Speaker, your problem is not with the Opposition benches but with the Government benches, whose members you are unable to contain. I am sorry to have to say that.

The Premier is not important in this argument: he is but a catalyst. He has made an imputation against the honour of one of the front-bench members of the Opposition. This is not the first time the Premier has made such an imputation. We are becoming used to this behaviour from the Premier, and we expect that it will continue. We expect his forked tongue to continue to insult us by twisting the questions we ask. However, we expect to obtain the protection of the Standing Orders, which were framed so that a person such as the Premier could not dominate and take from the House the freedoms members should have under Standing Orders.

I clearly remember a previous occasion on which the Premier attacked the female members of my staff. You allowed him to go ahead unchallenged at that time, although he digressed completely from the question I had asked him. It is the Premier's habit always to turn to the personal insult if he has no answer to the content of a question or if he does not like the searching nature of a question. Therefore, you, Sir, have a perennial problem in this House, as you must contend with the Premier who, along with other Ministers, continually subverts the Standing Orders. You are not equal to the task of containing these utterances and applying the Standing Orders impartially. This may not be entirely your fault, if you cannot get the co-operation of the Labor Party in this Chamber but, after all, you do have the final responsibility for law and order in this House, and our objections must be made to you. That is why I have moved the motion of no confidence in your Speakership.

You will never find Opposition members in situations where they will not answer a call to order and use their common sense, when that call is applied to both sides of the House. You will never be harassed by Opposition members as the previous Speaker was harassed by the Labor Party, whose members sang the *Red Flag* outside his room when he was lying there ill late at night. You will never get that sort of harassment from this side of the House. You will always get a proper response to your efforts to maintain control in this House when you apply that control fairly throughout the House, and not unfairly as you have done. Therefore, it is your problem and not ours that you cannot control Government members, particularly those on the front bench, under the Standing Orders. That is why I have moved this motion.

Mr. MILLHOUSE (Mitcham): When you, Mr. Speaker, were nominated by your Party as Speaker of the House you were unanimously supported by all members. I may say that some of us were surprised at the nomination; we had expected the member for Adelaide to be nominated. However, he was not nominated and we supported you, although even at that time I had some misgivings about your fitness for the job. From the very beginning you have demonstrated your weakness and partiality in the conduct of the business of the House. If ever a decision has had to be made for or against the Opposition and therefore against or in favour of the Government, it has always been made against the Opposition. I know that you must feel secure in the numbers on the Government side who will support you no matter what you do, otherwise it would be too great a loss of face for them. You are secure in knowing that you can make any ruling and it will be upheld by a majority of members, but I remind you that your task as Speaker is to be impartial in this House and to give all members, irrespective of Party, a fair go.

We do not feel that we have had a fair go and as the session has gone on our feeling of unfair treatment by you has grown, and it has grown even today. I do not intend to go over the 74 days of sitting we have had this session, but I know members on this side could find on each of those days examples of your partiality towards the Government and your severity towards members on this side. I will mention one or two of the ways in which you have demonstrated your partiality and your weak reliance on your own Party. You have persistently warned members on this side by name when they have interjected, but if the interjections come from the Government side, as they do just as frequently as they do from our side, you make a general call to order saying, "Interjections are out of order," or words to that effect. Very seldom, if at all, do you ever mention a Government member by name in those circumstances and I point out what is so obvious—that all the suspensions during this session have been of Opposition members.

The member for Alexandra earlier today drew your attention to the number of calls to order of our members compared to those of Government members during one week. Sir, you are frequently prompted in your interventions in debate by the Ministers on the front bench. This afternoon, during the speech by the member for Alexandra, I heard the Minister of Works say something to the effect that,

"That is out of order," and you immediately got up and took the same point and ruled the honourable member out of order, and that is not the first time that has happened: it has happened frequently. We have seen you look towards the Premier and towards the front bench for guidance. We have heard the front bench prompting you by their *sotto voce* interjections to take points of order against members on this side.

I raised today by way of question your unfairness, as I called it yesterday, in ending Question Time when you knew well that I had another question to ask. It was then 3.45 p.m. and another 15 minutes remained. You have demonstrated today, in your answer to me, that you deliberately cut off Question Time and would not allow any more questions, as every other Speaker in my experience has, irrespective of Party. The Hon. Mr. Riches, as much as the Hon. Mr. Teusner, the Hon. Sir Robert Nicholls, and the Independent (Hon. Mr. Stott) allowed questions to be asked until they were satisfied that all questions had been exhausted or that 4 o'clock had come.

I also mention the farce that we had last week when you sat me down and then stood me up. It was on an appropriate day—April fools' day. It is recorded on page 4625 of *Hansard* that I tried to take a point of order when you were on your feet and you sat me down and then you scolded me for not stating my point of order. It was the most absurd interchange that has occurred this session and showed clearly your determination to muzzle me the same as you have tried to muzzle other members of my Party.

It is not a pleasant thing for us to have to move this motion of no confidence because, although it reflects directly on you for the way you have carried on this session, it does nothing to help the image of Parliament as such in this House. On many occasions visitors to the gallery of this House have remarked on your obvious partiality, and examples of your partiality are legion. That is a bad thing for the institution of Parliament. I hope that, although there is no chance of this motion being carried because you have the numbers on the Government side, what we have said will sink in and that next session you will try to show the impartiality that you promised you would show when you were first elected Speaker of this House.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I oppose the motion. The burden of the Leader's lay has been that you,

Mr. Speaker, have been placed in a difficult position by the activities of members of the Government, particularly me, in saying unpleasant things about members opposite. It is true, and I regret it, that in recent years there has been injected into this Parliament a degree of personality and personal bitterness that the Parliament has not previously seen.

Mr. Millhouse: Whose fault is that?

The Hon. D. A. DUNSTAN: It is perfectly true: it has happened. But to suggest that that bitterness in personalities has stemmed from this side is completely baseless and untrue.

Mr. Coumbe: I don't agree.

The Hon. D. A. DUNSTAN: The member for Torrens may not be able to agree, but I remind him that one of the very first things that happened on his Government's taking office in this House after our defeat was that his Leader was required to apologize to the House for telling a blatant untruth in an attack on me in this place. It was a personal attack, and that attitude has continued and, unfortunately (I do not charge the member for Torrens with this sort of thing: he has not been responsible for it), there have been three members of the Opposition who have assiduously followed this course: the Leader, the Deputy Leader and the member for Alexandra.

Mr. Millhouse: I reject that absolutely.

The Hon. D. A. DUNSTAN: Each one of them has been guilty of this, persistently. Only last week the Leader and the Deputy Leader proceeded to make a series of personal attacks upon members of the front bench on this side. Such attacks are baseless, gratuitous and improper, but they have been made. The member for Alexandra over a long period has made such attacks, and they have produced the most bitter replies from members on this side because of the personal vilification and scorn he has seen fit to inject into almost every debate in which he has been involved.

I remember, as the member for Torrens cannot, occasions on which, for instance, the former member for Whyalla was moved to the heights of indignation by the remarks of the member for Alexandra in his personal attacks on me over issues of racialism. The things he said about me on the introduction of the Prohibition of Discrimination Bill, the Aborigines Land Trust Bill, the Planning and Development Bill, and the Social Welfare Bill were personal attacks on me as a Minister here. We came to expect such attacks every time the honourable member rose to speak. I deplore this

type of attack. It is unfortunate, but it has happened and certain members opposite have been assiduous in pursuing such a course. There have been many occasions recently on which members on this side have been roused to a pitch of indignation and on which I have tried to keep them quiet. They have been roused because of the way members opposite have seen fit to indulge in personalities. I have interjected across the Chamber to try to get members opposite to desist from this course.

Mr. Coumbe: This has nothing to do with the motion.

The Hon. D. A. DUNSTAN: It has, because this was raised by the Leader as the source of trouble in this House that he said the Speaker could not contain. The source of trouble has been a course of personal vilification, which I deplore. Now, if honourable members opposite persist in this course, I am afraid there will be a natural reaction from this side of the House, and that reaction will persist. I am sorry about it and I do not like it, but I suggest that, before members opposite proceed to cast the first stone, they might look to themselves about this. The member for Mitcham has seen fit to say that all suspensions in this House have been of members on his side. That is true, but they have occurred only after members on his side have been given the utmost opportunity, repeatedly, to rectify their breaches of Standing Orders to which their attention has been properly drawn. The utmost facility has been given them on this score, but they have persisted, and one can only draw the conclusion that they have intended to be suspended in order to get public sympathy.

Mr. Clark: It wouldn't be the first time that had happened, either.

The Hon. D. A. DUNSTAN: No, it would not be. I have been suspended only once, and that was not on something of the kind that has happened here but on a matter of principle involving electoral reform.

Mr. Millhouse: That's a matter of your interpretation.

The Hon. D. A. DUNSTAN: Well, there was a time when the honourable member thought that was a matter of principle, also. Then, the member for Mitcham has suggested that we on this side have prompted you, Mr. Speaker, because you have taken up calls to order at the time when there have been *sotto voce* interjections of protest from the Government front bench. I can only say that you have given the utmost latitude to members

opposite in your interpretation of Standing Orders.

Mr. Millhouse: You can't believe that.

The Hon. D. A. DUNSTAN: I do believe it. The member for Mitcham persistently this session, as previously when he was in Opposition, has tried to exploit the latitude of the Speaker by persistent breaches of Standing Orders and has got up in this House and boasted of it time and again. He has said, "I got it in. It does not matter what you say to me now. I got it in anyway." How many times has that happened in this House?

Mr. Millhouse: You tell me.

The Hon. D. A. DUNSTAN: It has happened more times than I can remember.

Mr. Crimes: It happened yesterday.

The Hon. D. A. DUNSTAN: The honourable member persistently gets up and, having been called to order by you, Mr. Speaker, persists in saying what, under Standing Orders, he has been told he could not say. He then says, "I got it in, anyway."

Mrs. Byrne: "I've made my point."

The Hon. D. A. DUNSTAN: Yes. The member for Mitcham knows that full well. He has proceeded to exploit the latitude of Speakers in this House persistently and now he complains that sometimes, not always, he is having his attention called to the Standing Orders, and being asked to comply with them. Members on this side have also been called to order. The member for Mitcham has suggested that members on this side have not been named, but I can remember the Government Whip being called to order in summary tones by you, Sir. Several other members have been called similarly, but they have complied with your ruling, Mr. Speaker.

Mr. Coumbe: Occasionally they have been chided for interjecting.

The Hon. D. A. DUNSTAN: They have often been chided for interjecting. You have tried to keep order in this House, Mr. Speaker, while giving latitude to members to express themselves. Given the way the Opposition has chosen to try to avoid rulings and to act in breach of them more so than I have ever known to happen previously, it was remarkable that there were not more incidents than there have been this session. The member for Mitcham has been prominent in trying to exploit your leniency.

In relation to the matter of questions, there was a time in this House previously when Speakers suggested that members should jump from their seats for questions, and that proved so utterly unsatisfactory that no-one in the

House wanted it to continue, and the Speaker was asked to continue the process of calling the members, on the basis of their having indicated previously that they wanted to ask a question.

Mr. Clark: Fred Walsh said they were bobbing up and down like corks.

The Hon. D. A. DUNSTAN: Yes, or "like a yo-yo" would be more suitable. They were doing that. That was the experience in this House and the Speaker at that time decided to proceed as you have done. For the member for Mitcham to suggest that you have been in any way partial in this is completely baseless.

Mr. Millhouse: You know that's not true.

The Hon. D. A. DUNSTAN: The honourable member always interjects, out of order as usual, to say that anything that anyone else says that he does not like is ill motivated, known to be untrue, or something like that. That is his habit. Of course, he then says that people on this side are wrong in ever suggesting or imputing any ill motive to members opposite, even though he can never make a speech in this House without imputing ill motives to members on this side. If there has been difficulty and disorder in the House, it has been because of personal bitterness, arising out of the fact that some members refuse to accept that there are people here who may differ from them but who differ honestly.

I believe that there are members opposite who differ from Government members but differ honestly, and members will know that, where that sort of relationship exists between us, there has never been, from members on this side, the kind of bitterness towards those members which, unfortunately, we have seen in this House on occasion this session. I enjoin all members opposite on that because, if it can be something that imbues us all, I consider that this Parliament will be much the better for it, but I also consider that there is not the slightest basis for accusing you in any way, Mr. Speaker, in relation to these matters.

Mr. McANANEY (Heysen): Several times before this Parliament assembled, I said that we needed a good, strong, fair Speaker in this House, because I thought things had got a little out of hand, even in the last Parliament. I suppose that in this Parliament I have broken Standing Orders as many times as anyone else has, because of the fact that I think you, Mr. Speaker, have not been fair in your decisions. When one loses respect for someone one does not necessarily do what one would normally do. There have been cases of gross unfairness: you have called members to order, and what has happened? There have

immediately been six or seven members screaming on the other side, and you have completely ignored them, yet when one member on this side has interjected you have picked on him. While you display this basic unfairness here, you will not have my respect, and I will not do the things that I should do in this House.

This has gone on repeatedly, yet when the Acting Chairman of Committees has been in the Chair I do not think I have broken Standing Orders once, because he has a basic sense of fairness and justice. The member for Adelaide, who has been referred to, is a man for whom I have a great respect, even though I do not respect some of the things that he has said in this Chamber. However, when he has been in the Chair he has been fair, impartial, and a mighty fine representative of Parliament. But while you have been in the Chair I have gradually lost respect for the Chair and done things I would not normally do.

The Minister of Roads and Transport, who interjects all the time, has never once been pulled up or named in this House while you have been in the Chair. While this continues, you cannot expect us to respect you or your position. You have a duty to Parliament to be fair and impartial. Repeatedly, when someone interjects on the other side, you shoot up as though someone has stuck a pin in you, because you have been asked to do something. You are just a poor tool of the Government. I never thought I would have to say these things publicly but, as far as I am concerned, you are the worst Speaker I would ever hope to meet, and you are most unfair and unjust in this House.

You let the Premier expand on his remarks and get right away from the subject matter, and this applies to other members on the Government side, but when we try to reply we are pulled up because we are not speaking to the clause. You cannot expect respect when you do things like that. I thought the debate was getting to be a case of who was abusing whom and, although I did not want to speak originally, I have now laid on the line what I think of you as a Speaker. I ask you when we come back in the next Parliament to treat both sides alike, and to be fair but as tough as you like. The tougher you get with both sides, the more I will respect you and obey Standing Orders.

The Hon. HUGH HUDSON (Minister of Education): I have listened to the vilification of certain people that has taken place in this House previously, but we have been treated

this afternoon to one of the worst performances ever. I speak, first, as one who has been called to order numerous times by the Speaker. I recall the recent debate on the Public Service Act Amendment Bill when the member for Davenport was speaking and when I tried to make certain points, immediately being called to order by the Speaker. The member for Davenport said, "Yes, I got called to order on that also and could not make some of those points."

The member for Heysen seems to me to have given a perfect example of the criminal mind: he is rather like the man always being sentenced by the court. He says, "I continually break the law, Your Honour, because every time I break the law I have to come before you, and you treat me so unfairly. While you treat me so unfairly, I am going to continue to break the law." That is exactly what the member for Heysen has been saying this afternoon: "I have broken Standing Orders as much as anyone. I object to the way you, Mr. Speaker, treat people who break Standing Orders and, because I object, I am going to continue to break Standing Orders." The Opposition has adopted a deliberate policy of breaching Standing Orders. If members check through last week's *Hansard*, referring particularly to Question Time, they will find recorded by *Hansard* a total of 45 interjections, 29 from the Opposition and 16 from Government members.

Mr. Carnie: Did you interject?

The Hon. HUGH HUDSON: For the information of the member for Flinders, I am recorded as having made one interjection, so it was a pretty good week! Of those 45 interjections, the member for Mitcham made 10 (22 per cent). The member for Mitcham has turned himself into the most poisonous, bitter and unruly member who has ever been in this House. The honourable member had the gall to refer to page 4625 of *Hansard*, because he claimed that the Speaker prevented him from making a point of order. At page 4625 of *Hansard*, the member for Mitcham interjected when the Premier was speaking, and said, "Don't be silly," and the Speaker called members to order generally, as follows:

Order! I have warned honourable members not to interject, and I have asked them to conduct themselves in a manner befitting the position they hold. The Premier is replying to a question, and if anyone interjects further from now on he will be named without any further warning.

Hansard then records the following:

Mr. MILLHOUSE: I desire to take a point of order.

The SPEAKER: What is the point of order?

Mr. MILLHOUSE: You sit down and I will tell you.

That was the most insulting remark the member for Mitcham could think of quickly. He flings the remark straight at the Speaker, and then objects because the Speaker objects. The member for Mitcham has taken advantage of this no-confidence motion this afternoon to misrepresent in the most gross and disgraceful way what has taken place in this House. The member for Mitcham would leave the member for Heysen for dead in his deliberate attempts to flout the rules of this House, and it goes on and on. I could never have competed, even in my hey-day, with the attempts of the member for Mitcham to break the law in this House. He says he is a law and order man. He is even known as an honourable, learned and gallant member.

Mr. Coumbe: When was your hey-day?

The Hon. HUGH HUDSON: A few years ago. If anyone on the Opposition side should have refused to take part in this debate, it was the member for Mitcham, because he has followed a deliberate policy of flouting the Speaker's ruling on every possible occasion. When the Speaker introduced rules earlier this session in regard to putting a question first and then giving an explanation—

Mr. Millhouse: I'm glad you said he introduced the rules.

The Hon. HUGH HUDSON: They were introduced by the Speaker—

Mr. Millhouse: Yes!

The Hon. HUGH HUDSON: —and it was between six weeks and two months before the member for Mitcham would abide by them. He now abides by those rules, but every time he rose to ask a question, he led an attack on the Speaker's authority by flouting the Speaker's ruling.

The Hon. G. R. Broomhill: And he encouraged others.

