HOUSE OF ASSEMBLY

Wednesday, October 13, 1971

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

QUESTIONS

TRADING HOURS

Mr. HALL: In the absence of the Premier, can the Deputy Premier say whether the Government will follow the action of the Victorian Government in removing restrictions on shopping and trading hours during week days?

The Hon. J. D. CORCORAN: The matter has not been discussed by the Government, and I have not had an opportunity to confer with the Minister of Labour and Industry, under whose control this matter would be. However, I am willing to discuss the matter with him and to see whether the Government has any thoughts on it.

FARM HOLIDAYS

Mr. HOPGOOD: Will the Minister Assisting the Premier take up with the Tourist Bureau the possibility of forming in South Australia a farm and ranch vacation association? This is an aspect of tourism that is extremely popular in the United States and Canada, and friends of mine who have toured overseas have told me that the high point of their holiday has been the opportunity to spend one or two days on a typical farm in the American Mid-West. The system works by the publication of an index whereby the addresses of primary producers who are willing to provide vacation accommodation for people are published annually, and this information is made available to tourists. Given the present recession in rural industry, it seems to me that various farmers would welcome the opportunity to augment their income in this way.

The Hon. G. R. BROOMHILL: I will take up the matter with the Tourist Bureau. In recent months very many people who are currently on the land and who are feeling the effects of the recession to which the honourable member refers have shown an interest in establishing this type of facility for tourists. I think we are likely to see a considerable increase in this type of activity, which now operates in this State only to a limited extent. I shall be happy to raise with the Director of the Tourist Bureau the honourable member's question about forming an association.

COMPANIES LEGISLATION

The Hon. D. N. BROOKMAN: Will the Attorney-General say what he intends to do in asking the House further to consider the Companies Act Amendment Bill? The Bill comprises 157 pages, and I have spent considerable time examining it in consultation with various people interested in it. Yesterday, I approached the Parliamentary Counsel with the first amendment that I intended to move to the Bill, only to be told by him that that amendment was one that the Attorney-General intended to move. On further inquiry, I have found that the Attorney-General has many amendments, running into about 20 pages. The Attorney introduced this Bill, the second reading of which has not been fully debated, only a short time ago. I now wonder whether the same procedure will be adopted with this Bill as was adopted in relation to the Door to Door Sales Bill. I might say that the Opposition found that procedure, of incorporating the Attorney-General's amendments into the original Bill and continuing with the Bill having had only the second reading explanation that related to the original unamended Bill, most unsatisfactory. I should like the Attorney-General to say whether that procedure is to be adopted in this case, and to tell me whether plenty of time will be allowed, after the amendments have been incorporated in the Bill, for Opposition members to discuss those amendments with interests outside the House. I point out the problem is that, once the second reading explanation of a Bill has been given, the Government apparently is then prepared to discuss the Bill with anyone interested in it, except Opposition members, who are expected later to take up discussion of the Bill at quite short notice.

The SPEAKER: Order! I have been rather lenient in allowing the honourable member to make his explanation, but I think he is getting a little wide of the mark now. He must confine his remarks to the explanation.

The Hon. D. N. BROOKMAN: I accept your comment, Sir. Having considered the point I have made in my explanation, will the Attorney-General see to it, if it is correct that he has many amendments to the Bill, that there is reasonable time for all members in the House, including the Attorney's own back-bench members, to consider those amendments and to discuss them with interested persons before the debate on this Bill is concluded?

The Hon. L. J. KING: The Bill was introduced with the object, as I said at the time, of allowing it to remain on the Notice Paper

so that all interested parties, including Opposition members and other members of this House, would have the opportunity of fully considering the provisions and of discussing them with anyone they saw fit. Since the Bill was introduced, officers advising me have considered legislation and amendments introduced in other States and representations that have been made. I shall be moving several amendments to the Bill. Although I have a draft of those amendments at present, I shall have to consider them before they can be placed on members' files. Not having fully considered the draft, I cannot say definitely at this stage whether the appropriate procedure to be followed will be the procedure adopted in relation to the Door to Door Sales Bill, namely, amending the Bill *pro forma*. That procedure was adopted with regard to that Bill for the convenience of members, because it was considered that proceedings in Committee would be greatly facilitated if members had a clean copy of the Bill incorporating the amendments rather than if they had the confusing situation that might have arisen if the amendments had been moved in Committee as the clauses were considered. Whether that is appropriate in this case will depend on how the amendments fit into the Bill, and I shall have to consider that matter further and make a decision about it. True, the Government is ready and I am ready to discuss this and other Bills on the Notice Paper with interested parties. I make no apology for that: I think that is an important part of the Parliamentary process. The basic reason why a Bill of this complexity is allowed to remain on the Notice Paper for a considerable time is precisely to enable people to consider it and make representations, to enable those representations to be considered, and to enable amendments to be put forward if that course seems appropriate after the representations have been considered. It is not true to say that I am prepared to discuss the Bill with everyone except members of the Opposition. I shall be pleased to receive any member of the Opposition who desires to discuss a matter with me, and that applies to this Bill. Certainly, I can say that members will be given an ample opportunity to consider amendments that are proposed to be made and to discuss them with anyone with whom they care to discuss them. I think it is a Bill that requires mature consideration, and any reasonable request by the Opposition for further time to consider the matter will be acceded to, just as it would have been acceded to in the case of the Door to Door Sales Bill if any such request had been made.

NORTHFIELD HIGH SCHOOL

Mr. WELLS: Will the Minister of Works expedite the calling of tenders for the construction of three tennis courts at the Northfield High School? Some time ago in this House I asked that an investigation be made into the matter of the tennis courts at this school and was told subsequently that the matter was in hand and tenders would be called within the then ensuing fortnight. I gave this information to the Headmaster and the school council a month ago, but to date the tenders have not been called and the people concerned are perturbed about the delay. Therefore, I ask the Minister whether he will have the matter expedited.

The Hon. J. D. CORCORAN: Certainly, I will do that. In fact, I remember writing to the honourable member about this, indicating, as he has said, that the tenders would be called. I am surprised that they have not been called as promised, and I shall have the matter investigated and expedite the calling of the tenders.

HOUSE INTRUSIONS

Mr. LANGLEY: Can the Attorney-General say what protection people have for themselves when other people walk into their houses without permission? Recently, two elderly people have contacted me about a man who called at their front door and, before long, walked into their house. They said that he was a likeable fellow and wanted to buy furniture. They were overcome by his pleasant and plausible manner of approach, but they have been quite upset about the intrusion into their private house.

The Hon. L. J. KING: Of course, no-one is entitled to walk into a house uninvited. If anyone does so, he is a trespasser, and there are legal remedies for trespass. Without knowing more about the circumstances, I cannot comment on this case. The gentleman who came into the house might have been so likeable that, in fact, he was invited in: I do not know. If he was not invited, he was a trespasser. I do not know of any need for changes in the law in this regard.

LINCOLN GAP TANK

Mr. BROWN: Has the Minister of Works a reply to my question regarding the Lincoln Gap tank?

The Hon J. D. CORCORAN: The rumour that the storage at Lincoln Gap may not be used in future is entirely inaccurate. The Lincoln Gap storage plays an important role in the mains system and will continue to do

so. At present supply to Iron Knob, Port Augusta West, and Woomera is maintained via this facility, which also provides emergency storage for use in Whyalla. As growth and demands in Whyalla increase, flow from the storage will be used regularly to help meet peak period demands.

PORT AUGUSTA SCHOOL

Mr. KENEALLY: Will the Minister of Education ascertain when it is expected that the open-space units will be built at the Port Augusta Central Primary School, and what will happen to the permanent and temporary buildings that are now being used at this school?

The Hon. HUGH HUDSON: I shall be pleased to consider the matters raised by the honourable member. I remember when I visited the school in the company of the honourable member and I know that the school is certainly in need of some upgrading. As the department is committed to such a policy, I will obtain the information required as soon as possible.

VINE PLANTINGS

Mr. CURREN: Has the Minister of Works a reply from the Minister of Agriculture to the question I asked last week about introducing new vine plantings into South Australia?

The Hon. J. D. CORCORAN: My colleague states that South Australian vine plantings are relatively free from major grapevine diseases. Oversea grapevine importations have been permitted on a restricted basis in order to ensure that the best material with regard to quality and freedom of disease is introduced, and that, by orderly introductions, the grape industry can adequately assess the place for the new varieties in the industry for table grapes, wine, or dried fruit. Six grapevine cuttings, each with five buds, is considered the minimum number necessary to establish a clone, and this is the maximum number of cuttings permitted entry under quarantine regulations. Once quarantine requirements are completed, the small number of cuttings introduced should not create hardship, because of the development of rapid multiplication techniques for grapevines. The Director of Agriculture has advised that a review of the minimum number of cuttings of each introduction is at present being considered by the Phylloxera Board and the Agriculture Department. However, this will depend on availability of quarantine facilities and of certified oversea planting material.

WHYALLA KINDERGARTENS

Mr. BROWN: Has the Minister of Works a reply to the question I asked on September 28 about obtaining portable units for use as kindergartens in my district?

The Hon. J. D. CORCORAN: At present, no surplus timber rooms are available in the Whyalla area, but it is likely that several will become surplus during the latter half of 1972 as a result of new building work. It is suggested that an approach be made to the Public Buildings Department in mid-1972, when the availability of timber classrooms in the area should be more clearly established.

HACKNEY BUS DEPOT

Mr. JENNINGS: In the absence of the Minister of Roads and Transport, has the Minister of Environment and Conservation a reply to the question I asked some time ago about fumes at the Hackney bus depot?

The Hon. G. R. BROOMHILL: All buses dispatched from the Municipal Tramways Trust Hackney depot are berthed in the open, and there is therefore no build up of exhaust fumes inside the buildings. Exhaust emissions from diesel engines, unlike the invisible but highly toxic carbon monoxide emitted from petrol engine exhausts, are non-toxic, and while the smoke and smell from diesel exhausts may be a nuisance they are not a health hazard.

The Municipal Tramways Trust is taking precautions to minimize smoke emissions from its bus exhausts by purchasing buses with adequate diesel engine horsepower. (Under-powered diesel engines under heavy load are prone to emit smoke). Also, diesel engines will be regularly inspected to check that they are properly adjusted and maintained. In addition field supervisors are required to report any buses that emit excess smoke, and corrective action is then taken. Further, quality diesel fuel and diesel-engine lubrication oil is purchased. The trust is watching technological developments and will continue its efforts to minimize exhaust smoke from its buses.

EDUCATION POLICY

Mr. CLARK: Does the Minister of Education agree with the view recently expressed by the Commonwealth Minister for Education and Science (Mr. Fraser) that the change in income tax reimbursement grants and other measures have improved the States' financial position and have rendered unnecessary the Commonwealth assistance to the States implicit in the conclusions of the national survey? I apologize to the Minister, as perhaps I should

have given him notice of my question, except that I do not believe in Dorothy Dixers. However, I shall be happy to hear a brief reply from the Minister in his usual fashion, because this matter is of interest to many people.

The Hon. HUGH HUDSON: I thank the honourable member for asking the question, because I wanted a chance to comment on this matter. Mr. Fraser has suggested that it is not really necessary for the Commonwealth Government to make substantial grants to the States in accordance with the conclusions of the national survey, because already since the middle of last year changes have been made to income tax reimbursement grants, and other measures have been introduced by the Commonwealth Government which, according to Mr. Fraser, substantially improve the States' position and render additional assistance unnecessary. However, nothing that the Commonwealth Government has done has affected the availability of funds for school buildings, so that, regarding the part of the survey that deals with school buildings, Mr. Fraser's statement is simply not correct.