The Hon. HUGH HUDSON: Yes. He did it himself about four times a day, flouting the Speaker's ruling and claiming that the Speaker was infringing on his rights as a private member. We have heard the honourable member ask questions in this House for weeks on end, but have any restrictions been applied effectively to the member for Mitcham? The honourable member will say anything that comes into his head if it is insulting and abusive enough. Indeed, he has done this continually. For the honourable member to have the hide to get up in this House and object

to anything absolutely amazes me. I now understand why the Leader has gone on record as saying that, if anyone says he is under the influence of the member for Mitcham, he is a traitor. We have heard much from members opposite about the moratorium and arguments about law and order have been advanced. But, honestly, members opposite, led by the member for Mitcham particularly, would leave Professor Medlin, Lyn Arnold and company for dead in their ability to flout any law or rule with which they disagree.

Mr. Coumbe: Why don't you get back to the motion?

The Hon. HUGH HUDSON: The motion deals with the alleged partiality of the Speaker. The argument advanced by members opposite is prejudiced and poisonous, they having done everything in their power to attack the Speaker and his rulings and to make the job as impossible as they could for him. Indeed, the member for Heysen openly admits this. He says to the Speaker, "I will continue to put you in the position in which you have to impose Standing Orders against me, because I am going to break the rulings you make in this House."

Mr. Coumbe: He was forced to. He had no alternative.

Mr. McAnaney: I said that, if he was a good strong Speaker, I would obey him every time.

The Hon. HUGH HUDSON: The honourable member should go before a judge one day and say, "If you are a good strong judge, I will obey you." Let him try that and see what happens. I assure him that he will not get an opportunity to say that again. If the honourable member would just think about the implications of what he has said in this House this afternoon, he would know that he was challenging the Standing Orders of this House and the Speaker, who was appointed to try to enforce those Standing Orders. True, as a consequence of tightly contested political situations, in part at least, over the last eight years, this House has developed into probably one of the most unruly Chambers ever known in South Australia's history. However, from what I have read about the situation obtaining in other States, you, Sir, will be pleased to know that there have been occasions on which members in other States have been much more unruly. Because it would do them some good, I refer honourable members opposite to Doctor Evatt's biography of William Alfred Holman; they would then be able to read about some

of the scenes that have occurred in the New South Wales Parliament.

The unruliness that has developed in this Parliament has been the result of a closely contested political situation, and it is becoming more and more impossible for anyone in the Chair to maintain decorum. However, you, Sir, have tried to impose some measure of decorum in this Chamber—indeed, more so than has any other person who has occupied the Speaker's or the Chairman's Chair. You have tried to prevent interjections more than has anyone else. In this respect, members on both sides of the House (and I freely admit that I, too, am responsible) have made your job difficult. However, the member for Mitcham particularly and, of late, the latter-day rebel, the member for Heysen, seem to want to make your job not difficult but impossible. I suggest to you, Sir, and to the South Australian public, that members opposite who support this motion are prejudiced before they start. They only ever see matters one way: they will not even check the facts of a situation. I only hope that the member for Mitcham will in future have the grace to behave himself in this Chamber and not try to be the debater, questioner, interjector, Speaker and everything else all at once.

Mr. VENNING (Rocky River): Regrettably, I rise to support the motion. You, Sir, will remember that several times I have spoken to you outside this Chamber, in your own private room, regarding the conduct of the House and the way you have carried out the duties of your office. You will remember, too, the comments that have passed between us on many occasions, including my comment that I considered that in your position—

The SPEAKER: Order! I should like to correct that statement: the honourable member spoke to me on one occasion only.

Mr. VENNING: No, Sir. I spoke to you once in your room and once in the corridors of the House, when I commented—

The SPEAKER: Order! Private conversations cannot be the subject of debate in this Chamber.

Mr. VENNING: I made the comment in your private room, Sir, that had I occupied the position that you, Sir, occupy I would have erred on the other side rather than have the situation we have today.

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

Mr. VENNING: Very well, Sir, I will try to speak to the motion. The Premier and the Minister of Education have spoken this afternoon. One would have expected them to

support you on this motion. However, members are here not to tell untruths but to put this matter on a correct basis, and that is why I rise today. Members will know that you have several times checked me in this place, but my comments have only been a reaction to your unfairness. The same applies to the member for Heysen. One can only take a certain amount and, once one has taken as much unfairness as one can take, one's reaction is immediate. I consider that the former member for Ridley (Hon. T. C. Stott) was a fair Speaker. Indeed, your deputies (the members for Adelaide and Price) have been fair and have occupied their positions with dignity. Opposition members therefore realize the different situation that obtains when you resume your Chair.

I am sorry that I have had to rise today to express my opinion on this situation. When members have had to be criticized for their conduct, you have risen and cast your gaze on this side of the House without looking straight down the centre of the Chamber, thereby avoiding having to reprimand members of your own Party as well as Opposition members. This angers one almost beyond one's control when one sees the unfairness with which this House is being ruled. I hope that when the House resumes, a different situation will obtain. As a member of the Opposition, I assure you, Sir, that, if Opposition members realize that justice is being administered from the Chair, you will recognize immediately the difference in the conduct of Opposition members.

The Hon. D. N. BROOKMAN (Alexandra): At times this debate has an unreal atmosphere of a sort of "double speak". Instead of dealing with the motion the Premier, except to give a brief opinion of it, decided to counter-attack, singling out Opposition members and picking three for special treatment, of whom I am one. I am getting a little less sensitive about these things now than perhaps I was. The fact is that the Premier has said that the trouble all comes from this side and that there is no fault on the Government side. Members opposite who have listened to this debate will have to look into their own understanding of events and search their own consciences to know whether that was a fair statement. I have been in the House since 1948. For the first few years the conduct of the debates was most tranquil, the tranquillity largely stemming from the personality of the Premier of the day.

Mr. Clark: And possibly of the Leader of the Opposition, too.

The Hon. D. N. BROOKMAN: Sir Thomas Playford had the type of personality which meant that if he could say "Yes" to a request he would do so and, if he had to say "No", he said it nicely. He did his best to see that passions were not inflamed in debate. He did not answer personal criticism very vigorously, although he was certainly a grand debater in defence of his Government's policies. The Leader of the Opposition at that time was the late Mr. O'Halloran, who, I think, contributed considerably to the helpful attitude in the House, and when I say "helpful" I mean that this attitude was helpful to the community rather than to the Government. Mr. O'Halloran was a powerful debater who made many good points. With those two Leaders, the atmosphere was the best I have known. Ever since, the situation has deteriorated. I must disagree with the Premier if he says that it has deteriorated through no fault of his. The Premier gave the impression that Opposition members were motivated by bitterness and hatred and that we were the cause of the trouble. He even said something today about Opposition members casting the first stone, but the first stone was cast many years ago.

The Premier referred to the day when he was thrown out of Parliament. Although I have not looked it up in *Hansard*, I know that I am right when I say that he accused Government members of being immoral in relation to the question he was concerned about. That was basically the reason why he was suspended. Perhaps that was the casting of the first stone; in any event, the first stone was not cast today, as this sort of thing has been going on for years. Although I do not want to pick up the bucket and empty out every little incident that has occurred over the years, because of the Premier's denial of fault on his side I must refer to some matters. The former member for Light (Mr. Freebairn) was subjected by a member of the Labor Party to one of the vilest personal attacks I have ever heard. The Labor member who transgressed on that occasion was not denied over the matter: nothing was said, yet everyone knows it was a vile personal attack. Today the Leader referred to an occasion when the previous Speaker was indisposed during an evening sitting.

Mr. Hall: He was seriously ill.

The Hon. D. N. BROOKMAN: I accept that: he was, and everyone in the House knew

it. However, some Labor Party members collected around the door of his room and sang songs in order to keep him disturbed. Does anyone suggest that is a faultless attitude? Last year I heard the Premier make a statement about a member of the Leader's staff that could have referred only to three persons on that staff. Later, when challenged about it, he said that he had not been referring to that staff, and that it was some story he had heard about a situation that had occurred before the change of Government. The member of the Leader's staff who was so obviously singled out was spoken to by dozens of people about the incident, for they recognized that that person was the member of the staff involved in the Premier's imputation. That person suffered severe personal anxiety and worry and was defenceless, being unable to counter-attack. Later, when the Premier said that that was not what he was referring to, he did not apologize for the worry and anxiety he had caused. He has said that the Leader has apologized, and that is true. At times most people make apologies. However, I do not think I have ever heard the Premier apologize, and if ever there was an occasion when an apology was merited it was the occasion to which I have referred.

We are told that no bitterness comes from the Government benches: that Government members do not start any bitterness. Until last May, I had been in Government for the preceding two years. One of my colleagues, who is a present member of the other place (Hon. Murray Hill), was singled out over and over again for personal vilification by members of this House who now occupy the Government front bench, and that includes the Minister of Roads and Transport. As Mr. Hill was singled out for that vilification, it is childish to hear it denied that the Government goes in for bitter criticism and accusations or to hear it said that the Opposition has today cast the first stone. How utterly childish! Although I will not refer to it at length, today an incident occurred in which I was smeared by a statement made by the Premier, and you, Mr. Speaker, upheld the right of the Premier to say what he said. When you were appointed, I was pleased; I thought we would get along well indeed. I thought you were (and I believe you are) sincerely anxious to see the business of the House proceed smoothly without any bitter comments, and to see the debates run along normal lines. I believe that you honestly hold that view. However, partiality you have shown provoked the

Opposition to make a protest today. Several members on this side have been suspended for various reasons: I was one of them. I will not go into details but, if anybody would like to refer to *Hansard*, there would be many different opinions on why I was suspended. Many people outside Parliament have asked me what really happened that day. I refer to the suspension of the member for Heysen a few weeks ago. He was suspended because the Premier drew attention to Standing Order—

The SPEAKER: Order! I have been more than tolerant with the honourable member for Alexandra. He is reflecting on a vote of this House. That was a decision of the House. I ask him to confine himself to the motion.

The Hon. D. N. BROOKMAN: I am reflecting not on a vote of the House but on your action in leading up to that vote, Sir. The Premier raised Standing Order 155—

The SPEAKER: Order! The honourable member for Alexandra will have to agree that it was a vote of the House, and as such has been dealt with before.

The Hon. D. N. BROOKMAN: Standing Orders have been suspended to enable this House to discuss the lack of confidence in you, Mr. Speaker. I am referring to your conduct, which is relevant to the debate, and it is cogent to refer to it. My objection has nothing to do with the division that followed but it was that you, having found that the Premier's reference to Standing Orders could not be sustained, found another Standing Order under which to eject the member. The Premier asked for him to be ejected under one Standing Order and after consultation you said, "No, I cannot uphold that." Obviously you were right in that, because the member for Mitcham pointed out that the Standing Order had not been followed in the proper procedure. You then invoked another Standing Order under which the member for Heysen was ejected. Members of this House took grave offence at that action. I will not go through all the little things that have occurred but I can say that they have built up into a feeling of resentment in the minds of members of this side. Over and over again I have heard members on this side checked for interjecting, and quite rightly so. I have also heard them checked while answering interjections. It seems that we lose both ways. The Minister of Education said today that the member for Mitcham was responsible for 22 per cent of the interjections in one afternoon: all I can say is that the Minister must certainly have been outside at a conference; he could not have been in the

House when the member for Mitcham was responsible for that percentage of interjections, because he just could not have held himself in. I support the motion.

The SPEAKER: If the Leader speaks, he closes the debate.

Mr. HALL: Mr. Speaker, I want to ask you a question. Does this mean you speak after I speak, or will I sit down and allow you to speak?

The SPEAKER: This is not a question. If the Leader speaks he closes the debate.

Mr. HALL (Leader of the Opposition): One of the things in question this afternoon is your partiality, and the other thing is your competence. Much has been said about your partiality to the Labor Party. I draw attention now to your competence. When the member for Rocky River was speaking a few moments ago you admonished him and prevented him from speaking along a certain line, because you said that private conversations were out of order in this House. Yet you yourself indulged in that in this House, as reported on page 4201 of *Hansard*, when you said in answer to a member of the Labor Party in this House that a member of this House had had a private conversation with you about certain matters. You took the liberty of revealing that private conversation with a member of the Liberal Party in reply to a question from an A.L.P. member. You said:

The provision of a gymnasium has been mentioned at random by some members and it was accidentally discussed this morning. It happened to be coincidental this morning, when I was having a cup of tea, that I had a discussion with the member for Fisher, who suggested that possibly squash courts or some other facility would be suitable, particularly for the younger members who have come into the House, and that it would help them keep their weight down.

The member for Fisher then asked leave to make a personal explanation, as follows:

The explanation is the result of a question asked by the member for Ross Smith and the reply that you gave, Mr. Speaker, in which you mentioned my name, as a result of a private conversation that we had while you were having a cup of tea with the Clerks this morning and I chose to join you in the discussion. . . . I did not approach you, and I did not mention the squash court.

Later you indicated that he did, and you defended revealing the private conversation that you revealed. You extracted an apology from the member on the basis that he said he never said it, and you went on to dishonour him in that fashion. I consider that he was quite right when he said:

That is my explanation, and I still feel that the kind of trust that one should put in a private conversation has been killed here this afternoon.

There are more important details in that explanation. You stopped the member for Rocky River, probably rightly, this afternoon for the same malpractice that you yourself have used in this House. If there was ever a demonstration of incompetence, that is it.

In summing up, I refer again to the Premier's remarks in the debate. He again made the charge that members on this side were bitter in their attacks on Government members. That is the last resort of people who are afraid of questioning and the truth. What did the Premier object to mostly? One of his prime examples was the attack on the credibility of Ministers I made in this House last week. He resents my revelations, which were freely made in this House, and completely ignores the basis on which I made those charges. The first charge I made was that someone was failing in credibility when a Premier could issue a pamphlet saying that the Education Department expenditure had increased by 15 per cent when the Attorney-General said the figure was 23 per cent. Is that a legitimate charge to make? The credibility of the Minister of Roads and Transport failed utterly when he said that the Metropolitan Adelaide Transportation Study plan had been withdrawn, while his Commissioner of Highways continued to announce the building of freeways under that plan, and while the State Planning Authority had submitted an amended plan endorsing the M.A.T.S. proposal. Am I indulging in bitter criticism when I expose the feigned credibility of the front-bench Minister?

I refer now to the Minister of Works, who gave his name to a report that gave a completely wrong impression in relation to the purchase of a significant tract of land in the Happy Valley reservoir catchment area. The Minister of Works bitterly resented my criticism about that. However, the announcement that the present Government had finalized this purchase was made fully in the *News* and the Minister did not deny it in the *Advertiser* on the next day. He did not deny the report if it was not true. The facts are that this report attributed the purchase to the present Government, whereas the last purchase was made in June, 1968, yet the Premier objects to my challenging these things.

Does he want dictatorship in South Australia so that he can shelter from the critical

probings by the Opposition? The Opposition has much more work to do, I assure the public. Obviously, if we have uncovered this sort of thing, there is much more to uncover. The Premier charges me with bitter, personal abuse because I have taken him up on his reply to a question asked by the member for Hanson in which he stated:

I presume the honourable member was joking when he said these negotiations were initiated by the previous Government, because they were not. In fact, negotiations had commenced in relation to the sale of gas and had then been completely suspended.

How much of this are we to take without criticism? I suppose it is only natural that the Premier should resent criticism: he has always resented it. He can hand it out but he cannot take it. That has been my observation over a period of 12 years in this House. It is always his mode of operation to dish it out and squirm, to make counter-charges, and to imagine that personal attacks are being made on him. He brings these attitudes in.

In my question this afternoon about the cricket team from South Africa, did I ask him to bring his family into the argument? Of course I did not. The Premier always resorts to these things, as is well known. It has been said in other States that this is his mode of operation. However, I return to the central theme of the motion. The Premier is unimportant in this debate, being nothing but a catalyst in it: he has made one of his usual charges, and you have supported him, Mr. Speaker.

The Premier, of course, has referred to an instance when, under Standing Orders, I apologized in this House. Well, I did apologize. I will continue to obey Standing Orders when they are justly applied. There is nothing wrong with obeying the Standing Orders. What I complain about is that you will not always impose them, and in this case the member for Alexandra had every right to expect your protection. I refer again to your obvious incompetence. What has happened today was a small example of what we are saying has occurred during the entire session, namely, that you are applying to one side standards different from those that you apply to yourself and to the other side. I believe, Sir, that you are too weak to control the Party that has put you into your office.

The SPEAKER: Before I put the question upon this motion, I state the obvious and say that I am human and have my share of human frailties and fallibilities. I point out that I do not make the Standing Orders: you,

the members, make them, and I am charged with the responsibility of interpreting and applying them. In this duty I have striven to discharge my obligations with impartiality, and with ill will or favour to none.

I claim that the latitude allowed by me to both sides during Question Time and in debate is greater than that allowed in any other Parliament in the Commonwealth of Nations. I do not intend to take up the challenge and say anything in reply to the gratuitous imputations and insults that have been hurled at me under the veil of this censure motion. I shall examine my conscience on the matter before the Chair and I invite each member, likewise, to examine his own conscience and conduct. If we can do this with some degree of objectivity and act on the results of that self-examination, the stature of this House will be enhanced immeasurably.

The House divided on the motion:

Ayes (17)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Hall (teller), Mathwin, McAnaney, Millhouse, Nankivell, Rodda, and Mrs. Steele, Messrs. Tonkin and Wardle.

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

Pairs—Ayes—Messrs. Gunn and Venning. Noes—Messrs. Jennings and Lawn.

Majority of 7 for the Noes.

Motion thus negatived.

WORKMEN'S COMPENSATION BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 3, line 24 (clause 6)—Leave out "may" and insert "shall".

No. 2. Page 3, lines 38 to 40 (clause 7)—Leave out clause 7 and insert new clause 7 as follows:

"7. *Application of this Act*—Except as provided in section 5, section 6 and subsections (8) and (9) of section 69 of this Act, this Act shall apply only to and in relation to a workman who suffers an injury after the commencement of this Act."