True, at the Premiers' Conference last year certain changes were made in regard to Loan funds available to the States, and a certain percentage of these funds was to be made available on a grant basis in future. However, as I am sure members will appreciate, the effect of those changes is a budgetary effect on the interest that must be paid to the Commonwealth and does not have an impact on the Loan Fund. The total increase in overall Loan moneys available to the States this financial year is about 4 per cent. That has meant in this State and in every other State that additional funds can be made available for school buildings only to the extent that other activities of the State Government are not expanded: they may even be restricted. Indeed, in one or two States I believe that expenditure on school buildings this financial year will tend to drop because of the problems those States are experiencing as a result of budgetary deficits and their considered need from their own point of view to maintain a larger surplus of Loan money in order to cater for the larger Budget deficits.

Ever since the Second World War, Loan moneys made available to the States have increased by an average of 5 per cent a year. The Commonwealth Government's attitude this financial year has been to increase Loan moneys available at the normal rate or at a rate slightly below normal. The increase in the funds made available for school buildings since this Government has come to power has come entirely from the State's sources and not as a result of additional assistance from the Commonwealth Government. Indeed, over the last 18 months there has been no increase in the rate of Commonwealth assistance in respect of school capital projects.

The SPEAKER: Order! The honourable Minister has been speaking for a considerable time in reply to the question.

The Hon. HUGH HUDSON: Mr. Speaker, the question is of considerable importance. This is not a straightforward matter.

The Hon. D. N. BROOKMAN: On a point of order—

The Hon. HUGH HUDSON: I am taking a point of order, Mr. Speaker.

The SPEAKER: Will the honourable Minister resume his seat? I gave the Minister the call but the honourable member for Alexandra has taken a point of order.

The Hon. D. N. BROOKMAN: You have just objected to the Minister making what is obviously a propaganda speech.

The SPEAKER: The honourable member wants to take a point of order. He is not going to use the Standing Orders to make a speech about any matter. I call on the Minister of Education.

The Hon. HUGH HUDSON: I point out that I have given an answer that has covered five minutes or so. This is not an easy matter to explain. It is a matter of national importance, although some Opposition members do not consider it to be such. Since this Government has been in power the increase in the provision of Loan funds for schools has come effectively entirely from State sources and there has been no increase in the rate of assistance provided by the Commonwealth for capital purposes. There have been Budget changes which have alleviated to some extent the budgetary position of the States and which have enabled some improvement to be made in the provision of finance for education. However, it is clear in all States of Australia that each Education Department is slipping behind the standards set for 1971 by the national survey, and the experience of every State Government in respect of recurrent expenses has been that, although some degree of improvement has occurred, it has not occurred at a rate to match the standards prescribed by the national survey. The Commonwealth Minister has referred to the large percentage increases in recurrent expenditure.

Mr. MILLHOUSE: I take a further point of order. The Minister has now been speaking

for over seven minutes in answering this question. I point out that it is Wednesday, which is private members' day, and this question could be answered on any day. The Minister is deliberately stringing out his reply, and he is doing this contrary to Standing Order 126, which provides:

In answering any such question, a member shall not debate the matter to which the same refers.

Obviously the Minister is doing this deliberately. He is wasting the time of the House. As he is debating the reply, I take the point of order that he should not be allowed to continue.

The SPEAKER: The first point the honourable member has raised is that today is a Wednesday, but the Standing Orders make no provision in respect of what day any member on either side may ask questions; that is for members to concern themselves with. No specific preference can be given, nor is it in my jurisdiction to rule a question from either side out of order merely because it happens to be asked on a Tuesday, a Wednesday or a Thursday, if a legitimate question is asked. The member for Elizabeth asked the Minister to comment. I did not take specific notice of the time, but the honourable member for Mitcham will appreciate that I have expressed the view that this is a lengthy reply. However, Standing Order 126 specifically provides:

In answering any such question a member shall not debate the matter to which the same refers.

So far as I have been able to follow the Minister, he has been commenting in accordance with the question asked, but I suggest that, if the Minister wishes to make a further statement, it would be appropriate for him to seek the leave of the House to make a statement as Minister.

The Hon. HUGH HUDSON: I seek leave to finish my answer, not to make a statement. I do not want to make a statement; I just wish to finish my reply.

The SPEAKER: All right. Does the Minister have leave?

The Hon. D. N. Brookman: No.

Mr. Millhouse: No.

Mr. HALL: On a point of order—

The Hon. HUGH HUDSON: I take a point of order. I was interrupted by the member for Mitcham previously on a point of order, and I had not finished what I wished to say. Am I to be permitted to explain my point of order?

The SPEAKER: Yes.

The Hon. HUGH HUDSON: I was interrupted before I had completed replying. The matter to which I was referring in my reply is one of national importance. Apparently, the Commonwealth Minister is to be permitted to make statements in the Commonwealth House, but Opposition members object to replies being given in this House.

The Hon. D. N. Brookman: What's your point of order?

The Hon. HUGH HUDSON: My point of order is that I should be permitted to give and complete the reply I was asked for by the honourable member. I also submit that a reply on this matter occupying seven minutes is not an inordinately long reply. Any reply must inevitably depend on the importance of the subject matter and on its complicated nature, and there is not a single subject that is of greater national importance than this one in the field of education.

The SPEAKER: I will have to rule that the Minister is permitted to complete his reply within the Standing Orders of the House.

The Hon. HUGH HUDSON: Mr. Speaker—

The Hon. D. N. BROOKMAN: Mr. Speaker, I take a point of order. The Minister sought leave to complete his statement and I was one who refused him leave, in view of his blatant misuse of his privilege. I am now asking you, Mr. Speaker, whether or not leave was refused.

The SPEAKER: There is no provision in the Standing Orders for the Minister to seek leave of the House to reply to a question; he must seek leave only to make a Ministerial statement. I suggest that the Minister is at liberty to continue to reply to the question.

The Hon. HUGH HUDSON: All State Education Departments are falling behind the standards set by the national survey for 1971 and the standards expected to be achieved in 1972; so, while some degree of improvement has been achieved, the rate of improvement is in no way in line with the standards set by the national survey. Concerning South Australia, I consider that the standards set by the national survey, which were adopted under the previous Government but which apparently the Commonwealth Minister has seen fit to criticize, are conservative standards; they are certainly standards which in many respects are lower than the standards set by the Karmel committee of inquiry. The Karmel report, if its standards were to be implemented over a period similar to the period canvassed in the national survey, would certainly cost much more to implement. It

is my view that the Commonwealth Minister's statements on this matter are simply a product of the situation in which his Government has refused to provide additional assistance for Government schools, and he is seeking ways and means of rationalizing that refusal.

GARDEN ISLAND

Mr. RYAN: Can the Minister of Marine say whether discussions are taking place (and if they are, whether a decision has been made) on leasing Garden Island to the Port Adelaide City Council for the purpose of using it as a dump and for reclamation purposes? The Port Adelaide City Council, which in Wingfield operates a dump that I believe has nearly reached the end of its useful life, is looking for alternative places to be used by the residents of Port Adelaide as a dump.

The Hon. J. D. CORCORAN: I will obtain a report on the matter for the honourable member and let him know as soon as possible.

SWIMMING POOLS

Mrs. BYRNE: Has the Minister of Works, as Deputy Premier in the absence of the Premier, a reply to the question I asked the Premier on September 30 about the effectiveness of the existing provisions covering the safety factor in respect of swimming pools?

The Hon. J. D. CORCORAN: The Local Government Act at present empowers a council to require the fencing of a swimming pool if it is dangerous to the safety of persons. The new Building Act includes a pool as building work in its provisions, and when the Act comes into operation, probably early in 1972, the construction of pools will require prior council approval. The possible deficiency in the legislation is that councils would not be aware, without extensive inspections, of pools which might be dangerous to safety and thus would be unable to impose fencing requirements. The provisions of the new Building Act will mean that councils can, as far as future pools are concerned, impose safety requirements where necessary. In addition, consideration is being given to introducing regulations under the Health Act to control matters relating to public health. These existing and future provisions should be sufficient to meet many problems, but it is difficult to provide legislation which will ensure the total elimination of danger. In an endeavour to meet the current situation, councils will be informed of the position and encouraged to make surveys of their areas to ascertain the location of pools where danger may exist, so that fencing provisions may be enforced.

MORPHETT VALE WATER SUPPLY

Mr. HOPGOOD: Has the Minister of Works a reply to the question I asked him last week about an interruption to the Morphett Vale water supply?

The Hon. J. D. CORCORAN: With reference to the interruption to the water supply to consumers in the Morphett Vale area on October 4, 1971, inquiries reveal that a 4in. main in Judith Crescent, Morphett Vale, was accidentally broken by a sewerage gang on that day. As water was escaping and could not be controlled and would cause damage to property if left running, it was necessary immediately to shut down a number of water mains in the vicinity to carry out repairs. As this was an emergency, it was not possible to notify consumers before interrupting the supply. However, in every case it is the practice to notify all consumers who will be affected by a planned shut-down at least 24 hours before such a shut-down is effected.

MAMBRAY CREEK SCHOOL

Mr. KENEALLY: Will the Minister of Education obtain a report on the future of the Mambray Creek Rural School? This school is small, and the parents of the children attending it are anxious to know what is planned so that they may make the necessary arrangements for their children for the 1972 school year.

The Hon. HUGH HUDSON: I think that the school at Mambray Creek, which is between Port Pirie and Port Augusta, is a considerable distance from any other school and, if we decided to close it, the transport arrangements would probably be too difficult. From memory, I do not think that this school is included in the list of schools to be closed at the end of this year. Therefore it will remain open for 1972. In view of the honourable member's question and his interest in matters extending beyond the town of Port Augusta, I shall be pleased to get a report on the matter and bring it down for him.

FURTHER EDUCATION

Mr. CRIMES: In view of the Government's decision to establish a Department of Further Education, can the Minister of Education say when a Director of Further Education will be appointed?

The Hon. HUGH HUDSON: I think that members will be aware that one of the recommendations of the Karmel committee is that a separate department of further education be established to cover the areas currently described as technical education and adult education. The current responsibility of the technical division of the Education Department would become the responsibility of the new department. Following the presentation of the Tregillis report to the Commonwealth Government only last year, it is expected that the area of further education is likely to be the area that will expand most rapidly in the years to come. Following the departmental study of the Karmel committee's recommendations, it was recommended to me that a Department of Further Education be established, the Government having accepted that recommendation in principle. As advertisements have now called for applications for the position of Director of Further Education, and as these applications either have closed already or are to close shortly, I imagine that within the next month or so an appointment will be announced, although this depends somewhat on what applications have been received and what interviewing procedures have to be followed in order to complete the Public Service Board's recommendation on the matter. In view of the honourable member's question, I shall be pleased to find out what is the latest position. I will see whether I can bring down a report for him next Wednesday.

CLEAN AIR COMMITTEE

Mr. RYAN: Can the Minister of Environment and Conservation say when regulations will be proclaimed under the Health Act? Since about 1963, when the legislation was passed, a committee has existed whose purpose has been to frame regulations in accordance with the Act. On several occasions the Minister has told me that there is a distinct possibility that regulations will be framed some time this year.

The Hon. G. R. BROOMHILL: I am well aware of the honourable member's keen interest in the matter and the patience he has displayed. Having told the honourable member what has been expected, I am certainly doing what I can to hasten the introduction of these regulations before the end of the year. From the latest discussions I have had with officers of the Public Health Department, I understand that we shall be able to keep to this time table. As I think that we may now be within a month of completing these regulations, I will see whether I can find out something specific. I point out that this has been a matter of considerable complexity, regulations having had to be prepared to cover many types of industry and types of furnace. I assure the honourable member that I hope to see these regulations operating as soon as possible.