No. 3. Page 6, lines 33 to 37 (clause 8)—Leave out "totally or partially physically or mentally incapacitated by reason of that injury or when that day cannot be ascertained the day on which a legally qualified medical practitioner has certified that the workman was so incapacitated by reason of that injury" and insert "disabled from earning full wages by reason of that injury".

No. 4. Page 9, line 27 (clause 10)—After "a workman" insert "who suffers an injury resulting in his death or permanent total incapacity for work".

No. 5. Page 10, line 2 (clause 11)—Leave out "travel" and insert "a journey or journeys".

No. 6. Page 12, line 30 (clause 22)—Leave out "the" second occurring and insert "an".

No. 7. Page 19 (Clause 39)—After line 17 insert new subclause (4) as follows:

"(4) For the purposes of hearing and determining any application in the summary list made pursuant to section 52 or section 53 of this Act the Court may be constituted by an industrial magistrate."

No. 8. Page 19, line 19 (clause 40)—After "Court" insert ", which may be constituted by an industrial magistrate,".

No. 9. Page 23, line 24 (clause 52)—Leave out "who has examined the workman".

No. 10. Page 25, line 34 (clause 55)—Leave out "Court" and insert "court before which those proceedings are brought".

No. 11. Page 26, line 36 (clause 59)—After "have the" insert "regular or".

No. 12. Page 30, line 22 (clause 67)—After "67" insert "(1)".

No. 13. Page 30, lines 26 to 28 (clause 67)—Leave out all words in these lines and insert—

"(b) employment for which the workman is fitted is not reasonably available to the workman,".

No. 14. Page 30 (clause 67)—After line 34 insert new subclause (2) as follows:

"(2) In any proceedings under subsection (1) of this section it shall lie upon the employer to prove that employment for which the workman is fitted is reasonably available to the workman."

No. 15. Page 31, lines 28 to 30 (clause 69)—Leave out "pursuant to this section and the amount of compensation payable pursuant to this section shall be payable in addition to any weekly payment payable in respect of that incapacity" and insert "in accordance with either of those sections".

No. 16. Page 32, line 23 (clause 69)—After "this section" insert ", where a workman suffers a subsequent injury in respect of which he is entitled to have compensation assessed under this section".

No. 17. Page 32, lines 24 and 25 (clause 69)—Leave out "in respect of a relevant injury".

No. 18. Page 32, line 28 (clause 69)—Leave out "is" and insert "in".

No. 19. Page 32, line 31 (clause 69)—Leave out "payable" and insert "paid".

No. 20. Page 32, line 33 (clause 69)—Leave out "'relevant injury'" and insert "'subsequent injury in relation to a prior injury,'".

No. 21. Page 32, line 35 (clause 69)—Leave out "a" and insert "the".

No. 22. Page 34, lines 20 and 21 (clause 70)—Leave out "whether or not the workman is likely to suffer incapacity for work by reason of that injury" and insert "and that injury results in either permanent total or permanent partial incapacity for work".

No. 23. Page 34, line 42 (clause 70)—Leave out "prescribed" and insert "provided".

No. 24. Page 35, line 19 (clause 72)—
Leave out "or other compensation".

No. 25. Page 35, line 24 (clause 72)—
After "permanent" insert "total or partial".

No. 26. Page 37, line 7 (clause 75)—
After "Court" insert ", which may be con-
stituted by an industrial magistrate."

No. 27. Page 37, line 18 (clause 76)—
After "Court" insert ", which may be con-
stituted by an industrial magistrate."

No. 28. Page 37, line 38 (clause 78)—
After "Court" insert ", which may be con-
stituted by an industrial magistrate."

No. 29. Page 38, lines 20 to 24 (clause
82)—Leave out subclause (2) and insert new
subclause (2) as follows:

"(2) Where a workman has received
compensation under this Act in respect of
an injury he shall not bring an action
against his employer for damages in
respect of the same injury unless—

(a) within six months after he received
such compensation, or if more
than one payment of compensa-
tion was made, within six months
after he received the first such
payment he gave the employer
written notice of his intention to
bring that action; or

(b) having failed to give the written
notice in accordance with para-
graph (a) of this subsection,
his failure is excused by the
Court on the ground that—

(i) he was, at the material time,
absent from the State;

(ii) he was, at the material time,
a mentally defective person
within the meaning of
the Mental Health Act,
1935-1967, as amended;

(iii) he was, at the material time,
an infant; or

(iv) the failure was occasioned
by mistake or other rea-
sonable cause."

No. 30. Page 39, line 14 (clause 82)—
After "Act" insert "or under a law of any
other State or of the Commonwealth".

No. 31. Page 40, line 41 (clause 85)—
After "this State" insert "and compensation
has been recovered under that claim".

No. 32. Page 41, line 3 (clause 85)—
After "compensation" insert "or damages".

No. 33. Page 43, line 26 (clause 90)—
Leave out "ten" and insert "three".

No. 34. Page 44, lines 33 to 35 (clause
96)—Leave out the clause.

No. 35. Page 54, line 31 (clause 124)—
Leave out "receive" and insert "recover".

Consideration in Committee.

Amendment No. 1.

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

That the Legislative Council's amendment
No. 1 be agreed to.

Mr. MILLHOUSE: Will we receive any
explanations of what these amendments mean,
and will we be told who moved them in

another place? I understand that in another
place some amendments were moved by the
Minister in charge of the Bill. I think it
would help the Committee if the Minister
could at least indicate which of these amend-
ments we are now considering are Govern-
ment amendments, and perhaps, if he is able,
he will explain what they mean.

The Hon. D. H. McKEE: I understand
this amendment was moved in another place
by the Hon. Mr. Potter, and it was accepted
by the Government. We had a preliminary
conference before the Bill was introduced in
another place, and it was agreed that this
amendment would be accepted.

Mr. McANANEY: Why is it necessary that
"may" should become "shall"? I was once
involved in a long discussion with a lawyer
on this matter, but I have never been able
to get any satisfaction on it.

The Hon. D. H. McKEE: I think it is
purely a drafting matter. I cannot see much
difference between these words, but I suppose
the legal eagles would say that there was
a difference. We are willing to accept the
amendment.

Motion carried.

Amendment No. 2.

The Hon. D. H. McKEE: I move:

That the Legislative Council's amendment
No. 2 be disagreed to.

This amendment, if carried, would unduly
limit the clause, which is clearly expressed in
the form in which it was passed in this
Chamber.

Motion carried.

Amendment No. 3.

The Hon. D. H. McKEE: I move:

That the Legislative Council's amendment
No. 3 be disagreed to.

This amendment, if carried, would destroy
one of the principles of this clause and other
clauses that the Government considers
important, that is, that injury is related to
physical or mental incapacity rather than to
inability to earn full wages.

Motion carried.

Amendment No. 4.

The Hon. D. H. McKEE: I move:

That the Legislative Council's amendment
No. 4 be disagreed to.

This is another amendment that I cannot
accept, and I ask the Committee to reject
it, as it could result in a workman's being
debarred from workmen's compensation if
he were injured while acting in the interests
of his employer or in some other circum-
stances in carrying out his directions.

Motion carried.

Amendments Nos. 5 to 11.

The Hon. D. H. McKEE moved:

That the Legislative Council's amendments Nos. 5 to 11 be agreed to.

Mr. MILLHOUSE: Can the Minister say whether these are Government amendments or whether they were put in by other members, and can he say what is their purport?

The Hon. D. H. McKEE: These amendments we discussed last evening in a preliminary conference with members of another place, including the Hon. Mr. Potter and the Hon. Mr. Springett—

Mr. Millhouse: Who are "we"?

The Hon. D. H. McKEE: The Attorney-General, the member for Spence and I.

Mr. Millhouse: What's the effect of these amendments?

The Hon. D. H. McKEE: We decided that we could accept the amendments.

Mr. Millhouse: What do they mean?

The Hon. D. H. McKEE: Surely the honourable member does not expect me to sit down and read through the whole Bill, which is in front of him and which he can examine.

Motion carried.

Amendments Nos. 12 to 14.

The Hon. D. H. McKEE moved:

That the Legislative Council's amendments Nos. 12 to 14 be disagreed to.

Mr. MILLHOUSE: I do not want to embarrass the Minister, as we all know that he is new and learning the ropes. However, it is utterly unsatisfactory to receive the sort of answer I received a moment ago when I asked him what amendments Nos. 5 to 11 meant, and I was told to have a look at the Bill.

The Hon. D. H. McKEE: Haven't you got a copy of it?

Mr. MILLHOUSE: I have, but I had no idea what amendments were to be accepted or rejected, and it is discourteous of the Minister to give a reply such as that.

The Hon. D. H. McKEE: I can understand the honourable member's wanting to show off his legal ability.

Mr. MILLHOUSE: I do not want to show off my legal ability, whatever it may be. I merely want to know what the amendments mean. If the Minister is incapable of telling the Committee briefly what they mean, perhaps the Attorney-General, who was at the conference, would be able to do so. I am surprised that the member for Playford was not there, because he would undoubtedly be able to tell the Committee.

The Hon. D. H. McKEE: I didn't say he wasn't there.

Mr. MILLHOUSE: Well, only three members were mentioned. Perhaps the Attorney-General, the member for Spence, or the member for Playford could tell the Committee the effect of the amendments. Amendments Nos. 5 to 11 have been passed, and it would be contrary to Standing Orders for me to refer back to them.

The ACTING CHAIRMAN (Mr. Ryan): Order! The honourable member cannot return to amendments that have been decided by the Committee.

Mr. MILLHOUSE: That is exactly what I said, and, if you read *Hansard* tomorrow, you will see that that is what I said. The Committee has been asked to disagree to amendments Nos. 12 to 14. Surely someone should be able to give some sort of reason for the motion.

The Hon. D. H. McKEE: Amendments Nos. 12 to 14 will put the onus on an employer to find suitable employment for an injured workman when the latter is partially fit to return to work. It is fair and reasonable that someone should be responsible for ensuring that a person who is willing to work and who is partially fit can work. That is what the clause deals with.

Mr. Millhouse: But what do the amendments do?

The Hon. D. H. McKEE: The Legislative Council's amendments would have the effect of removing from an employer the onus to try to find reasonable employment for an employee and the Government cannot agree to that.

Mr. CUMBE: I listened with interest to what the Minister was trying to say about protecting workmen. By amendment No. 14, the Legislative Council wants to insert a new sub-clause. This amendment places the onus on the employer. If a small business cannot provide work for an injured workman, there could be difficulty. However, as the amendment places the onus on the employer, I should have thought the Minister would accept it.

The Hon. L. J. KING (Attorney-General): I want to correct one misconception of the member for Mitcham. From the informal discussion between Government members and certain members of the Legislative Council on this matter, it does not follow that agreement was reached on all matters, as is obvious from the fact that the Government is moving disagreement to amendments. Certain matters were

discussed and a better understanding was reached, some agreements being arrived at on amendments that it will be possible for the Government to accept. Although various names of members present at the conference were referred to, not all those members were there all the time owing to the exigencies of the business in both Chambers which meant that members had to come and go. As it left this Chamber, the Bill provided that a workman who was partially incapacitated would be treated as totally incapacitated if fit for some employment but if the employer had failed to make available employment for which the workman was treated.

The Legislative Council has sought to remove the obligation on the employer to make available or cause to be made available employment and has substituted for it a provision that the situation must be such that no suitable employment is available to the workman. Coupled with that, an onus is placed on the employer to prove that no suitable employment is available to the workman. The Legislative Council has substituted an evidentiary onus of proof for the legal obligation actually to make available or cause to be made available the employment. The Government believes that the original provision is desirable but we make clear that, in accordance with the justice of the matter as we see it, where a workman has been injured in the course of his employment he should be compensated until and unless the employer is either able to take him back or cause some other employment to be found for him. Until that stage is reached the man must be treated as still suffering total incapacity resulting from the injuries received in his employment and prevented from earning a living. That is why we ask the Committee to disagree to the amendment.

Mr. COUMBE: As I see the amendment, I should have thought the onus was still on the employer to find employment for the workman. I know that amendment No. 13 is consequential on amendment No. 14, but this is another way of making the employer responsible for finding employment for that workman. In that case, I should have thought the Government would consider this as an acceptable alternative. I do not think that the injured party would be seriously affected by this change.

Mr. McRAE: The amendment really does not help the existing situation. The member for Torrens will see that, instead of putting a direct onus on the employer to do something

positive, it merely involves evidentiary machinery when the matter comes to court. Instead of the current situation of a workman having to prove that he has made all reasonable efforts to find employment, we would then have the situation where the employer would merely indicate that there were jobs available in the general area. Once he has shown that, that would be as far as he would need to go; he would not even need to show that the employer had a job ready for the employee. All he would have to show was that there were jobs of a certain kind (for example, fitting and turning) available. That would be a complete defence for the employer. What the Government intended was that there should be put on each employer as far as possible a personal onus to try to get away from this impersonal situation and to try to have him do some thinking and leg work to find places of employment for his partially disabled workers.

Motion carried.

Amendments Nos. 15 to 21.

The Hon. D. H. McKEE: I move:

That the Legislative Council's amendments Nos. 15 to 21 be agreed to.

These are drafting amendments.

Mr. MILLHOUSE: Were they moved by the Minister?

The Hon. D. H. McKEE: Yes.

Motion carried.

Amendment No. 22.

The Hon. D. H. McKEE: I move:

That the Legislative Council's amendment No. 22 be disagreed to.

I move this for the same reason I gave in respect of amendment No. 3.

Motion carried.

Amendment No. 23.

The Hon. D. H. McKEE moved:

That the Legislative Council's amendment No. 23 be agreed to.

Mr. MILLHOUSE: Why? What is its effect?

Mr. McRAE: This amendment simply corrects a manuscript error by substituting "provided" for "prescribed".

Mr. MILLHOUSE: That is a perfectly satisfactory explanation.

Motion carried.

Amendment No. 24.

The Hon. D. H. McKEE: I move:

That the Legislative Council's amendment No. 24 be disagreed to.

The advantage of lump sum payments would be negated by this amendment.

Mr. COUMBE: I should appreciate the Minister's amplifying that explanation.

The Hon. D. H. McKEE: The amendment takes away the right to redeem a lump sum payment and possibly reimbursements other than weekly payments.

Mr. Millhouse: We have not had it before: this is new.

Mr. McRAE: This was the part of the Bill in which we provided for the first time that there could be a redemption of medical expenses or a redemption of weekly payments or a redemption of both. The effect of the amendment would bring it back to the existing situation.

Motion carried.

Amendments Nos. 25 to 28.

The Hon. D. H. McKEE moved:

That the Legislative Council's amendments Nos. 25 to 28 be agreed to.

Motion carried.

Amendment No. 29.

The Hon. D. H. McKEE: I move:

That the Legislative Council's amendment No. 29 be disagreed to.

It seeks to include in the Bill the provision of the present Act instead of the clause that was in the Bill as passed by this House.

Mr. Millhouse: What's the matter with it?

The Hon. L. J. KING: Under the present Act a workman who receives payment of workmen's compensation must, if he wishes to bring a common law action for damages, give notice within six months of the making of the first payment of compensation. If he fails to give notice he loses his right to damages. This is common and unfortunate. However, if the claim is for damages for personal injury not arising out of or in the course of employment the action can be brought within three years and no notice is required. Obviously, the workman bringing a common law action for injury sustained in and during the course of employment is in a worse position than the plaintiff who brings an action arising out of an accident elsewhere. The employer is in a much better position than the defendant in an ordinary accident claim, because he knows about the accident but time begins to run from the first payment of compensation.

The employer knows about the accident, will investigate it, and will have all the facts. There seems to be no good reason why a workman should lose his common law rights in circumstances in which other people would not, and when the employer is in a better position than the ordinary defendant in a personal

injury claim. Also, the workman suffers another disability. He receives his compensation and he may be lulled into a false sense of security, so that he thinks he need not consult a solicitor. He may never know that he is required to give notice within six months, until that period has passed. However, if he can bring himself within the exception it does not matter. The defendant in this type of claim is in a worse position than is the defendant in an ordinary personal injury claim. We have been trying to get rid of the situation under the present Act, but this amendment puts it right back to where we were.

Mr. McRAE: The Law Society has declared that all proceedings should have a time limit of three years. It has been the policy of this and the previous Government in their legislation dealing with claims against the Crown and instrumentalities of the Crown to implement a similar policy. It does not seem unreasonable to suggest that consistency should apply in this instance.

Mr. COUMBE: I thought the Minister would refer to the Law Society, but I see the point. I thought we had made provision under the original Act for this situation, but I shall let the matter rest.

Motion carried.

Amendments Nos. 30 to 35.

The Hon. D. H. McKEE moved:

That the Legislative Council's amendments Nos. 30 to 35 be agreed to.

Mr. Millhouse: Are these drafting amendments?

The Hon. D. H. McKEE: Yes, and they deal with claims made by persons. The amendments clarify the situation and protect the employees of this State against anyone who has made a claim elsewhere.

Mr. MILLHOUSE: Would the Attorney or the member for Playford amplify what the Minister has said and assure us that these are drafting amendments?

Mr. McRAE: Amendment No. 33 deals with the right between employers in industrial disease cases to recover one from the other. It reduces the limitation period from 10 years to three years.

Mr. Millhouse: Employers are going only three years back?

Mr. McRAE: Yes, against previous employers, the reason being added certainty between the assurers of those groups of employers. The other amendments are purely drafting amendments.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 2 to 4, 12 to 14, 22, 24, and 29 was adopted:

Because the amendments lessen the efficacy of the Bill.

Later:

The Legislative Council intimated that it insisted on its amendments Nos. 2 to 4, 12 to 14, 22, 24, and 29, to which the House of Assembly had disagreed.

Consideration in Committee.

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

That disagreement to the Legislative Council's amendments be insisted on.

I move this motion for reasons given earlier in the debate.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs. Carnie, Coumbe, King, McKee, and McRae.

Later, a message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room at 11 p.m.