FAMILY EXCURSIONS

Mr. HARRISON: In the absence of the Premier, will the Deputy Premier ascertain whether South Australians are being encouraged to tour their own State first by the promotion of family excursion fares on all Government transport systems during school holiday and Christmas vacation periods or during any legitimate vacation period that an employee may enjoy?

The Hon. J. D. CORCORAN: Offhand, I do not know whether any thought has been given to the matter, but I will take it up and find out whether it is intended to do anything along these lines. I consider it desirable for the Government to do everything possible to encourage South Australians not only to know their own State but also to appreciate it.

SMART ROAD

Mrs. BYRNE: In the absence of the Minister of Roads and Transport, who I believe is attending a funeral, has the Minister of Environment and Conservation a reply to my question of October 5 whether there has been any change in the policy of the Highways Department with regard to financial assistance being allocated for the upgrading and improvement of the section of Smart Road between Seymour Avenue, Modbury, and Dillon Road, Tea Tree Gully, and whether assistance has been sought by the Tea Tree Gully council?

The Hon. G. R. BROOMHILL: There has been no change in the policy with regard to financial assistance for Smart Road between Seymour Road and Dillon Road. The Corporation of the City of Tea Tree Gully applied for assistance in the current financial year for the section of Smart Road in question. A grant of $10,000 subject to an equal amount being contributed by the corporation has been allocated for work to be commenced from Seymour Road. Further annual grants will remain a matter to be determined by funds available and relative priorities.

PRISONERS' AID

Mr. WELLS: Will the Attorney-General ask the Chief Secretary to investigate the possibility of increasing the sum paid to

prisoners when they are released from Yatala Labour Prison? When a person who has been imprisoned for six months leaves Yatala he receives the princely sum of $1.30. As prisoners are normally released from Yatala on a Friday afternoon, this means that, if a person has had no money when he has been sentenced to imprisonment, he will be on the streets over the weekend, if he has no home to go to or friend to look after him, with only $1.30 in his pocket. By the time he has bought a meal and a packet of cigarettes, he will have nothing left. If he has nowhere to sleep, there will be a great temptation for him to resort to crime again to provide for his bodily needs.

The SPEAKER: Order! The honourable member is starting to comment.

Mr. WELLS: Will the Attorney-General ask the Chief Secretary to consider having the wages of prisoners at Yatala Labour Prison increased so that they can at least have enough money handed to them when they leave prison after a sentence of six months to afford accommodation over the weekend, until they can search for a job on the following Monday?

The Hon. L. J. KING: I believe that the problem of after care of people when they are first released from prison, especially after long sentences, is a matter of considerable concern to everyone involved. Excellent work is done by the Prisoners Aid Association of South Australia Incorporated for people who are so situated. The general question of the after care of prisoners is a matter that I hope will be considered by the committee to be established to inquire into the criminal law and the penal system, but in the meantime I will refer the question to the Chief Secretary.

BEDFORD PARK HOSPITAL

Mr. LANGLEY: Can the Minister of Works say what subsidy is likely to be obtained from the Commonwealth Government for the proposed hospital and training centre at Bedford Park? Recently I have been speaking to doctors in my district about this project, and they are delighted that the matter is now before the Public Works Committee and that there is hope that work on this project will be commenced soon.

The Hon. J. D. CORCORAN: I understand that the Commonwealth Government will support the building of the medical school itself to the extent of 50 per cent of the cost, and I think this would be about 10 per cent of the total cost of the facilities.

CONSERVATION GROUPS

Mr. HOPGOOD: Will the Minister of Environment and Conservation consider ways and means whereby the various conservation groups, which in the last couple of years have been operating on a largely *ad hoc* basis, could be put on a basis whereby they will be more closely identified with Conservation Day, which is celebrated each year in the schools, and also on a basis whereby they could be engaged more directly on specific projects of conservation and regeneration of areas? Because of the small initial membership of these groups, they have been able to function only as pressure groups. However, now, with the membership increasing, I understand that they have been developing resources whereby they could directly involve themselves in schemes, for example, to regenerate natural vegetation in certain areas and stock certain areas with native fauna. However, it is only through the Minister's department that central control and integration can be achieved.

The Hon. G. R. BROOMHILL: I think the honourable member's suggestion is well worth pursuing, and I shall be pleased to follow it up. I may point out to the honourable member that the conservation groups to which he has referred did undertake much activity in association with Tourist Week, and trees were planted during that week. I think the honourable member's overall suggestion certainly merits consideration and I shall be pleased to do what I can in the matter.

REGIONAL WELFARE OFFICES

Mr. KENEALLY: Can the Minister of Social Welfare say how Port Augusta will participate in the regionalization of the Community Welfare Department? As I am sure the Minister knows, Port Augusta has a special community welfare problem that involves Aborigines. Further, the problem at Port Augusta is accentuated because of the many transients who pass through the city.

The Hon. L. J. KING: Port Augusta does present special problems in the area of social welfare that require special attention and treatment. Of course, there is at Port Augusta a district office that fulfils the functions of the two sections of the department, and that office has special facilities to deal with the peculiar welfare problems of the Aborigines. These facilities will be developed, and in time there will be a community welfare centre at Port Augusta. That project will be very high on the list of priorities for the construction of community welfare centres and, in addition,

it will be the regional centre or headquarters for community welfare in the North. The position of Regional Supervisor for this district has already been advertised and I hope that this position will be filled soon, but I assure the honourable member that in the reorganization of the activities of the department the special problems of the Port Augusta area will be kept well in mind.

INDUSTRIAL CODE AMENDMENT BILL

Mr. HALL (Leader of the Opposition) obtained leave and introduced a Bill for an Act to amend the Industrial Code, 1967-1971. Read a first time.

Mr. HALL: I move:

That this Bill be now read a second time.