At 10.54 p.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 4.37 a.m. on Thursday, April 8. The recommendations were as follows:

As to Amendment No. 2:

That the Legislative Council do not further insist on its amendment, but make the following amendment to the Bill in lieu thereof:

Clause 7, page 3, line 39—After "in relation to" insert "a workman who has suffered".

and that the House of Assembly agree thereto. As to Amendment No. 3:

That the Legislative Council do not further insist on its amendment, but make the following amendment to the Bill in lieu thereof:

Clause 8, page 6, line 37—After "that injury" insert "but the day on which the injury occurred shall not be ascertained by reference to the day so certified where the Court is satisfied that the injury occurred before the commencement of this Act.

(5) Where the Court is satisfied that the injury referred to in subsection (4) of this section occurred before the commencement of this Act, the Court shall if it is material to do so, fix a day that in its opinion is the nearest day, that can be determined having regard to all the circumstances, to the day on which that injury occurred and the day so fixed shall be deemed to be the day on which that injury occurred."

and that the House of Assembly agree thereto. As to Amendment No. 4:

That the Legislative Council do not further insist on its amendment.

As to Amendments Nos. 12 to 14:

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

As to Amendment No. 22:

That the Legislative Council do not further insist on its amendment, but make the following amendments to the Bill in lieu thereof:

Clause 69, page 33, after line 20—Insert—

"Speech Loss—

Total loss of the power of speech 75

Sensory Loss—

Total loss of senses of taste and smell 50

Total loss of sense of taste 25

Total loss of sense of smell 25"

Clause 70, page 34, line 19—Leave out "an" and insert "a permanent".

Lines 20 and 21—Leave out "whether or not the workman is likely to suffer incapacity for work by reason of that injury" and insert "and that injury results in either total or partial incapacity for work whether such incapacity is actual or potential or that injury is an injury referred to in subsection (3) of this section."

Page 35, lines 1 to 8—Leave out all words in these lines and insert in lieu thereof:

"(3) Notwithstanding anything in this section or in section 69 of this Act, where compensation is to be assessed in the manner provided for by this section in respect of an injury being—

(a) loss of genital organs;

(b) permanent loss of the capacity to engage in sexual intercourse; or

(c) severe bodily or facial scarring or disfigurement;

the amount of that compensation shall not exceed the sum of nine thousand dollars."

and that the House of Assembly agree thereto.

As to Amendments Nos. 24 and 29:

That the Legislative Council do not further insist on its amendments.

Later:

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

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

As most members are aware, the conference lasted about 5½ hours and there was a considerable effort by both sides to compromise. The decisions were not arrived at lightly. Full consideration was given to the matters involved,

and members have a copy of the recommendations and of the Bill. Members of the Opposition were represented at that conference.

I am pleased at the improvements made to the Act. Although the Government did not achieve all its objectives, it is now obvious that the South Australian Act will be far superior to legislation in other States. Injured workmen will benefit from a monetary point of view and will certainly be covered to a far greater degree than they have been covered previously. The shifting of the venue for hearing compensation cases to the Industrial Court will play a major part in expediting the finalization of claims. It is certain that further progress will be sought in future, as the Act will be kept under constant review. I thank my colleagues who assisted me in the lengthy task of drafting the Bill and I also thank those who so ably supported me during the debate and those who participated in the final conference.

Mr. COUNBE: I support the Minister in his statement that the Bill has been improved greatly by the amendments achieved in consultation with the Legislative Council.

The Hon. Hugh Hudson: He didn't say that at all.

The Hon. D. H. McKee: I thanked my colleagues here who assisted at the conference.

Mr. COUNBE: The Minister said that the Bill had been improved greatly.

The Hon. L. J. King: He said the present Act had been improved.

Mr. COUNBE: In my opinion, the Act has been improved greatly, and I go further and say that the Bill, as it left this Chamber, has been improved, too. This is in direct contrast to statements made outside the House by other bodies. At the conference, valuable suggestions were made by both sides. This Chamber did not persist with some of its amendments and, likewise, the Council did not persist with some of its amendments. Compromise amendments were made in several cases.

The significant amendment is No. 3, which has been amended and which makes provision about an injury that is a disease and the requirement that the court determine the commencement date of the disease. This will be of much help to the medical profession and has been raised earlier. Amendment No. 22 is also significant. We have combined clauses 69 and 70 to a large extent and have put some of the provisions of clause 70 into the tables. I think this makes interpretation and application easier. We have also made divisions into

various segments. Clause 70 has been added to and supported advantageously.

The Hon. D. H. McKee: We would prefer to have it as it left this Chamber.

Mr. COUNBE: These views have been expressed, and I, as a manager for this Chamber, am supporting the Minister. I consider that, as a result of the conference, the Bill is more acceptable and that the legislation will be workable and will provide extra protection to workmen. It certainly will provide greater scope and activity for the legal profession, and I know that there is support for that on both sides.

When we re-write legislation of this kind, it is only fair to expect that it should be considered again after having been in operation for one year or two years. It is only by experience and decisions in trial cases in court that some matters can be resolved. I am sure that several matters will fall into that category in this case. If Parliament has slipped up on any matters, only time will prove this.

Motion carried.

PISTOL LICENCE ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.
On this occasion I have the honour to move the second reading of this Bill, which was ably piloted through another place by the Hon. Mr. DeGaris, and I am pleased to have that honour. It is a rather rare and, perhaps, almost unique honour. It seems that there is an anomaly in the Pistol Licence Act, as a member of a rifle club is permitted to possess a pistol for his use as a member, but the Act does not provide for a member of a pistol club to possess a pistol for that purpose. The Hon. Mr. DeGaris, having noticed that, thinks that it ought to be remedied.

This short Bill is intended to cover the gap which appears to exist in the principal Act. At present, members of rifle clubs are exempt from the restrictions on carrying unlicensed pistols contained in section 4 of the principal Act. With the growth of pistol clubs, as distinct from rifle clubs, it is considered that this exemption should be extended to members of those pistol clubs. Accordingly, by clause 2 of this Bill, the exemption is extended to cover members of pistol clubs.

Later:

Dr. TONKIN (Bragg): I support the Bill. It is with much pleasure that I agree with everything the Attorney-General has said. Rifle clubs have been established for many years in this country and have been supported by the Commonwealth Government as part of a contribution to the general defence of the nation. The clubs have enjoyed several privileges and have received subsidies or free ammunition. They have been helped to obtain rifles. These clubs are well established and well recognized for their value in the community.

On the other hand, pistol clubs are of relatively recent origin and I think the sport is becoming more important. It now forms part of the events at the Olympic Games. I think that this anomaly has grown up because of the relatively recent inauguration of pistol clubs. It would be remiss of me not to congratulate the Government on accepting this legislation, and it would also be remiss of me not to say that I am disappointed that the Government did not give the same consideration to another measure relating to the control of air rifles.

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

BUILDERS LICENSING ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

UNFAIR ADVERTISING BILL

The Legislative Council intimated that it did not insist on its amendments Nos. 1 to 3, to which the House of Assembly had disagreed.

FISHERIES BILL

Returned from the Legislative Council without amendment.

COMPANIES ACT AMENDMENT BILL (FEES)

Returned from the Legislative Council without amendment.

ELECTORAL ACT AMENDMENT BILL (ENROLMENT)

Adjourned debate on second reading.

(Continued from March 18. Page 4221.)

Mr. PAYNE (Mitchell): The debate on this Bill has continued over a long period, as members know, and when I was speaking on the measure previously I was dealing with some of the arguments that had been advanced. I was able to dispose of what the Leader had said and I went on to examine the remarks

made by the member for Flinders. I was helping him to a better understanding of the meaning of the words "right" and "privilege". I tried to correct the misapprehension that he seemed to have about the meaning of those words. That honourable member also said that he wanted rural areas to have equal representation with the city. As the ultimate in such a system is one man one vote, we still have not got that desirable situation in this House let alone the other place. The member for Mitcham, in referring to members on our side, said:

They believe in compulsion in everything, trying to make people good, and this is just one example of it.

I accept one part of what the honourable member said: I take pride in the fact that we are trying to make people good. The honourable member, however, is trying to prevent people from being good. Further, we do not believe in compulsion in everything. For example, we do not believe in compulsory death in Vietnam, and the people of Australia do not believe that, as the honourable member's Party has found to its cost.

Mr. Mathwin: You've got a big job to tie Vietnam in with this Bill.

Mr. PAYNE: The extent of this debate has been discussed previously, and, as I have said, I will abide by your ruling, Mr. Speaker. I have examined all the speeches made in the debate, including that by the member for Glenelg, and I do not expect that my remarks will be limited severely. The member for Mitcham tried to make out that the people of the United States had ideas about elections other than those we have here, and he said that we were trying to embarrass members in another place. He was saying, in effect, that the feelings and wishes of certain members of another place are more important than the feelings and wishes of the ordinary people of this State who are denied a vote for the Upper House. The member for Mitcham went on to say that there must be a distinction in the franchise as between the two Houses, and he said that as though it were the law.

The member for Mitcham also referred to a change in our policy "on an electoral matter". However, I point out that the Commonwealth Liberal Party has changed its Leader and has also done an about-turn on the pensions issue. Within a few months, that Party was able to produce money for additional pensions which could not be produced previously.

Mr. McANANEY: Mr. Speaker, on a point of order. What has the matter of pensions to do with the Electoral Act?

The SPEAKER: Order! The member for Mitchell must speak to the Bill. His remarks must be linked to the contents of the Bill.

Mr. PAYNE: Certainly, Mr. Speaker. The member for Mitcham was being critical and pointing out that we had changed our minds sharply on certain issues, and I am pointing out that members of his Party in the Commonwealth sphere changed their minds regarding their own Leader and dumped the Leader they had. The member for Mitcham referred to *Readings in Australian Government*, chapter 16, by Colin Hughes, and, referring to compulsory voting, the honourable member said that there were 17 arguments for compulsion and 10 against. He said he accepted the 10 against as being stronger. Members opposite do not worry about the quality of an argument: because they say something, it is correct! The honourable member, together with other members opposite, never misses the chance to ear-bash members in this House. The member for Mitcham glossed over this reference that he cited to the House, and that intrigued me, for I considered that it was uncharacteristic of him. We are more accustomed to seeing the honourable member rise to speak, standing behind a veritable mountain of references. I have here the book to which the honourable member referred, and I can understand why he decided to gloss over this reference.

I am sure that if members read what is actually contained in the reference they will come to a conclusion different from that reached by the member for Mitcham because, in fact, the only real argument against compulsory voting in the chapter referred to is that it takes longer to count the votes. I am sure that we can safely leave any extra work entailed to the State Returning Officer (Mr. Douglass). Another argument advanced by the opponents of compulsory voting is that it increases the number of informal votes cast, but I am afraid that that is not so according to this authority, which contains figures and charts proving this point. The authority to which the member for Mitcham referred also states that there is little evidence that compulsory voting is thought to be oppressive, and this is shown—

Mr. Mathwin: Who wrote that? Was it Karl Marx?

Mr. PAYNE: No, it was written by Colin Hughes. Members opposite are determined

at all costs to prevent the people of this State from democratizing the other place. The member for Torrens, who also spoke in this debate, is a member who I believe is usually sincere, and I think my view is probably shared by other members. However, I must take issue with some of his remarks. The honourable member intoned his part in the litany to which I referred earlier, and this rather surprised me. The honourable member demonstrated that there should be adult suffrage at times, even though he did not believe in availing himself of that right. He said that it was one of the jobs of Her Majesty's Opposition to see that the liberties of minorities of this State were preserved and that whatever liberties and freedoms existed were maintained. The honourable member continued:

That is why we are opposing this Bill, which seeks to introduce compulsion.

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

Mr. PAYNE: The member for Torrens made it clear that he opposed the Bill because it sought to introduce compulsion. I ask the honourable member and other members opposite why, if they really oppose compulsion, as they claim, they stand for compulsory military service in Vietnam. Why have they not brought to bear whatever influence they have with the Commonwealth Government to get rid of the National Service Act? Of course, the answer is clear: they are not really sincere, and their arguments about compulsion apply only when it suits them. The issue in this matter is clear. All the people in this State who vote in House of Assembly elections should be entitled to vote in elections for the Legislative Council. This Bill will make that a reality, and I support it.

Mrs. STEELE (Davenport): This Bill provides for compulsory voting. All members know how much the Government favours anything that savours of compulsion. Indeed, it would be pointless to proceed with a Bill of this nature, as the Legislative Council would then be simply a mirror of this House.

Mr. Burdon: You have been saying that for 100 years.

Mrs. STEELE: Yes, and I will keep on saying it if the honourable member wants me to. However, the service which the Legislative Council has given the people of South Australia is obvious, and I remind honourable members of the processes that are adopted in introducing legislation into this Parliament. All members know that both Houses of Parliament have the right to introduce legislation

and, as I so often point out to groups of people who come into this House as my guests to see Parliament in progress, Bills go through a certain course. Notice is given of their introduction and, on the next day of sitting, the Minister in charge of the Bill gives the second reading explanation. The adjournment is then taken by a member of the Opposition and, usually on the next day of sitting, he replies on behalf of Her Majesty's Opposition. Then every member has the right to speak on that Bill. This having been done, the House then goes into Committee, when every clause of the Bill is debated, and it is at this stage that amendments are introduced, usually by Opposition members, who seek to improve the Bill.

Mr. Coumbe: But never from the other side.

Mrs. STEELE: No, I would not say that. So often, following the introduction of a Bill into this House, we find on our Bill files many amendments to be moved by the Minister who introduced the Bill.

Mr. Coumbe: The Workmen's Compensation Bill, for instance.

Mrs. STEELE: Exactly. This gives evidence of the haste with which so much of the legislation introduced by the Government is prepared. After it has been in Committee, the Bill is read a third time and is then transmitted to the Legislative Council. Then, exactly the same processes are followed. I ask honourable members on both sides to recall how often amendments are made to a Bill which passes this House, particularly at present, where, despite whatever attempts (and hard fought attempts they are) are made by Opposition members to improve the Bill, because of the superior numbers of the Government those amendments are defeated. Therefore, the Bill is usually transmitted to the Legislative Council in its original entirety.

I ask honourable members to recall (and they have only to throw their minds back an hour or two today to see this) how often Bills presented to the Upper House are considered by that House and go through the exact stages that pertain in this House; they are then either returned to this House unamended, in which event they become law after they receive the vice-regal assent on behalf of Her Majesty, or they are amended. I ask honourable members to realize how often Legislative Council amendments are agreed to by the Government in this House. In most instances the Bills are improved by the amendments made by the Legislative Council. Today, we

have even had the unusual experience of the Attorney-General's introducing a Bill that was prepared by the Leader of the Opposition in another place and saying that he was proud to do so.

Mr. Coumbe: And it will not be the last time, either.

Mrs. STEELE: Perhaps not. I remind members of the many occasions on which Bills from another place, which have been amended, have been accepted by the Labor Government in this Chamber.

Mr. Coumbe: To improve the legislation.

Mrs. STEELE: Yes, the fact that the amendments have been accepted indicates that. For instance, today the Minister of Labour and Industry agreed to many amendments to a Bill. As you, Sir, will recollect, this afternoon several Bills returned from the Upper House were accepted without amendment by that august Chamber. In this regard I remind honourable members of the democratic processes of legislation that apply in South Australia. I also remind honourable members that at present 85 per cent of the people in the electorate have the right to vote for the Legislative Council, since the franchise was extended to spouses of eligible electors of that Chamber.

Mr. Coumbe: By a Liberal and Country League Government.

Mrs. STEELE: Yes. I support adult franchise. However, I make this important qualification: I believe in voluntary enrolment and voluntary voting, as I see no virtue in having another Chamber which mirrors exactly this Chamber. As honourable members know perfectly well, Queensland is the only State in the Commonwealth that does not have an Upper House. During the many years that the Labor Party was in Government in Queensland, it brought about this change.

Mr. Clark: That's not true; the other side brought it in.

Mr. Coumbe: And doesn't Mr. Gair regret it!

Mrs. STEELE: The Labor Government wants this to happen in South Australia: it is its avowed intention to abolish the Upper House.

Mr. Mathwin: It's in its black book.

Mrs. STEELE: Yes. I remind honourable members about what happened in New South Wales. That State also had a Labor Government for many years, whose avowed intention was to abolish the Upper House. We all know what happened in that State over the

years. Labor members were elected to the Upper House and the time came when the Labor Party thought it should abolish the Upper House, but Labor members refused to vote for their own abolition. If ever a similar situation arises in this State, it will be interesting to see what Labor Party members of the Upper House here will do. South Australia has a tried and accepted form of democratic Government.

Mr. Crimes: It isn't accepted.

The SPEAKER: Order! Interjections are out of order.

Mrs. STEELE: I am speaking for the Opposition. We have every right to advance an argument, as we represent a minority of the people in South Australia. Many people in this State would be extremely sorry to see the Legislative Council abolished, but I do not think that will happen; I think that the common sense of the people in South Australia will prevent that from happening. The Government is never happier than when it is recommending compulsion in one form or another. We have seen one Bill after another that provides for various forms of compulsion. The Parliament in South Australia is not alone in having a bicameral system of Government. Throughout the world democratic Parliaments have demonstrated their belief in this form of Government. I do not think there is any doubt about the service that the Legislative Council renders to the people of South Australia.

Mr. Coumbe: Don't local government authorities thank the Council!

Mrs. STEELE: Yes. Opposition members represent people who believe in and support a second Chamber, which can have a second look at legislation introduced in this Parliament. The House of Assembly is not the only Chamber that can initiate legislation: the Legislative Council has the right to introduce Bills, and this Chamber has the right to have a second look at that legislation.

The SPEAKER: Order! Can the honourable member tell me to what clauses of the Bill she is speaking?

Mrs. STEELE: I am speaking to the second reading.

Mr. Curren: To which Bill are you referring?