I introduce it with the unanimous support of the Opposition, and the objective of the measure is to ensure that the democratic right of a secret vote is available to those members of a union who ask for it, subject to the approval of the Industrial Court. However, the concerted effort by members opposite this afternoon to delay my introducing the Bill shows that already the Government has indicated that it does not like the provisions of the Bill.

There would be a tremendous public outcry if we asked individual citizens to reveal how they voted at Parliamentary elections, yet there are inadequate provisions in this country for those connected with industry to express an opinion, free of intimidation, despite the fact that the opinion so expressed may have far-reaching consequences for them as individuals and for their community.

The provisions of this Bill do not override any provision already in the State Industrial Code. They are an addition, as I shall explain soon, and they do not compel people to vote. The Bill, therefore, maintains the principle of voluntary voting, supported by unions, but provides the means whereby the individual can feel that his vote expresses his free and uninhibited opinion. It should be needless to say that my intentions are not aimed to disrupt union activities, but are set out to ensure that their management truly represents their membership, in matters of industrial dispute.

It is a typical defence by those reactionaries in the Labor movement who resist methods of better and more efficient management of union affairs to claim that those who propose improvements are anti-worker and anti-union. This negative attitude exploits the old class system in our society, and it has no place in logical argument. The New South Wales Government has recently introduced legislation to provide for secret ballots in unions. Typical of the left-wing reaction was a statement by Mr. Jack Mundey, of the Builders Labourers Federation in Sydney, who said in August:

> I do not mind a bit if they put the question of secret ballots to a vote, so long as it is done by a show of hands vote.

The New South Wales Government (and this is what I intend to do) is setting a better standard of conduct in at least one aspect of union affairs. This is a move which has the overwhelming support of Australian citizens. A Gallup poll published on Thursday, August 12, revealed that only 5 per cent of a cross sample interviewed said that union officials should be allowed to call strikes. A total of 73 per cent said that union ballots should be secret. In our streets yesterday a quiz conducted by one of the television stations revealed that only one of the sample people questioned basically opposed the principle that ballots should be secret in relation to a strike decision. I have a copy of the typescript of replies that were given to the short questions that were asked of people passing in the street.

Mr. Harrison: You were in the wrong street!

Mr. HALL: I hope that that will not be the level of argument that is applied to this debate. I would expect more from a person who has been involved in unions.

Mr. Millhouse: And a former trade union secretary.

Mr. HALL: I hope that the member for Albert Park will bring a much higher level of thought to this debate.

Mr. Wright: Don't worry about that: you'll get plenty.

Mr. HALL: One question asked by the interviewer was, "What do you think of the union situation in the country today?" and the reply was, "Ah, not too good at the moment." The interviewer asked, "Why, what's wrong with them?" and the reply was, "They're too political. Where unions step in; take the cricket match for instance, it shouldn't be allowed." Another reply was, "I think they should have secret ballots for sure, because it is not a true indication of all the members of the union unless they do." The report continues:

Reply: Yes, I do I honestly believe that the unions should have a secret ballot and not keep it in the public eye. I think it should be done secretly.

Interviewer: Well, why is this? Do you feel that some strikes are unjustified these days?

Reply: I definitely do. I definitely believe that probably 80 per cent of strikes these days are unjustified.

Members opposite may laugh at the general public's reaction to a serious matter, but these are genuine replies given by a citizen of South Australia, and I value his opinion. He has voting rights equal to those of anyone in this House.

Mr. Wright: What question were they asked?

Mr. HALL: Another reply was as follows:

You get the situation where a couple of men create emotions in a meeting so that the others tag along: they have to tag along otherwise these fellows are called "scabs", I believe. Would this be right? "Scabs", is that the word? What a lovely term!

This type of meeting is well known in union affairs where the following question is put to the meeting: "Those in favour of strike to the right, scabs to the left."

Mr. Slater: They don't.

Mr. Crimes: They never have: that's a lie.

Mr. HALL: Members opposite cannot deny it. No doubt the public is looking for a clear set of rules to guide the honest conduct of union matters. Whatever its view may be, in relation to the justification for a strike, the public wants to know whether or not it is supported by the rank and file union members who are affected by the strike decision. Too many stories are circulating in the community of intimidation at union meetings when a vote is taken, and too many moderate union members feel powerless to express an effective opinion. Too often the non-militant will take no part, and his moderating influence is lost to the decision. The Labor movement, both Parliamentary and industrial, would not have to use objectionable tactics to enforce compulsory unionism if union management had a higher reputation in the community.

This Bill is directed to those unions subject to the jurisdiction of the State Industrial Commission. Of course it has no application to those unions subjected to Commonwealth awards. Nevertheless, by this Bill, South Australia has the opportunity to show its concern for the individual in industry, and its support of fair play might well set a lead for others to follow. The provisions of this Bill would be applied at the discretion of the Industrial Court, which I am certain would grant approval for secret ballots in a responsible manner. It could approve, on application, secret ballot decisions in the case of strikes that have a political base, and not an industrial cause. If strike action had resulted on a wide scale during the Springbok tour, I am certain a secret ballot would have shown employees solidly in favour of returning to work.

I know the following incident concerns a federal union, but it illustrates what can happen now when a secret ballot is demanded. Recently, Vehicle Builders Union officials called a meeting at Centennial Hall to consider a log of claims upon Chrysler Australia Limited. During the meeting a secret ballot was called for from the body of the hall, and was agreed to by union officials. About 20 militant members refused to be seated, and, when the person carrying the ballot papers passed close to their group, the ballot papers were seized and thrown all over the room. The resulting melee on the stage produced an incredible physical struggle, which would outstrip anything seen in this House despite recent publicity about our behaviour here.

Another example, within the ambit of the State, concerns a strike a few weeks ago at the plant of the S.A. Rubber Mills. The Secretary of the Miscellaneous Workers Union was leading a strike against the company before the union had even lodged its claim for better pay and conditions with the Industrial Commission. Nothing could be more futile than the loss of daily earnings in support of a cause that had never been put. Obviously, that strike decision should have been subject to the secret ballot.

Mr. Wright: Had the cause been put to the employer: tell us that?

Mr. HALL: In making strike decisions, a union has a much wider responsibility than to an entrenched few who lead it. It has a responsibility to the welfare of the community that will obviously govern the amount of resources that will be produced for union members to share. There needs to be machinery to protect the individual who may be caught between the interests of big business and unions, which can run parallel, to his detriment.

For instance, an agreement completed between General Motors-Holden's and the Federated Clerks Union of Australia in 1964 provided that union membership was compulsory for employees, and for other related matters. It stated that any dispute must be referred to the Conciliation and Arbitration Commission, and that work must continue pending a decision from that Commission. Certain unionists have had trouble in sighting

that agreement, although they are frequently concerned with its provisions. The union had agreed that, in relation to any dispute arising at the company's plants, its members should continue to work normally until the matter in dispute and the question of ceasing work at the plant, or plants, affected had been submitted to a secret ballot of all the members of the union employed in the company's plant or plants directly affected by such disputes. That is written clearly in the agreement.

The agreement also stated that the result of such secret ballot should be accepted as final by its union members. I am informed that in January this year, meetings were called at the Elizabeth and Woodville plants by the clerks union. The Elizabeth members were told that a six-man committee had been formed at Woodville for the purpose of calling lightning strikes, and it was suggested that Elizabeth members should do likewise. Calls for a secret ballot in accordance with the provisions within the agreement were rejected by union officials. Therefore, one of the main aspects of the agreement was being flouted by union management, to the distress of some of its members. So the union had, by agreement, obtained certain basic rights for its members; for instance, compulsory unionism, but it would not honour its part of the bargain. Of course, there is silence on the part of Government members when they know that someone who supports their cause has flouted an agreement.

There will be critics of this Bill, although I wonder just where some of the more responsible members of the Parliamentary Labor Party stand on it. Mr. Cameron, M.H.R., is reported in Commonwealth *Hansard* earlier this year to have favoured secret ballots. Mr. Barnard (Deputy Leader of the Australian Labor Party) said in Adelaide on Sunday that he did, too. I have a copy of the transcript of an interview with Mr. Barnard, in which he was asked:

But let's get on to another issue, and this is the issue of the secret ballots. Now, Mr. Hawke said only yesterday, I believe, that the secret ballot just doesn't work and yet the great urge within many people, and I know from letters which I've received, is to ask for a secret ballot in union matters. How do you feel?

Yes, my own personal opinion of this is that secret ballots should apply. Now this may mean, of course, that there ought to be some alteration to the industrial laws of this country, but I believe everyone ought to have the opportunity to express their opinion in this way.

Do members opposite disagree with the Commonwealth Deputy Leader of the Opposition? A number of prominent unionists also agree. Mr. Laurie Short, of the Federated Ironworkers Association, said on June 4 that he supported secret ballots in principle in some strikes and that he believed that the principle itself was fair and democratic, and would minimize a lot of the intimidation both psychological and physical. The official journal of the National Union of Railwaymen in June this year carried the following statement:

Should the union concerned be dissatisfied, the question of a strike arises . . . but so important is the matter that the only democratic way of deciding is by secret ballot. No strike shall be participated in by any member unless he has been given the right to vote on it by a secret ballot, and the position confirmed.

Do members opposite disagree with the spokesman for the National Union of Railwaymen? Mr. Harry Bridges, the militant President of the International Longshoremen's and Warehousemen's Union in the United States of America, said in March this year:

What fair-minded union member or union official should object to being forced to have a secret ballot of the rank and file before workers are pulled out on strike?

Is it so unfair to ask people to express an opinion without influence and intimidation being used? Apparently it is foreign and repugnant to members opposite. However, the rejection by the Australian Council of Trade Unions of secret ballot legislation depicts another face of Labor turned against secret ballots. At this point, left-wing opinion becomes confused as industrial Labor fights Parliamentary Labor over the Whitlam-Cameron proposals to fine individual unionists $20 a day for a breach of industrial agreements. I oppose such an attack on individuals in industry, whom I am setting out to protect by this Bill. I believe that the latest information on this matter is that the Commonwealth Parliamentary Labor Party has rejected by resolution the policy so recently enunciated (practically in the last few hours) by its Parliamentary leadership. We hear about Labor members fighting each other in the Parliamentary circle as well as on the industrial front.

Apart from the philosophical approach, some people will say that such a ballot may destroy the effectiveness of behind-the-scenes conferences and prolong the duration of a strike. I am sure that the State Industrial Commission would be well aware of such

moves, and would not approve a ballot that would embarrass a possible settlement. Objections will be raised as to whom shall carry out the ballot and supervise it. The Industrial Court, in conjunction with the Returning Officer for the State, should have no difficulty in carrying out quickly and efficiently a non-compulsory ballot, and giving it the authenticity that some union management cannot give it. Other critics will say there are too many unions on the Australian scene, and the commission could not cope with such diversity. No doubt, there are far too many unions in Australia, and the welfare of the employee would be better served through union organizations that can speak more confidently, authoritatively and responsibly on their behalf. But this obstacle should not stand in the way of a just and free expression of opinion. Somewhere in the midst of this present disruptive industrial atmosphere, the non-militant's voice must be heard. It must be allowed to produce an average result, and it can be encouraged only if the non-militant thinks his voice is effective. The fact that the Labor Party is travelling in several directions should not confuse that basic requirement.

The Bill is short but adequate. Clause 3 sets out in the initial stage of the Act a new heading for Part IXA, and clause 4 contains the working matter of the Bill. Clause 4 contains a new section 134a, which provides that, when a strike is likely to take place, or is taking place, the Industrial Court may order, on application, that a secret ballot of members of an association be taken to ascertain whether or not the majority are in favour of the strike continuing. It sets out that the court may give directions as to the manner of the ballot, and who shall conduct it. The court will apportion the costs.