Mrs. STEELE: I am referring to the Electoral Act Amendment Bill, and this is an adjourned debate on the second reading. I make no secret of the fact that I believe in adult franchise for the Legislative Council. In fact, some years ago I supported the intro-

duction of this system, and my views have not changed. I believe that in the interests of democracy we should have adult franchise for the Legislative Council. However, I believe in voluntary enrolment and voluntary elections. Also, as other Opposition members have advocated, I believe that elections for each Chamber should be held on separate days. I am glad of this opportunity of speaking in the debate. I have great pleasure in opposing the Bill.

Mr. EVANS (Fisher): I oppose the Bill. I believe most members opposite know why I take this course. During this session other measures have been dealt with that have involved consideration of the question of voluntary voting as against compulsory voting. Members will recall that I have spoken rather strongly against lowering the age of majority in respect of the vote, and I have also fought for voluntary rather than compulsory voting. The position has not changed. In fact, now that the age for voting has virtually been set at 18 years, I believe there is a stronger case than ever for voluntary voting. I think the member for Mitchell is wrong when he says this Bill represents progress: I believe it represents the opposite.

Mr. Hall: There was a voluntary vote in the shopping referendum!

Mr. EVANS: Yes, and so many people have not been charged with not voting. In this Bill, the Government is taking a backward rather than a forward step. If people believe in democracy and the right of the individual (and it is a right) to vote, why compel people to vote? However, that is what the Bill sets out to do, and that is one reason why in Committee I will move to have a voluntary vote for both Houses. The member for Mitchell said that he did not believe that there would be an increase in the informal vote if voting was compulsory.

Mr. Payne: It has not been proved.

Mr. EVANS: The member for Mawson has said that if a person does not wish to vote he is not forced to vote, but is merely forced to go to the poll and register that he has been there: in other words, it is an attendance roster. Why force a person to waste time and money to go to the poll if he does not wish to vote? The member for Chaffey may have the time, but do rural workers and property owners in his district have this time to waste? Behind this Bill is the ambition of the Labor Party to abolish the Upper House: that is why it believes that there should be a compulsory vote. It is not

democracy: it is dictatorship, and if the Labor Party could abolish the Upper House by this method it would do so. Labor members have stated that that is the Party's intention.

Mr. Mathwin: They have signed the pledge to support that policy.

Mr. EVANS: We know what happened to a Bill that came before this House recently. Some members on this side, who acted independently of me and my colleagues in the discussion, negotiated with members opposite about 128 amendments to the Bill. These amendments were introduced at 8 p.m. and we were asked to discuss them and vote on them at 9 p.m. Members of the trade union movement and other organizations had stated that if we altered the Bill there would be industrial strife, yet we were asked to decide on amendments that we were told should not be moved to that Bill. I objected, and the Premier said—

The SPEAKER: Order! The honourable member should link his remarks to the Bill.

Mr. EVANS: The Premier said that he realized that notice was short; the only reason I was willing to sit down and allow the amendments to proceed was that the Legislative Council would have the opportunity to review these amendments and the Bill. What happened in the other place? About 35 more amendments were recommended, and most of them will be accepted by this House. Is any Government member willing to say that the Upper House is a useless place and serves no useful purpose?

Mr. Venning: They say it with their tongue in their cheek.

Mr. EVANS: If they believe that, they are dishonest to the cause of democracy. I believe they would be willing to set up a dictatorship so that Bills could be introduced at any time and Opposition members and Government back-benchers, who did not have any knowledge of them, would be told to cast a vote that would change the law overnight, as there would be no review of the Bills. The Attorney-General knows that, under a Labor Government in Queensland, development was retarded for many years, and it was only when a change of Government occurred that that State began to progress. Eventually, it may have a bicameral system of Government.

The Hon. L. J. King: It has not been done yet and has not been suggested and the Liberals have been in office for many years.

Mr. EVANS: We know that legislation is often introduced into this Chamber and passed more rapidly than it should be. Members may have the chance to consider legislation and form an opinion about it, but they do not have the chance to obtain an opinion from people outside this House who will be affected by the legislation.

Mr. Curren: Or get their instructions!

Mr. EVANS: If the member for Chaffey admits that his Party receives instructions from the trade union movement, that is not for me to deny. We do not always have the chance to go into the community and obtain information from those people who will be affected by legislation introduced into this House. Often we do not have this information before we are asked to vote on a Bill, but we accept that fact, knowing that in another place legislation can be reviewed by an independent group of people.

Members interjecting:

The SPEAKER: Order!

Mr. EVANS: Its members are independent of those in this Chamber and take an independent vote. I do not know of any member who hands notes to them and tells them what to do, unless Government members do it. I assure honourable members that members of the Liberal Party never take this course of action. Government members know that the Legislative Council is an important part—

Mr. Clark: Of the Liberal Party!

Mr. EVANS: —of democracy, and is necessary to protect the rights of people in this State. I now refer to the proposal to lower the age of majority in this State from 21 years to 18 years. One would be foolish to argue that it should be an age other than 18 years, as both Houses have decided that the age of majority should be 18 years. I believe that, because of the cause for which I fight and the things I have said in the past, I should refer to the changes that will occur. It may be interesting to those who believe in compulsory voting to know that, of the countries I shall name, only one has 18-year-old voting and compulsory voting. There may be others: some of these countries may have an age group of over 18 years with compulsory voting. The countries are Austria, Sweden, Switzerland, Denmark, Finland, Spain, Portugal (where there is a dictatorship), India, Pakistan (with all its trouble and with marshal law), New Zealand, Italy, the Netherlands, Japan, Belgium, Luxembourg, Germany, America, Canada, and Turkey. As far as I

can find out, Russia is the only country that has compulsory voting and voting for 18-year-olds. When members speak of America or Germany lowering the voting age to 18 years, or of New Zealand or Japan lowering it to 20 years, and then argue for compulsory voting, they should look at the position honestly. At least, those countries are democratic and voting is voluntary, whereas here we have the opposite. Members opposite argue that persons over 18 years of age are mature.

Mr. Curren: Don't you think so?

Mr. EVANS: The member for Chaffey can speak later if he wishes.

Mr. Curren: Don't you think they are mature?

Mr. EVANS: I am not arguing that: I am saying that other persons argue that they are mature at that age. If these young people are well educated and interested in our society, why compel them to vote? Are they not sufficiently informed in our schools and by our news media? Why not let them decide about voting? When I have been door knocking, many people have told me that they will not vote for me or my Party and that they like the Australian Labor Party less, although the candidates may be equal. There is no one in between, so why force these people to vote?

The SPEAKER: Order! There is far too much audible conversation. The member for Fisher is addressing the Chair, and members on the back benches must cease having a debate and must give the member for Fisher the courtesy he deserves.

Mr. EVANS: I and other members have canvassed these matters previously. We have been told by implication and in other ways that the main purpose of the Bill is to have compulsory voting for the Legislative Council and to lower the voting age to 18 years, with eventual abolition of the Council. For the sake of democracy, it is vital to retain the Legislative Council. A democratic act would be to give people the opportunity and right to vote if they wish to vote, but not compel them to do so. I must accept 18 years as the age for voting, as that has been decided by a majority vote in each House. However, deep down I do not think that it is necessarily right to provide that age for other purposes. I have no objection to the age being 18 for voting. I oppose the Bill, but, if the second reading is carried, in Committee I will move an amendment that I hope members who believe in democracy will accept.

Mr. McANANEY (Heysen): I oppose the Bill, in the main. Anything that deals with compulsion is abhorrent to me. We should extend the franchise as much as possible, but to compel people to vote is against the principle of democracy. I agree with most of what the member for Fisher has said in his eloquent speech. Although persons between 18 years and 21 years of age may lack experience, they have the knowledge and the interest in life to merit a vote.

It has been said that these young people do not want to vote. At the same time, persons in the older generation have shown no indication that they want to vote. Local government voting is voluntary and, if the people are satisfied that a council is doing a good job, the poll is about 10 per cent. I do not accept that the older generation is any different from those between 18 years and 21 years of age.

Unless persons in the older generation object to something, they will not vote. This was indicated at the recent by-election in the Midland District of the Legislative Council when people in the Elizabeth area, on finding that voting was voluntary, got in their cars and drove away. I do not object to 18-year-olds voting. I am not a particular advocate of pop singers, but I think a pop singer who came to Adelaide about a fortnight ago made a profound statement. When he was asked how old he was, he said that he was anywhere from 20 years to 35 years.

A person's age does not matter, but his outlook on life does, and I think that many persons in the 18 years to 21 years group have a more mature outlook now than was the case in earlier years. Although I am one of the older members of the House, in my outlook on life I am younger than many people of a younger age.

The Hon. D. H. McKee: That's a matter of opinion.

Mr. McANANEY: I am least 20 years or 30 years ahead of Government members. Persons in the rising generation will not be compelled: they want to make their own decisions. This may be the result of economic circumstances: they have had the opportunity to be independent. Although some people say that almost all of these persons are students, most of them start work at 18 years of age and contribute to the State's finances. Young people have had an opportunity to receive a reasonable reward for their efforts in employment, but that is through no effort of the trade unions. Trade unionists come into

Parliament, realizing that they have not contributed to the general welfare of the State. Young people desire to spend their money in their own way, but they cannot do this under a Labor Government. More of their earnings are taken away from them and they are told how to spend their money. These people object to this, and they will support a Party that interferes as little as possible with the way in which they spend their earnings. I believe that members of the younger generation want to retain as much as possible of the sum they receive for the work they perform and to be able to spend it themselves. I agree with the Attorney-General, who said that the right to vote was a privilege. At the local government level, the ratepayers provide most of the money spent in this area, and I think the people who provide the money should be the people to vote.

The SPEAKER: We are not discussing local government here.

Mr. McANANEY: With due deference to you, Sir, we are discussing whether people should have the right to vote. In local government, the group that provides the money should have the right to vote.

The SPEAKER: There is nothing about local government in this Bill.

Mr. McANANEY: I agree entirely with the Attorney-General that voting is a privilege. If a person is responsible, he uses that privilege and votes accordingly. However, the Attorney-General goes on to say that it is a person's obligation. It is wrong to compel a person to vote, and that is where we on this side differ from Government members. The Vietnam issue has been referred to in this debate, and I believe I have a perfect right to refer to it, the member for Mitchell having done so.

Members interjecting:

The SPEAKER: Order!

Mr. McANANEY: A Gallup poll shows that a democratically elected Government decided to send troops to Vietnam—

The SPEAKER: Order! The member for Heysen must link his remarks to the contents of the Bill.

Mr. McANANEY: That is where you and I differ, Sir. I raised this matter on a point of order when the member for Mitchell referred to it, and said that this had nothing to do with the Bill. You allowed him to refer to Vietnam, and I say that, therefore, I have a perfect right to do so.

The SPEAKER: I told the member for Mitchell the same as I am now telling the member for Heysen: he must link his remarks to

the content of the Bill, and I ask the honourable member to do so.

Mr. McANANEY: The member for Mitchell took no notice of you, but seeing that I am a member of the Opposition I shall have to do so.

Members interjecting:

The SPEAKER: Order!

Mr. McANANEY: I will, as a member of the Opposition, accept your ruling, but it was not accepted earlier today. I believe it is entirely wrong to introduce compulsion into voting for the Legislative Council. I differ considerably in respect of some decisions made by the Upper House. However, it is important that the people of this State have an independent body that acts as a House of Review on the decisions taken in this place.

I believe in the bicameral system of government. This House has been forced to rush legislation through within 12 hours. Indeed, at 12.30 a.m. one day the transport control legislation was introduced. Because members were told that they had to finish the debate on the Bill before they left the Chamber, they had to stay here until 9 a.m. However, because of numbers the Opposition was defeated in that instance. That legislation then went to the Upper House, this State's House of Review, and the people of South Australia, who so strongly objected to the Bill and to the compulsion that it would have introduced—

Mr. BURDON: On a point of order, Sir, I should like to know what the transport control legislation has to do with compulsory voting.

The SPEAKER: There is nothing in the Bill dealing with transport. I ask the honourable member to confine his remarks to the Bill.

Mr. McANANEY: I was trying to do so, Sir. I was trying to illustrate the effective role that a House of Review can play in our system of Government; the valuable function that that House fulfils should be able to be referred to in this debate. Although I realize that transport control legislation is not dealt with in the Bill now before us, the principle involved in relation thereto also relates to this Bill. Without a bicameral system of government, legislation can be rushed through a Parliament without the people of the State having a chance to object to it. For this reason, I strongly favour the bicameral system of government. Although I have no say in what members of the Upper House (indeed, even members of my own

Party) say, I believe that that House fulfils an important function.

Members interjecting:

The SPEAKER: Order! There are far too many interjections.

Mr. McANANEY: Thank you, Sir. I consider that one should be able to vote if one so desires, but that one should not be compelled to do so. I emphasize this point: why should people be compelled to do certain things? We are in a permissive society, and one should be able to decide whether or not one wants to vote. We, as members of Parliament, are responsible to ensure that matters of a degrading nature are not put before society.

Mr. CRIMES: On a point of order, Sir, what have these remarks to do with the Bill?

Members interjecting:

The SPEAKER: I cannot uphold the point of order. However, if members would stop interjecting I would be able to hear the honourable member.

Mr. McANANEY: Persons are compelled to do certain things, whereas it is the trend of this Government to allow people to do what they like, and these attitudes are completely contradictory. It is a privilege to be able to vote, but no Government has the right to say that one should be compelled to vote.

Mr. Crimes: You aren't compelled to vote: you've only got to attend a polling booth.

Mr. McANANEY: Although that is true, one has to make the physical effort to get there. Although 30,000 people decided that they would not vote in the shopping hours referendum, only a handful will be prosecuted for not voting. Therefore, one has only to submit any excuse to be able to escape prosecution. The vote in that referendum was, therefore, really a voluntary vote. All people should be able to decide whether or not they want to take an interest in the Government of the day; that is their prerogative, and it is not our duty as members of Parliament to force them to do so.

I believe that 18-year-olds should have the right to vote, although I do not say they are any more experienced or mature than persons of a similar age were in the past. Although it is claimed that most of these people are students, that is not so: most of them are working and are therefore contributing to the financial resources of this State. Putting politics aside, I believe that the sound policies in which I believe will influence more than half of these young people to vote for

my Party—the Party that gives them the most say in their affairs.

Much of the legislation that has been introduced this session has involved restrictions of one's personal liberties; this therefore means that the Government of the day considers these people to be incapable of running their own affairs and, therefore, to be people who need to be protected. I do not think, however, that younger people are frightened of the big bad wolf.

The Hon. D. H. McKee: They're afraid of you.

The SPEAKER: I will not continually call for order; I expect honourable Ministers to show a little respect towards the proceedings of the House. The honourable member must be heard in silence.

Mr. McANANEY: I have confidence that, when Big Bob Francis makes some stupid remark, young people say, "What's this crank talking about?" Young people have enough sense to know that Big Bob Francis talks a lot of rubbish. Therefore, we can confidently give them the right to vote, because they will behave as mature people behave. However, no-one has the right to tell people that they must vote. Some districts are represented by members that no-one in their right mind would vote for.

Mr. Keneally: Have you ever heard of Charles Martin?

Mr. McANANEY: At least the honourable member had a Liberal and Country League candidate in his district. If parents have trained their children properly, by the time they have reached 18 years of age those children are qualified to vote. Before I was interrupted I was speaking about the bicameral system—

Mr. Langley: Don't you think your Party would want—

The SPEAKER: Order! I will not warn the honourable member for Unley again. If he interjects again, I will name him immediately.

Mr. McANANEY: I believe in the bicameral system of Government, but I do not think the same principle should apply to both Houses. I should like to see voluntary voting for the House of Assembly and the Legislative Council. If there is voluntary voting for the Upper House, the people who vote for that House will be those who take an intelligent interest in what goes on in this State. People must take the responsibility for seeing that they are on the roll. Many people in my district will not bother about this. At the moment, I may not

have the right to vote for the Legislative Council because I have sold my property to my son. However, perhaps I could vote as the occupier of the house in which I live. We must preserve some difference in the way the two Houses are elected. In some districts only 25 per cent of the people are enrolled for the Legislative Council, even though 85 per cent of the people have the right to vote.

It is absolutely wrong that people should be compelled to vote. Many wealthy people do not take advantage of the vote, although they should have an interest in the welfare of the State. For these reasons, I believe that 18-year-olds should have the vote. I do not believe there is a generation gap. Although I do not necessarily agree with all the views of people of about 18 years of age, I can argue with them and we can treat each other as equals. Young people now learn something about the Parliamentary system at their schools, so there should not be a three-year or four-year gap after they leave school until they can vote.

I tell children visiting Parliament House that they must take an interest in what goes on in this Parliament or they will finish up with a poor type of Government. Unless they take an interest in what happens in the State, they will not get what they deserve. If they do not vote they deserve what they get. I oppose completely any form of compulsory voting. There must be a difference between the Lower and Upper Houses and, although I believe in adult franchise, in this case there would have to be a different franchise or form of election for the Upper House if people were compelled to vote.

The House divided on the second reading:

Ayes (23)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hoggood, Hudson, Keneally, King, (teller), Langley, McKee, McRae, Payne, Ryan, Simmons, Slater, and Wells.

Noes (17)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Hall, Mathwin, McAnaney, Millhouse (teller), Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin and Wardle.

Pairs—Ayes—Messrs. Jennings and Lawn.

Noes—Messrs. Gunn and Venning.

Majority of 6 for the Ayes.

Second reading thus carried.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

LOTTERY AND GAMING ACT AMENDMENT BILL (TROTTING)

Second reading.

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

That this Bill be now read a second time.

The administration and control of the sport of trotting have been subject to extensive criticism for several years, with the result that, since 1965, much thought and effort have been put into finding a way to overcome the conflicts so apparent in the management of the sport. The committee of inquiry, which was chaired by Mr. W. A. N. Wells, Q.C., as he then was, and which reported in 1967, was just one aspect of the general review that has taken place. This Bill is the end result of an agreement reached by the Government and the various trotting interests in this State, and the Government believes that, as all interested parties endorse the principal objects of the Bill, the amendments contained therein will, for that reason alone, go a long way to place the general organization of the sport on a better footing.

The Bill aims to establish a seven-member Trotting Control Board, comprised of an independent chairman, two members nominated by the South Australian Trotting Club (that is, the city interests), three members nominated by all other trotting clubs (that is, the country interests), and one member nominated by the South Australian Breeders', Owners', Trainers' and Reinsmen's Association (which I shall refer to as "Botra"). The board will take over from the South Australian Trotting League on a day to be appointed for that purpose, whereupon the league and the executive committee of the league will cease to exist. Under the Act as it now stands, it is the nine-member executive committee that has the greater power of control over the sport of trotting.

Five members represent country interests, three represent city interests, and one member comes from "Botra". There is no independent chairman, as the latter is merely chosen by the members out of their own numbers. Thus, at the moment country representation completely swamps city representation, and this is one present source of conflict. The powers, functions and duties of the proposed board are substantially the same as those now exercised and carried out by the league, but the Bill seeks to clarify them and to provide a more comprehensively stated basis for the board's control of the sport. As at present,

the members will be remunerated out of the funds of the board.

The Bill also provides for the conduct of two more trotting meetings each year by the South Australian Trotting Club at the Globe Derby Park, Bolivar. The league approved the request for these extra meetings and the Government endorses that approval. Thus, the South Australian Trotting Club will be able to apply for totalizator licences for an aggregate of 12 meetings a year, instead of ten, in respect of meetings to be held at Bolivar in the months of June, July and August.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 amends the arrangement section of the principal Act. Clause 3 amends section 4 of the principal Act by inserting a definition of the Trotting Control Board. Clause 4 amends section 21 of the principal Act, which deals with the use of the totalizator at trotting meetings, by substituting the word "twelve" for the word "ten", so allowing the South Australian Trotting Club the two extra meetings at Globe Derby Park. Clause 5 effects certain consequential amendments to section 22 of the principal Act. Clause 6 amends section 22a of the principal Act, which deals with the constitution of the South Australian Trotting League. Subsection (8), now redundant, which provides for appeals from the league to the Betting Control Board, is deleted. A new subsection (10) is added, which provides that on the appointed day the whole section shall have no force or effect. This provision is necessary so that the league can continue to function after the commencement of this amending Bill and until the appointed day when the board takes over.

Clause 7 inserts a new Part IIIb in the principal Act, which Part contains all the provisions regarding the Trotting Control Board. New section 31n contains all the necessary definitions of the board, etc. The appointed day is a day to be fixed by the Governor by proclamation. New section 31x deals with the constitution of the board which is given all the usual attributes of a body corporate. The seven members shall be appointed by the Governor and one shall be a chairman nominated by the Minister, one shall be nominated by "Botra", two shall be nominated by the South Australian Trotting Club and three shall be nominated by a resolution passed at a meeting of delegates of all other registered clubs. The latter meeting shall be attended by one delegate from each

such club and the Minister is given the power to direct the method of convening the meeting, thereby removing a possible source of conflict and delay.

When any required nomination is not forwarded and a request, therefore, is not complied with, the Governor may, on the recommendation of the Minister, appoint a suitable person to be a member of the board. The chairman's term of office is four years and other members' terms are one year. All members including the chairman are eligible for reappointment, except a member filling a casual vacancy. A person cannot be chairman if he is a member of a registered club or of an association representing breeders, owners, trainers or reinsmen of trotting horses. No person can be a member (including chairman) if he is the holder of a trainer's or a reinsman's licence or is registered as a stablehand. A majority of the members forms a quorum of the board, and there must be a quorum at every meeting.

All members (including the chairman) can appoint a proxy. If the chairman is absent the members present can elect an acting chairman. The chairman or acting chairman has a deliberative and a casting vote. The Governor may remove a member from office on the grounds of misconduct or incapacity. The board's functions include the control, promotion, fostering and encouragement of trotting. The members shall be remunerated out of the board's funds at rates fixed by the Governor, and the board can fix and pay members' other expenses and allowances. The board is given full control of its own affairs and of all trotting races and trotting meetings. New section 31xa provides for the abolition of the league, the executive committee and any other committee of the league on the appointed day. On the same day, all property held by or vested in the league and all rights, powers, liabilities, etc., become the property and the rights, powers and liabilities of the board.

This section also contains extensive saving provisions, ensuring that nothing shall be affected or prejudiced in any way by the board's take-over of the league. Provision is made for the cancellation of the league's incorporation under the Associations Incorporation Act. New section 31xb provides for the appointment of an appeal committee to hear appeals from decisions of stewards. Any appeal committee appointed by the league may continue after the appointed day for the purpose of disposing of part-heard appeals.

New section 31xc provides the powers of the board.

The board may do anything to improve the quality and breeding of trotting horses; may subsidise training tracks; may do anything to achieve effective control and better administration of the sport; may do anything to promote and foster the sport; may establish funds for any purpose including giving prize money and assistance to registered clubs outside the metropolitan area and to any body conducting approved trotting meetings or races; may expend its moneys in any manner, including assisting registered clubs; may contribute to charities; may deal with real and personal property in all ways as a natural person may invest, borrow and lend money; may undertake or guarantee liabilities of registered clubs, board officers and servants or officers and servants of registered clubs; may exercise powers which a registered club should have exercised with respect to corrupt practices or otherwise; may enter into reciprocal arrangements with any other trotting, horse-racing or dog-racing body or person having powers the same as or similar to those of the board; may affiliate to any other body controlling trotting or any type of horse or dog-racing; may give effect to any disqualifications, etc., which a reciprocal body has imposed; may establish any type of funds for the benefit of officers and servants of the board or of the registered clubs and may grant pensions, etc.; may take over all trusts and funds vested in the league and may alter, by resolution, the constitution of any such trust or fund; may appoint and remunerate auditors and officers and servants; may hold inquiries into the affairs of clubs or the conduct of any person in connection with trotting and make any order in respect thereto and may, by instrument under the hand of the chairman, delegate such powers of inquiry to any person or committee; may require any of its officers or servants (for example, stewards) to attend any trotting meeting or any event at which trotting races are held and make charges in respect thereto.

New section 31xd provides that the board shall do anything necessary to ensure that relevant decisions of the Betting Control Board are complied with by board officers and servants and by registered clubs and their officers and servants. New section 31xe provides that no trotting races may be conducted at any event such as an agricultural show, unless the board gives written permission. Provision is made for applications, fees, etc., relating to such permission. New section 31xf provides

that no person or association (including a registered club) can conduct a trotting meeting without the approval of the board. Trotting programmes must also be approved by the board.

New section 31xg provides that notices, etc., may be sent to the board by post. New section 31xh provides for the headquarters and other offices of the board. New section 31xi gives immunity to members of the board in respect of acts done in good faith in the course of duty. New section 31xj provides that the funds of the board shall consist of moneys formerly held by the league, all fees and subscriptions, etc., all fines and deposits, income from investments, and any other moneys paid to the board under the principal Act (for example, moneys allocated to the board by T.A.B.).

New section 31xk provides that the board may make rules, to take effect on or after the appointed day, for the effective control and for the promotion of the sport of trotting. In particular, rules may be made to regulate procedure at board meetings; to make the exercise of the board's powers effective; to provide for all such matters as the conduct of and dates for trotting races and trotting meetings; to provide for all fees, subscriptions, etc.; to provide for all penalties; to prescribe matters relating to moneys held on trust; to provide for all matters relating to the issue, refusal, etc. of all licences, permits, registrations, etc.; to provide for rights of appeal to the board by registered clubs against the decisions of board officers and by any person in relation to the affairs or decisions of registered clubs and their officers; to prescribe all matters relating to the fixing of dates and programmes for trotting meetings; to provide for the keeping of all necessary registers, for the payment of fees in connection therewith and to prescribe all matters relating to applications for and conditions of entry in a register. The rules of the league, as in force immediately before the appointed day, are to be kept alive for 12 months after the appointed day unless revoked earlier. This is to give the board ample time in which to draw up a new set of rules, as the existing rules are not quite satisfactory. If the board wants extra time, it will have to seek the Government's permission. Clause 8 amends section 48 of the principal Act which deals with trotting races, at which bookmakers operate. Two consequential amendments are made to this section.

Dr. EASTICK (Light): It is excellent that, at long last, after considerable delay extending back before 1967, we can give the trotting industry something that it has been seeking. From time to time there has been dissension among members of the controlling body of the trotting industry in this State. The fact that the country trotting interests are different from those in the city tends to create a division of opinion, and this has resulted in some unfortunate incidents. The Wells report, referred to by the Minister in his second reading explanation, sought a solution to this problem but, unfortunately, even after the contents of that report were made known to the various people associated with the industry, there was unrest and no unanimity on certain matters.

I am led to believe that, as a result of discussions that have been held with the industry originally by the Hon. Mr. DeGaris, a member of another place, and more recently by the Hon. Mr. Shard (Chief Secretary) acting, if I may use the term, as catalysts, more unanimity has been achieved and agreement reached (perhaps as recently as only a week ago) on the terms of this Bill. However, bearing in mind that 14 country clubs and one city club are involved, I could not guarantee that there is necessarily 100 per cent agreement at this stage. The major provision in the Bill seeks a balanced representation and an independent chairman. I hope that the Government will use to advantage the experience gained by members of the league. Nominations of board members will be submitted to the Government, and in the case of the chairman it will be a Government appointment for a four-year term in the first instance.

I consider that the interests of the trotting industry will best be served by appointing to the board someone who represents and who is involved with the league. At present, the league comprises 15 members. The full league, which meets only twice a year, is the body responsible for making the policy decisions and for making the rules under which trotting is conducted throughout the year. In the meantime, the executive committee of the league is responsible for the general administration, and I believe that the efforts of this committee have been effective and have benefited the industry.

Undoubtedly, where the controlling body meets only twice yearly the executive is in power for practically the whole of the year. There have been difficulties of interpretation of policy and of the rules, but I believe that problems in this regard have largely been

eliminated as a result of various discussions held, and I have no doubt that the new board will benefit as a result of these discussions. This applies particularly in respect of the power to make rules. One aspect of the Bill is the elimination from membership of the new board of persons licensed to handle animals, and I know that at least some people (being licensed persons) who have previously been members of the league agree with this provision. Whereas in the past in certain other States licensed persons may have been representatives on the controlling body, generally speaking they have been progressively eliminated, to the advantage of the industry.

Although revenue obtained through attendances has increased recently, overall membership has decreased. However, it is interesting to note that the total membership of the country clubs exceeds the city membership. More races in a meeting are now being held and Totalizator Agency Board returns have recently risen from 21 per cent to 23 per cent of the total.

The Hon. D. H. McKee: Where are the most races held?

Dr. EASTICK: They are held mainly in the country; there are certainly more country meetings, and often more races are held at a country meeting than at a city meeting. The increased T.A.B. turnover is worth while from the point of view of the administration of the industry. Provision is made in the Bill for extra meetings to be held, and I think this is an excellent provision.

The South Australian Trotting Club is certainly to be commended for the action it took a few years ago to establish its own facilities at Bolivar. The fact that it is obtaining approval from the controlling body for an increased number of meetings during the winter is an indication of the contribution it is making. Many of the provisions of the Bill are consequential on the alteration from 10 meetings to 12 meetings a year.

Clause 7 contains an important provision: representatives of all country clubs will have the right to attend the meeting that will decide the three delegates who will represent country interests. This aspect is causing much concern to the smaller country clubs. However, if every club was represented, the board would be the size of the present league. With three persons representing country clubs, the board will be totally representative. It is, however, unfortunate that the first membership of the

committee will be for only one year. Its chairman is to be appointed for four years.

I always consider that, where suddenly many (in this case six of the total of seven) members pass off a board at the same time, there could be problems associated with continuity of effort and purpose. This provision was included at the specific request of the industry. The industry has asked for an opportunity to consider its position after 12 months and, as the Minister has agreed to that request, this House must also do so.

The provision relating to proxies was amended in another place. The Bill provides that each member of the board may nominate his own proxy to attend board meetings. In the Bill as originally drafted the qualifications of the person nominated as a proxy were not stated. However, this situation has been adequately covered by the Legislative Council's amendment which requires qualifications similar to those of the member himself. The Minister has stated in the second reading explanation that the board is in full control of its own affairs. Indeed, this is apparent when one reads the Minister's comments regarding new section 31xc. I have never seen in any Bill a provision that gives a board of this type such wide and diverse powers. The second reading explanation also states that the new board may do anything to achieve effective control and better administration of the sport. I consider that the sport at present is under good control, and this provision, although it probably was not intended that way, could be construed as a back-handed attack on the league's membership. New section 31xk also gives the board wide powers, as it enables it to write its own rules.

In his second reading explanation, the Minister also referred to agricultural shows. It has been necessary in the past for the organizers of such events (and I am not only referring to the Royal Adelaide Show) to obtain the league's permission to race horses. When a horse has raced without such permission in the past, there has been a period of disbarment, and some difficulty has been experienced. I hope, for the sake of the agricultural shows, for which trotting has been a draw card, that every effort will be made by the new board to permit them to continue to have trotting events. I support the Bill, and reiterate that at long last the industry is being put in a position in which it can start to make even more progress than it has been able to make until now.

Dr. TONKIN (Bragg): With some reservations, I support the Bill. Although I am not

an expert on trotting, I realize that this Bill is typical of many measures that have been introduced in the latter stages of this session, after being debated at short notice in another place. Indeed, this Bill was explained only tonight. I have received several representations during the past two days not only from members of the Country Clubs Association but also from people in the city who were disturbed about the constitution of and representation on the board, and about its chairman. Indeed, a representative of that association told me that, in spite of the verbal assurance which the Chief Secretary gave that country clubs would have ample time to consider the matter, they are now most disturbed and unhappy because their time table has been much too short, as a result of which they have not been able to examine adequately all the provisions of the Bill.

Complaints have been made by representatives of the clubs at Port Pirie, Whyalla, Cowell, Port Augusta, Naracoorte and, I understand, Mount Gambier. These clubs are unhappy about the constitution of the board, as trainer-drivers and trainers are to be excluded, and that others with vested interests in the industry are perhaps also to be excluded. They are concerned, too, that the chairman (who is supposed to be independent and who could easily be independent in name if he is appointed and resigns all his other connections with trotting) will still have some affiliations, if only in spirit, with a certain club. There is even some suggestion that the chairman has already been chosen or that someone is in line for the job. The point I make is that the people from country clubs are unhappy that they have not been given enough time to consider this matter. Anxious as they are to see the conflicts in the management of trotting overcome and the provisions of the 1967 Wells committee of inquiry implemented along with the results of other investigations, they would prefer the Bill to be put aside for a time.

The Hon. L. J. King: You sound like a man who hasn't been to the trots for a long time.

Dr. TONKIN: I went to a trotting meeting last Christmas. However, the point is that I am here to represent people who have expressed disquiet about this legislation. The Government does not greatly care about this. Admittedly, we have been told there is a great need for this Bill. However, the point is that we have discussed the Bill for the first time this evening and we are unable to do anything

about delaying the measure so that people interested in it can consider it. We have waited four years for this. What is the hurry now to pass it on the last evening of the session?

Mr. Millhouse: It's called the dying hours of the session.

Dr. TONKIN: This Bill is typical of many other Bills that have been brought in at the end of the session, and this practice seems to be typical of a Labor Government's administration.

The Hon. D. H. McKee: You are going about as well as a square gaiter!

The ACTING DEPUTY SPEAKER (Mr. Ryan): Order!

Dr. TONKIN: If the Attorney-General is so concerned about this, I wonder why he did not do something sooner. Although I am a new member, I want to say that I am surprised at the number of Bills introduced at the end of the session. During the 19 weeks of the early part of the session we considered 82 Bills, four of which were private members' Bills. In this seven weeks of the session we will have dealt with 38 Bills. To be technical, that means in the first part of the session we averaged 4.3 Bills a week, whereas in this latter part of the session we will average 5.4 Bills a week. Not only the number of Bills is involved: the Bills introduced in the second part of the session have been most important, dealing with matters such as workmen's compensation and so on.

The ACTING DEPUTY SPEAKER: Order! The honourable member will have to link up his remarks to the Bill.

Dr. TONKIN: I have already done so. We have not been given enough time to consider these matters. This is all part of a process that the member for Flinders has called legislation by exhaustion, and that is what it is. If we look at the Bill file, we find that three-fifths of the pages relate to matters dealt with in the early session of 19 weeks, whereas two-fifths of the pages (nearly half) relate to the latter part of the session. We should not rush through legislation that vitally affects people in the community. In one case, over 100 amendments were on the file.

The ACTING DEPUTY SPEAKER: Order! The honourable member must link up his remarks to the Bill now under discussion.

Dr. TONKIN: I repeat that this is one of the many Bills introduced in what the member for Mitcham has called the dying hours of the session. This way of introducing legislation seems typical of the Labor Govern-

ment's attitude. Despite all the Bills that have been introduced, we have not seen one Bill which I would dearly love to have seen and which the Attorney-General knows about. Nothing has been introduced in respect of juvenile offenders, who will go on suffering because—

The ACTING DEPUTY SPEAKER: Order! I will not repeatedly warn the honourable member that his remarks must be linked to the Bill under discussion.

Dr. TONKIN: The point I make is that other legislation could have been introduced.

The Hon. L. J. King: The member for Light says that he has been waiting for years for this Bill.

Dr. TONKIN: The Attorney-General is arrogant; he does not care whether people are worried about this Bill. He will give them no opportunity to come forward. If their fears are groundless, they should be able to come forward. I believe the Government is riding roughshod over the people of this State. Undoubtedly, we will be sitting until the early hours of tomorrow morning, perhaps considering this Bill or other matters on the Notice Paper.

It is typical of the Government that it is bulldozing this legislation through so that it cannot be fully considered. The Government does not care whether the people of South Australia have a chance to say what they want. It is a measure of the immaturity of the Labor Government that it always considers it is right and that its legislation cannot be improved. The introduction and consideration of legislation at such short notice is utterly absurd. It is a complete farce and brings Parliament under disrepute. That seems to happen only under a Labor Government. The people of South Australia are learning to their cost that this is, indeed, a Socialist Government.

We can take much notice of the young people, and the young people to whom I speak in schools ask how we can fully consider legislation that will affect their lives by sitting for 10, 12 or more hours at a time. The Labor Government, which says it is the people's Party, is concerned not with people but with its doctrine and with giving effect to that doctrine in legislation. It uses people for its own ends. The Party and the State are more important than the individual. The Labor Government has the numbers, and the Bill will be passed. It probably is a good measure and for that reason I support it, but I condemn the Government for not listening

to what the people think and what they are concerned about.

Mr. CLARK (Elizabeth): I support the Bill and would not have spoken but for the tirade of abuse directed at the Labor Party by the member for Bragg on a Bill connected with trotting.

Mr. Millhouse: It was thoroughly deserved.

The ACTING DEPUTY SPEAKER:
Order!

Mr. CLARK: I should be pleased if the insolent member for Mitcham would confine his insolence to the Chair, where it is usually directed. I entirely agreed with the member for Light, who obviously knew what he was talking about. However, we have had a farrago of nonsense from the member for Bragg, who until now has made a good impression in this House. After his speech this evening, I think his sole purpose in coming here has been to attack the Labor Party.

I remind that honourable member that, as I think the member for Light has also said, this is by no means a Labor Party Bill. The former Chief Secretary spent considerable time bringing the trotting interests together, hoping that that would be good for the sport or business of trotting, and the present Chief Secretary has continued this work. If the honourable member had bothered to read the speeches made by the former Chief Secretary and the present Chief Secretary, he would have found that those persons agreed entirely on this matter, and that is rather unusual. The member for Bragg has fallen into the trap of listening to objections made by a few people and not hearing the pleasure and delight expressed by many people connected with trotting.

I am the last to say that we should not listen to the minority, but negotiations on this matter have been proceeding for four years and everyone interested in trotting, particularly those interested in an administrative capacity, have been consulted and know about the Bill. I am pleased with the measure and, if there is any truth in the rumour about who is likely to become chairman of the new board, I shall be even more pleased.

Mr. BECKER (Hanson): I support the Bill. On December 1 last year I asked the Attorney-General to inquire of the Chief Secretary when the Bill would be introduced, because persons involved in trotting, not only my constituents but other persons in the metropolitan area and persons who have trotting interests in country areas, had approached me. I am pleased that the Government has

been able to introduce the measure, even at this late stage, and I am pleased that the Bill was introduced in another place. It has been dealt with precisely in the other place, and it is now up to this House to act as a House of Review. In other words, the system is working in reverse.

There is little that we can criticize in the Bill, because it provides what those involved in trotting have been advocating for many years. The recommendations in the Wells report on trotting are adopted in this measure. One of the main reasons why I asked the question in December last concerned the suspension of drivers, owners and trainers, and the costly method of exercising their right of appeal. One of the unfortunate features of the appeal system is that it takes between 10 days and 14 days for an appeal to be heard and, as nominations for trotting races are accepted 10 days to 14 days in advance, an owner-trainer, whose horse may have been suspended and who appeals against the suspension, does not have the time to nominate or renominate his horse, so that the suspension may last for up to 28 days. I hope that under the new board this anomaly will be removed.

One of the most important provisions of the Bill allows for the development of the Bolivar facilities, on which some millions of dollars will be spent, making this one of the finest tracks in the southern hemisphere. It is amazing that in the past Adelaide has been able to attract oversea visitors to the inter-dominion trotting championships in this State, those visitors having been subjected to such poor facilities as those existing at Wayville. However, with the formation of the new board, the dream of those who have been dedicated to trotting for many years will now become a reality, and South Australia will again become a leading State in the trotting field.

Trotting really has two competitors now, namely, horse-racing and greyhound racing. On the latter there is now legal betting. If we accept the statistics applying in the Eastern States, we will find that greyhound racing will be competing with trotting concerning popularity as a spectator sport, and also concerning bookmakers' and totalizator turnover. However, I am sure that, once the new board is functioning and benefiting the industry, we will be receiving a deputation from people interested in greyhound racing with a view to introducing similar legislation for a similar board, this sort of board existing in Victoria

in relation to greyhound racing. I am particularly pleased to see the provision relating to the conduct of totalizators under the control of the T.A.B. at all trotting meetings. Since its inception some years ago, T.A.B. has functioned efficiently, and its turnover will reach the \$100,000,000 mark in about August this year. Even people who may oppose any form of gambling, whether it be controlled or uncontrolled, must admit that gambling controlled by a State agency has been one of the best things that has happened to horse-racing and trotting in South Australia. Indeed trotting will benefit as a result of the careful and efficient management of T.A.B.

I have confidence in those who have served on the trotting league and other committees involved in trotting, these people having battled over the years against great odds to do their best for the industry. I hope that we will not see too many of these people overlooked when the new board is appointed. It may be wise to amend the present provision in the Bill relating to the appointment of the board, so that a person who resides at least 60 miles from the metropolitan area may be appointed. In this way, country people will not consider that they are being overlooked or dominated by interests in the metropolitan area. I hope that, under this legislation, we will find a tightening up of controls in the trotting industry and that it will not be the duty of stewards or the board to impose penalties for malpractice. I believe that, because of the boom in the trotting industry that can be expected under the new board in the next three years, we will find a new industry developing: I refer to the breeding industry. We in this State have been successful in breeding race horses, the climate in some areas being ideal.

The SPEAKER: The honourable member is starting to digress.

Mr. BECKER: The new board, which will be set up if this Bill is passed, will benefit the whole area of trotting, including the breeding industry. I am pleased to see the provision in the Bill relating to trotting races at country agricultural shows, at which such races have been a feature for many years. Even if only three or four races are conducted at such shows, many horses are attracted to the meetings. Indeed, this is the only chance that some horses have to start racing. Owners enter their horses for the first time at a country show, and from there they progress to the country trotting tracks and then to the

tracks in the metropolitan area. Then, if they are successful, there is no stopping them. The strong control that is to be placed on country trotting will mean a higher standard in future events. The Bill conforms to what is known as the Wells report and, although it will not be accepted by everyone, it will be accepted generally in trotting circles. Given three years of proper administration and encouragement, the Trotting Control Board will prove its worth in this State, trotting will boom, and another industry will be born.

Mr. BURDON (Mount Gambier): As a country member, I commend the introduction of this Bill. Those associated with the Wells report and with the administration of trotting in this State over the last four or five years have done much research into the problems affecting the industry. Mount Gambier has a fine trotting track, at which well-conducted meetings are held. There has been much discontent in the South-East in the past about the conduct of trotting meetings; this discontent has also spread to other areas of the State as well as to the metropolitan area. Indeed, the old trotting league was criticized many times by country interests. However, the setting up of the new board, which will be constituted by seven members, should improve the situation. The people most concerned with trotting in this State (be they owners or trainers, city or country representatives) have in the last 12 months agreed on certain matters, which agreement has resulted in the introduction of this legislation. This Bill will prove to the South-Eastern trotting clubs that what has happened in the past will not happen again.

The Bill provides that country interests have the right to elect three members to the board, all the members of which (except the chairman, who is appointed for four years) are appointed for 12 months only. If the board's actions do not meet with the approval of country trotting people, no doubt moves will be made to alter the legislation. It has been suggested that the State should be cut up into, say, four or five country areas, with representatives from each area on the board. However, it has been decided to constitute the board in the manner provided in the Bill. I look forward to trotting in this State being put on a footing far superior to that which it has enjoyed in the past. I only hope that this Bill will dispel the disquiet that has existed in country trotting circles over the last few years.

Because they are 300 miles from the metropolitan area, the Naracoorte and Mount Gambier clubs experience certain problems. However, these two clubs look forward to the patronage they get from Adelaide (despite their distance therefrom) and from the western districts of Victoria. People in the country want to have the same facilities as are given to city clubs. If the operations of the new board do not fully protect country interests, or if the new system does not prove as effective as initially hoped, moves must be made to alter the constitution of the board. I support the Bill.

Mr. RODDA (Victoria): I concur in what my South-Eastern colleague has just said. The trotting clubs in the South-East are indeed proud of their facilities. I believe that the harmony that exists amongst members in this place who represent the South-East could well be emulated by other members in the House.

The Hon. G. R. Broomhill: You sound like a member of the Legislative Council.

Mr. RODDA: I have never had any intention of moving to the Legislative Council. This Bill deals with the light harness sport. If people want to participate in this sport, that is their right. The Bill has been explained in the dying stages of this session.

The Hon. Hugh Hudson: Have you had time to read it yet?

Mr. RODDA: I point out that, although I represent fewer people than the Minister represents, the people I represent are in dire circumstances. This week in the corridor I have spoken to no fewer than six of them about their problems.

The SPEAKER: Order! The honourable member must link up his remarks to the Bill.

Mr. RODDA: Trotting is a big industry in my district, where many people train and race horses. As the member for Mt. Gambier said, people in the South-East take their horses to various meetings in this State and Victoria and greatly enjoy the sport. I am especially interested in the composition of the board, because the people in control decide whether good or bad decisions are taken. I believe that the key to the Bill lies in new section 31x (4) (d) which provides:

Three shall be nominated by resolution passed at a meeting convened in accordance with the directions of the Minister by a majority in number of delegates of the registered clubs (other than the South Australian Trotting Club Incorporated), being one delegate from each such club.

Much interest is taken in trotting in Mount Gambier and Port Augusta, and perhaps a representative from these outlying areas of the State should be a member of the board. This Bill results from discussions between people concerned with this sport and the present and previous Governments, and it is a pity that such an important measure should be introduced at this late stage of proceedings. However, I am sure that all members are capable of discussing the Bill. As the Bill is in the interests of those who support a wonderful recreation available to the people of this State and a great sport, I support it.

Mr. McANANEY (Heysen): I support the Bill, and recognize that with one board controlling this sport nothing but good can come from this provision. Perhaps the control of dog-racing should be in the hands of a similar board. Although the member for Pirie has said that Port Pirie is being discriminated against, to my mind it has betting shops, bookmakers, and every other facility that is not available in any other part of the State.

The Hon. L. J. KING (Attorney-General): The only point to which I want to reply is that made by the member for Bragg, who suggested that there had been insufficient opportunity for representatives of the various interests concerned to consider the Bill. Having discussed this matter with the Chief Secretary, I am satisfied that all the interests concerned, including all the country interests, were privy to the discussions throughout and that a draft copy of the Bill was in the hands of all these people, including the Port Pirie Trotting Club, to which the honourable member has referred, on the Friday before the Bill was introduced in the other place. I am satisfied that all the parties involved have had an opportunity to know what was intended and an opportunity to make whatever representations they desired to make. There is no foundation for the suggestion that this Bill is being rushed through without proper consultation with the interests concerned.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Enactment of Part IIIB of principal Act."

Mr. RODDA: I move:

In new section 31x (4) (d) after "three" to insert "(of whom one must be ordinarily resident outside a radius of sixty miles from the General Post Office at Adelaide)".

The amendment gives to centres in the extremities of the State representation on the Trotting Control Board. This is not a parochial matter.

Mr. Coumbe: It is a form of decentralization.

Mr. RODDA: Yes. I do not know why this amendment was passed over in the discussions that the Attorney-General has said have taken place with interested parties. Strong trotting interests are centralized in the metropolitan area, and the amendment would give representation to the distant parts of the State, such as Mount Gambier and Naracoorte. Some trotting clubs race extensively during the year and have a vested interest in the sport, but as the Bill stands they will not be represented on the board. The country clubs make a valuable contribution to recreation and are entitled to have a representative.

The Hon. L. J. KING (Attorney-General): I cannot accept the amendment. To say that one member must come from an area beyond a stated radius does not really provide representation for any specific interest or area. For instance, if the member selected came from the Upper North or the Spencer Gulf area, surely that would not provide representation of the areas that the honourable member has specifically mentioned. Similarly, if the member comes from the South-East he will not represent the Spencer Gulf area. It is unreal to suggest that a refinement of this kind will provide the sort of representation that the honourable member desires. This Bill provides for three country members, who are to be elected at a meeting of delegates from the country clubs, and one assumes that those clubs will elect the people most suited to represent country interests on the board.

Of course, the Chief Secretary is the Minister who has had the conduct of this measure, conducting the negotiations with the various interests, and he assures me that an amendment of this kind is not acceptable either to the South Australian Trotting Club or to the country trotting interests themselves, and that they would much prefer to have three members selected, in the way provided in this Bill, by representatives or delegates from the various trotting clubs. It seems to me that the formula prescribed in the Bill provides adequate representation for all the interests concerned, and I ask the Committee to reject the amendment.

Mr. BECKER: I cannot agree with the Attorney-General. I think true representation on the board would be achieved if one country representative came from, say, the West Coast, one from the Far North, and another from the South-East. I think that, if we divided the State into three zones in this way, it

would improve the composition of the board. It would be farcical to have three country representatives all residing less than 60 miles from the metropolitan area, for these people would not be truly representative of country interests.

Dr. EASTICK: Within the 60-mile radius, apart from the central body (the South Australian Trotting Club), there would be only the Gawler, Kapunda, Victor Harbour and Strathalbyn clubs, leaving the 10 other clubs outside the 60-mile radius. As all of these clubs will meet to elect representatives, I can see no purpose in the amendment, which I therefore oppose.

Mr. RODDA: I dispute what the Attorney-General says about the people living near Spencer Gulf not being interested in the activities of people in the South-East, for country people generally think alike. The Gawler and Strathalbyn clubs are virtually metropolitan clubs. The arguments that have arisen in the past are the real reason for the introduction of this Bill and, indeed, for this amendment. I am sure the Minister is sufficiently enlightened to acknowledge that all the people concerned should have a voice in this matter.

The Committee divided on the amendment:

Ayes (18)—Messrs. Allen, Becker, Brookman, Burdon, Carnie, Corcoran, Coumbe, Evans, Hall, Keneally, McAnaney, Millhouse, Nankivell, and Rodda (teller), Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Clark, Crimes, Curren, Dunstan, Eastick, Ferguson, Groth, Harrison, Hopgood, Hudson, King (teller), Langley, Mathwin, McKee, McRae, Payne, Simmons, Slater, Virgo, and Wells.

Majority of 5 for the Noes.

Amendment thus negatived; clause passed. Clause 8 and title passed.

Bill read a third time and passed.

INDUSTRIAL SAFETY

Adjourned debate on the motion of the Hon. D. H. McKee:

That a Select Committee be appointed to inquire into and report upon what legislative measures, if any, are considered to be desirable to make proper provision for occupational safety, health and welfare in industry and commerce and related matters.

(Continued from April 1. Page 4629.)

Mr. MILLHOUSE (Mitcham): Although this will make it suspect to my Leader, I do not oppose the motion. The Opposition is

happy to see a Select Committee appointed. My only reservation is that it will in due course probably be used as the foundation for further Socialist controls. Most things that this Government does are so used, which is why I say that I do not oppose the motion rather than that I support it.

Mr. COUMBE (Torrens): I support the motion. For many years I have been intimately concerned with safety in industry, not only as a private citizen and industrialist but also, more recently, as Minister of Labour and Industry. I have played a prominent part in this matter, and I hope in future to play an even more prominent part in it. Anything that can be done to promote industrial safety in industry is worth while; indeed, reducing the incidence of industrial accidents in this State is a good idea.

Although my colleague has correctly referred to an aspect of the motion which has certain implications, no harm can be done in setting up the Select Committee; the motion should therefore be carried forthwith. Having taken considerable interest in this subject and having promoted industrial safety conventions in the past, I give the motion my wholehearted support. I only hope that the Select Committee's deliberations (which are likely to be fairly lengthy, as many people and many organizations are to be consulted) will be effective and that its recommendations will be considered worth while. No doubt, conflicting views will be put forward on the way the committee's recommendations can be implemented. This measure is intimately connected with a certain section of the Industrial Code, amendments to which Opposition members expected (from the Government's brave waving of the flag regarding industrial legislation) would be introduced this session. However, it appears that this will not happen until next session.

Dr. TONKIN (Bragg): I, too, support the motion. The prevention of industrial accidents is an extremely important aspect of the industrial scene. Not only are economic considerations and the tremendous cost of industrial accidents to the Government and the community as a whole to be considered: the personal considerations of how the workman and the members of his family who depend on him are affected must also be considered.

We have seen a tremendous advance in the field in which I am well qualified to speak—the field of eye safety. We have also seen a tremendous advance in the wearing of safety spectacles and the use of guards

in various industrial processes. I have no doubt that only good can flow from a Select Committee of this kind, the appointment of which I wholeheartedly support.

The Hon. D. H. McKEE (Minister of Labour and Industry): I congratulate the member for Torrens and the member for Bragg on their support for the motion. My only comment at this stage is that I am extremely sorry for those two members because of the attitude of their colleague the member for Mitcham. However, I am most grateful that the member for Mitcham is their colleague and not mine.

Mr. Coumbe: I am happy to have the member for Mitcham as my colleague.

The Hon. D. H. McKEE: You can have him.

Motion carried.

The Hon. D. H. McKEE moved:

That the Select Committee consist of the Hon. D. H. McKee and Messrs. Coumbe, Crimes, McRae, and Mathwin; the committee to have power to send for persons, papers and records, to adjourn from place to place, and to have leave to sit during the recess.

Motion carried.

MARGINAL DAIRY FARMS (AGREEMENT) BILL

Returned from the Legislative Council without amendment.

RURAL INDUSTRY ASSISTANCE (SPECIAL PROVISIONS) BILL

Returned from the Legislative Council without amendment.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

LOTTERY REGULATIONS

Mr. MILLHOUSE (Mitcham): I move:

That the lottery regulations, 1971, made under the Lottery and Gaming Act, 1936-1970, on February 25, 1971, and laid on the table of this House on March 2, 1971, be disallowed.

The reason why I gave notice of this motion last week was the unsatisfactory situation with regard to the Subordinate Legislation Committee: it just was not possible to get any sense from the Chairman of the committee and to find out what the committee intended to do. We had the ludicrous situation that, on the last day on which notice of disallowance could be given, the Chairman and other members in this House of that committee were fluttering about trying to work out what to do:

In fact, it was not until well after Question Time, when the opportunity for giving notices of motion exists, that we had a report from the committee. That report states that the Government intends to make certain amendments to the regulations and that they will take about three months to make.

Although these amendments are perhaps good, they do not cover, in my view, all the difficulties and deficiencies that are evident even from a quick perusal of the regulations. I think that at present everyone is anxious to have the regulations; they are working now, having come into operation on April fools' day, and, if they are disallowed, we cannot have these small lotteries until new regulations are made. However, I prophesy that, if extensive amendments are not made to them (far more extensive than is set out in the report), it will not be long before everyone is regretting the regulations and regretting the speed with which they have been made. It is late, and no-one is terribly interested in this, but perhaps those who read *Hansard* will be interested, and I intend to set out briefly some of the matters of objection not covered in the report.

First, the whole scheme of the regulations is so complicated that I do not believe that the organizations that will have to use them will have the necessary knowledge or application to do so; in other words, the small bodies, churches, women's groups and others that are supposed to take advantage of these regulations will be deterred from doing so because of their complicated nature. Secondly, there is no doubt that the Government is using them as a revenue-raising measure. I do not know what estimate of revenue is made but, when one thinks of an organization such as the Country Women's Association which has 138 branches, each one of those branches, if it desires to run a lottery, having to apply and pay a \$5 fee, and when one thinks that this can be duplicated many times throughout the community, one sees that the fees will be substantial, and that is apart altogether from the 2 per cent or the 4 per cent rake-off that the Government is to take.

When the House resumes, I will certainly ask the Government what is its estimate of revenue from this source. That request will probably be met with the usual nonsense about the Grants Commission and the claim that we must have taxation comparable with that of other States, but I can tell the Government in advance that that will not satisfy me. Finally, there are several matters of drafting that I do not like. It is easy to say that,

of course; it is necessary to substantiate it to mean anything. However, if we look at the regulations, we find these imperfections all over the place. One of the most serious, I think, relates to the fixing of the prize money, because on the fixing of the prize money depends the class of lottery that it may be. If we look at regulation (1) (a), we find, I think for the first time in the regulations, a phrase that occurs frequently: that is, "reasonable combined value of the prize or prizes in any one lottery". I ask the honourable lady who has been in charge of the investigations into the regulations or her offsideers what on earth that phrase may mean. What does "reasonable combined value" mean? It has no precise meaning in the law.

Let me illustrate the difficulty that will arise. Certain charitable organizations run lotteries and sometimes they are given the prizes, while at other times they purchase them at the wholesale price or at a reduced price. They then give those prizes away. Perhaps the price paid for the goods that are used as prizes would be \$180 (the organization may have bought the goods wholesale), and the retail price may be \$250 or more. What is the reasonable value of those prizes? Is it the wholesale price, which is under the \$200 limit, or is it the retail price, which is above it? Or is it some other figure?

Mr. Coumbe: What if the prizes are donated?

Mr. MILLHOUSE: If the prizes are donated, one has difficulty again. These regulations should lay down some test of price. If the regulations are to use this scheme of a money limit for the prizes, it should not matter how that limit is fixed, but a vague phrase such as "reasonable value", which has no meaning, should not be used, because it is impossible, looking at these regulations, to fix that value, and yet it is crucial in regard to determining the classes of lottery. So far as I can see, that is the most serious of the drafting deficiencies, but there are others: for example, we have a series of definitions in regulation 3, but we then find a series of lotteries such as a "lottery (newspaper) licence" and a "lottery (housie) licence", but they are nowhere defined.

I do not want to labour these points, but I suggest to the draftsman, if he reads *Hansard* and sees what I have said, that he note these matters and ensure that the alterations that are made to the regulations, assuming that my motion is not carried, are rather more

extensive than those suggested by the honourable lady in her report. Further, in regulation 9 (2) (b) the fee for a general licence shall be "two per centum of the gross value of all tickets proposed to be sold in the lottery". What happens if that fee is paid but the tickets are not all sold? There is no provision for a refund, so far as I can see.

Mr. Coumbe: It has to be paid first.

Mr. MILLHOUSE: It has to be paid in advance, and it is on the tickets proposed to be sold, not those actually sold. What if only half or a quarter of them are sold? Is the charity to lose this money because the fee has been set at a figure which it does not reach? Let us remember that in many cases the money is being raised for a purpose which, if it were not raised by a charity, would have to come out of the Government's pocket. The Government gains both ways. First, it gets the advantage of having these moneys raised by charity and, by these regulations, it also gets a rake-off through the fees which are imposed by the method that the charity uses for raising money.

There is another anomaly in the regulations which is not repeated later on. For a lottery (newspaper) licence (whatever that may mean: it is not defined), apparently a fee does not have to be paid in advance. The fee for that shall be 2 per cent of the gross proceeds of each lottery. Why on earth is a distinction made between a general licence and, for example, a newspaper licence? Why does the general licence fee have to be paid in advance on a notional figure, whereas the newspaper licence fee is paid on the gross proceeds? These are crazy anomalies in the regulations that just should not appear. They do not appear to have been picked up by the Subordinate Legislation Committee.

I will not go on. I hope that these points are sufficient to show that there are many imperfections in these regulations. Frankly, they are not in a fit state to come into operation. In a sense the House has been duped by the Government in the way the regulations have been brought into operation. The regulations were laid on the table of the House and timed to operate on the last day of disallowance. Therefore, we either had to settle them then with all their imperfections or there would be no lotteries. The Government has played a confidence trick that I believe it should not have played. The best we can do now is point out these matters, hoping to goodness that the Government will have enough sense (not showing its usual obstinacy)

to see that these matters are put right when the regulations are amended, as I accept that they will be. I have spoken at some length, even though I know that there is really no hope of my motion being carried, because I think it important that someone in the House should canvass what are obviously defects in the regulations.

Mrs. BYRNE (Tea Tree Gully): As Chairman of the Subordinate Legislation Committee, I strongly oppose the motion. I did not expect the honourable member to proceed with his motion, although he has a perfect right to do so and to hold the views that he has just expressed. I doubt whether he is sincere. I think that this notice of motion was put on the Notice Paper only because at the time of putting it on the Notice Paper the member for Mitcham was not sure what course the committee would adopt. In reply to a question the honourable member asked me, I told him that several meetings of the committee had been held to discuss the matter; in fact, several informal discussions took place. The honourable member knows that I have not been a member of this committee for a long time. However, other members who have belonged to it for some time have said that the extensive inquiries made in connection with this regulation probably exceeded other inquiries made in the past in connection with other matters. Therefore, I assure all members that the committee inquired extensively into these regulations and, in fact, recommended unanimously to the House to the effect that no action be taken.

The Hon. G. R. Broomhill: After this motion went on the Notice Paper.

Mrs. BYRNE: Yes. The committee recommended that no action be taken, with the proviso that certain amendments to the regulations be effected in about three months. I will not canvass those amendments at this stage, as they have been read to the House and, with other members, the member for Mitcham is aware of what they are. With regard to the Country Women's Association and its various branches, which will each have to obtain a licence, I point out that the reason for this is that the branches are autonomous. If the member for Mitcham and other members want to find out these matters, they should read the evidence placed before the committee. This motion, if carried, would prevent the introduction of these regulations, which have been publicly announced and which the public has eagerly awaited. These regulations now operate.

Mr. COUMBE (Torrens): I believe the member for Mitcham has done a service to the House and to the Subordinate Legislation Committee in moving this motion, which we know will not be carried because of the numbers in the House, and in pointing out some important matters which, as the Chairman has just reported, the committee will consider in due course. I am aware of the report brought before the House and I know that certain lotteries and other activities are taking place at present. As the report states, new regulations are to be formulated and brought down. I believe the member for Mitcham made some constructive suggestions that should be welcomed by the people of the State, but especially by the Chairman and other members of the committee. I support what the member for Mitcham has said.

Mr. SIMMONS (Peake): The member for Mitcham has taken the role of Cassandra, which he so much enjoys, and has opposed these regulations. The Chairman of the Subordinate Legislation Committee has queried his motive for putting the motion on the Notice Paper. I suggest he may have done this in his desire to compete with his rival in another place. However, the point of his remarks was that the regulations were lacking in three respects. First, he said that they were unduly complicated, yet much of his subsequent speech was devoted to saying that they were not complicated enough. It is easy to make criticisms of this type. Secondly, he complained that they were obviously designed to raise revenue. I very much doubt whether much revenue for the Government will be produced in this way in view of the cost of administering the lotteries. I think that what is important is that the machinery should be available to enable groups in our society to raise money for their various cultural and social purposes without breaking the law. These regulations will make that possible. The various drafting alterations to which the honourable member referred can easily be dealt with later. All I can say is that, despite the honourable member's comments about the lack of precision in the regulations, they were drawn up by experts in the honourable member's field, and I believe they are reasonable. Motion negatived.

SITTINGS AND BUSINESS

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

That the sitting of the House be suspended until 2 p.m.

I move this motion because the Legislative Council has decided that it will not continue its sitting until later today, in order to complete the business on its Notice Paper, and this House will consequently have to wait until it does so in order to get messages back from the Upper House, although there is nothing further on our Notice Paper.

Motion carried.

[Sitting suspended from 5.14 a.m. until 2 p.m.]

ASSENT TO BILLS

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

- Age of Majority (Reduction),
- Builders Licensing Act Amendment,
- Building,
- Constitution Act Amendment (Voting Age),
- Fruit Fly (Compensation) (Seaton).

SITTINGS AND BUSINESS

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

That the sitting of the House be suspended until the ringing of the bells.

The House will have to wait until the Legislative Council has transacted more business before we may receive messages from it.

Mr. Millhouse: What about questions?

The Hon. D. A. DUNSTAN: There are no questions during the continuation of the sittings.

Mr. Millhouse: Why not?

The SPEAKER: Order! The member for Mitcham is out of order.

Motion carried.

[Sitting suspended from 2.4 to 4.23 p.m.]

WATERWORKS ACT AMENDMENT BILL (POLLUTION)

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, line 6 (clause 2)—Leave out "proclamation" and insert "regulation".

No. 2. Page 2, line 16 (clause 2)—After "water" insert "acquired by or under the control of the Minister".

No. 3. Page 2, line 22 (clause 3)—Leave out "proclamation" and insert "regulation".

No. 4. Page 2, line 23 (clause 3)—Leave out "proclamation" and insert "regulation".

No. 5. Page 2, lines 28 and 29 (clause 3)—Leave out all words in these lines.

No. 6. Page 2, lines 30 to 32 (clause 3)—Leave out "in a proclamation referred to in subsection (1) of this section or by any proclamation made after that proclamation".

Consideration in Committee.

The Hon. J. D. CORCORAN (Minister of Works): I move:

That the Legislative Council's amendments be agreed to.

Regarding amendment No. 1, it is clear to all members that the Legislative Council desires to have the matter declared by regulation rather than by proclamation. However, it is normal under the Waterworks Act that these matters be dealt with by by-law, not by regulation, and the procedure is similar in almost every respect. The by-law must be tabled and is subject to disallowance. Although a by-law is made by the Minister, not by the Government, the effect is the same. Amendment No. 2 merely spells out the definition of "waterworks" a little more clearly. Amendments Nos. 3 to 6 are consequential.

Motion carried.

Clause 3—"Watersheds and zones."

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

In new section 9a (2) after "time" second occurring to insert "by regulation"; and to strike out all words after "Zone II".

It has become apparent that these consequential amendments were missed by the Legislative Council.

Amendments carried.

Later, the Legislative Council intimated that it had agreed to the consequential amendments made by the House of Assembly.

MOTOR VEHICLES ACT AMENDMENT BILL (POINTS DEMERIT)

Returned from the Legislative Council without amendment.

JURIES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

JUDGES' PENSIONS BILL

The Legislative Council intimated that it did not insist on its suggested amendments to which the House of Assembly had disagreed.

ABORIGINAL LANDS TRUST

The Legislative Council intimated that it had agreed to the House of Assembly's resolution.

LOTTERY AND GAMING ACT AMENDMENT BILL (POOLS)

Returned from the Legislative Council without amendment.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

UNIVERSITY OF ADELAIDE BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 5, line 15 (clause 12)—Leave out "full-time".

No. 2. Page 5, line 24 (clause 12)—Leave out "full-time".

No. 3. Page 6, line 8 (clause 12)—Leave out "full-time".

No. 4. Page 6, line 17 (clause 12)—Leave out "full-time".

No. 5. Page 6, line 20 (clause 12)—Leave out "full-time".

No. 6. Page 6, line 25 (clause 12)—Leave out "full-time".

Consideration in Committee.

The Hon. HUGH HUDSON (Minister of Education): I move:

That the Legislative Council's amendments be agreed to.

The effect of the amendments is to change the category into which part-time employees of the university would be placed. If "full-time" is deleted, anyone who is an employee of the university and wishes to stand for a council election has to nominate in the category of one of the eight persons engaged in the employment of the university as members of the academic staff, and any of the 12 persons not engaged in full-time employment at the university will be confined exclusively to graduates who are not employed by the university. It is hard to determine what the consequences of the amendment will be, but I suspect that it will probably make it more difficult for, say, a leading doctor who has been doing part-time lecturing at the university to be elected to the council. I think the Legislative Council was concerned to ensure that the council would not be dominated by full-time academic staff being elected under the provisions of clause 12 (1) (c) (i) and by part-time staff being elected under clause 12 (1) (c) (iv).

Motion carried.

BOILERS AND PRESSURE VESSELS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

PROROGATION

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

That the House at its rising adjourn until Tuesday, May 11, at 2 p.m.

I wish to express my appreciation to members for the attention they have given to the legislative programme which has been presented to them and which has been, I think, about the heaviest so far on record. I wish also to express the appreciation of members to you, Mr. Speaker, for your conduct of the business of the House, and to the staff of the House, including the Clerks, Messengers, the *Hansard* Staff, and the domestic staff of Parliament. They have all had a difficult time, particularly recently, when we have had to sit for prolonged periods of long and inconvenient hours. I am sure that everyone of us has appreciated the extraordinary service that we have had from these servants of Parliament.

Before we meet again, one of our Parliamentary institutions will have passed from the scene. As Constable Osmond (known to all of us as "Ossie") will retire before Parliament next meets, I am sure all members will join with me in wishing him a happy, peaceful and enjoyable retirement. He has been a friend to everyone in the House, having given great service to us all.

One section of people concerned with the business of Parliament, although they are not specifically directed to Parliament itself but are concerned entirely with the work of Parliament, comprises the Parliamentary Counsel and his officers. Mr. Ludovici is known as the outstanding Parliamentary Draftsman of Australia, and many other Parliaments have expressed envy of the fact that we have him here. I am sure all of us have sympathized with him in the difficult situation that has arisen from his illness and have admired the devotion to his work which has occasioned his return to duty, although now he has a condition which is not curable but which is only controllable. He is necessarily working under difficulties, but that work is continuing in the way we have known it ever since he came to work at the Parliamentary Draftsman's office in South Australia. We all wish him improved health, and hope that he will be long with us in this office.

We also appreciate that both the way in which we have had to tackle a large quantity of business in the House and the fact that Mr. Ludovici has had a serious illness have placed an additional strain on other members of the Parliamentary Counsel's staff, and I want to pay a tribute to them, too, for the long hours of work they have put in over recent months. I wish all members a happy

and restful Easter. During the recess they will have the opportunity to make the necessary plans to return to Parliament when it resumes with all the vigour that we expect in this House.

Mr. HALL (Leader of the Opposition): I join the Premier in expressing appreciation to all those whose company we have enjoyed and to whose service we stand indebted as members of the House. I add to the list of those mentioned by the Premier the members of my own staff who function in this building, and I thank members of my Party for the support they have given me and the effort they have made in considering legislation before the House. I wish everyone to whom the Premier referred a safe and happy Easter.

The SPEAKER: Before putting the motion, I feel it incumbent on me, as Speaker, also to express my appreciation to the Clerk and staff of the House. Led by Mr. Gordon Combe, the staff has at all times given the utmost co-operation in ensuring the smooth running of the Chamber. I would be remiss if I did not refer to the valuable assistance rendered to me in this Chamber by Messrs. Aub Dodd and Jack Hull during Gordon's term overseas. All members will agree that they did the utmost to assist honourable members, and particularly to help and advise new members regarding Parliamentary procedure. To Miss Emmott, my secretary, I express my gratitude for her co-operation. I also thank Mr. Jack Lawson (Head Messenger) and his staff for the excellent work they have done. I should like also to refer to the dining room staff, so ably led by Miss Stengert, who is in charge of catering arrangements. To her and her staff I express my appreciation. I also thank the caretaker (Mr. Les Martin) and his assistants for their courteous co-operation.

I also thank members of the *Hansard* staff, who have worked under the direction of their Leader (Mr. Stan Parr), for the co-operation they have given all members. I know that on many occasions they have to work under difficult conditions. Despite those conditions, they have done an exceptionally good job and I would be remiss if I did not refer specifically to them. I should like also to thank the Parliamentary Counsel headed by Mr. Ludovici, whom the Premier has eulogized. I endorse his remarks regarding Mr. Ludovici and his staff.

I thank also the electrician and the men who look after the air-conditioning in the

House; they have done an excellent job in most trying circumstances to make this Chamber as pleasant as possible for members. I also thank our friend Ossie (Constable Osmond) who has supervised parking arrangements at Parliament House for many years. I wish him all the best in his retirement. I am sure all members, to whom he has been most helpful, will miss him. He is a conscientious public servant and, indeed, a credit to the Police Force. I also thank the Premier, the Leader

of the Opposition and all members for trying to make this Chamber function in a manner befitting it.

Motion carried.

ADJOURNMENT

At 5.9 p.m. on Thursday, April 8, the House adjourned until Tuesday, May 11, at 2 p.m.

Honourable members rose in their places and sang the first verse of the National Anthem.