The order for a ballot shall be given only when the conditions set out in new subsection (3) are met: that is, on the application of half or not less than 10 members of an association, or on the application of an association or body that can satisfy the court that it would be directly affected by the strike. The maximum penalty for disrupting such a ballot is $200. The administration of these provisions would depend entirely on the good sense and judgment of the court. I ask the question: who will lose by the conduct of a secret ballot? It can only be those who manage union affairs by a type of industrial gerrymander. They are the only people who can gain. Who will gain from the holding of secret ballots in union affairs? It will be those who fear, now that their reasonable voice is lost and unwanted at militant union meetings. They would need no longer fear the expression "scab".

Those who will benefit from this legislation will be the dependants, the wives and children who now suffer from loss of income through unwarranted industrial strikes. They could look to a more secure future. What we are discussing is simply this: do we believe that members of unions should be able to give a free and honest expression of opinion? We will have to say, "Yes, they must", before we can expect unions and their management to attain anywhere near a fraction of the sophistication that some of their oversea counterparts now possess.

The Hon. D. H. McKEE secured the adjournment of the debate.

ELECTORAL ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 6. Page 1986.)

Mr. KENEALLY (Stuart): Members opposite never cease to amaze me. I am on my feet now debating a Bill they have introduced under the guise of democracy. They are opposed to all forms of compulsion, they say, yet we have just been submitted to about 25 minutes of the Leader supporting the very compulsion that he says he opposes.

Members interjecting:

The SPEAKER: Order!

Mr. KENEALLY: The hypocrisy of members opposite is obvious: because I have said this and it hurts, they have reacted. I consider that the debate has been distinguished by a series of good speeches by Government members and many appalling speeches by members opposite. The remarks of some members opposite are even worse than appalling. Government members have been continually called upon to debate this Bill as a matter of principle, and I invite members to read *Hansard*, from which they will readily see that this is the criteria used by Government members is opposing the Bill.

We have also been presented with the spectacle of members opposite falling over each other claiming that they personally, or their district committees, originated the opinions expressed in this Bill. They are hurt when members on this side suggest that this measure originated not from any deeply ingrained principle but from pure political expediency. I ask why they should be hurt, and I submit it is because it is patently obvious that this is the case. I ask

members what is the history of the Liberal and Country League in regard to voluntary voting in South Australia? It was the Liberal Government in 1942 that introduced compulsory voting to South Australia, and I do not recall any move in the 1940's, the 1950's or the 1960's by members opposite to have this system changed, although the member for Mitcham did say that his district committee favoured the system of voluntary voting as far back as 1968. I ask what happened about that time that would convince the members of the Mitcham committee to favour voluntary voting, and of course the reason is obvious.

The Walsh-Dunstan Government ended in 1968. The Liberal Party at that time was not sure that it would be re-elected, even allowing for the system that applied at that time, so it was desperately looking for a system that would enable it to be re-elected. I submit this was the basic reason for the change in the philosophy or belief of members opposite. A Labor Government was elected in 1965 for the first time for about 30 years, and this was despite the infamous gerrymander that applied. Because of the enormous support that the Labor Party had in South Australia, the L.C.L. had to live with the fear that the gerrymander was unable to ensure its return to the Treasury benches. This was of vital concern, not only from a political point of view but also because I believe that members opposite sincerely believe they have a divine right to rule and that they were ordained to sit on the Treasury benches. I believe this is why we have had such disgraceful performances from one of the members in the front benches opposite since this Government was elected. I believe that he and his colleagues feel degraded because they are sitting on the Opposition benches.

Mr. Venning: You are talking about what was said in the corridors, are you?

The DEPUTY SPEAKER: Order!

Mr. KENEALLY: In 1968, members opposite knew that the gerrymander did not have much of a future, because the Labor Party and some liberals in the Party opposite were determined substantially to improve this system democratically. To ensure their return to the Treasury benches they came up with another system that they called voluntary voting, and it was all prettied up so that it would appear to be a matter of principle. I challenge members opposite to prove that this Bill is not merely a matter of political expediency. They are all great democrats now that they are in Opposition and, as the member for Mawson has said, it appears that this is a deathbed conversion.

Between 1942 and 1970 the L.C.L. was in Government for 25 years, but it made no effort to change the voting system. After it was in Opposition between 1965 and 1968, voluntary voting gained support within the Party. Between 1968 and 1970 it was back in Government, and we heard nothing about voluntary voting. Now members opposite are back in Opposition, all of a sudden voluntary voting is the system being championed by each Opposition member and his district committee.

Mr. Rodda: You know that isn't true.

Mr. KENEALLY: This is true, and I challenge any member opposite to check the history of his Party regarding voluntary voting and, if I am wrong, to tell me when the L.C.L. introduced a measure to provide for it when it was in charge of this House and the other place, when there was no doubt that, had they introduced a Bill, it would have been passed. No member opposite can do that. The only time that Party has considered that voluntary voting was the preferable system was when, as members opposite have already admitted, the Labor Government was, unfortunately, just going out of power in 1968, and now in 1971. I ask all members to consider this closely and to consider what I believe to be the humbug and hypocrisy of members opposite. They have the gall to ask us to debate this Bill as a matter of principle, and yet where is their principle. The hypocrisy of members opposite is only surpassed by the hypocrisy of members in another place. These people, who are elected under the most undemocratic system that we know (a system that is notorious throughout the world in this respect), have the cheek to seek to impose on this House a system that they claim to be democratic. I know that on this point I have the support of most members opposite, bearing in mind their voting support for certain measures considered in the House. One of the major points made by Opposition members in support of this Bill—

Mr. Jennings: They haven't made any yet.

Mr. KENEALLY: I will give them credit for trying to make points. One point they have tried to substantiate is that they are opposed to compulsion, and I think one or two comments made by certain members bear repeating, particularly comments made during this debate and on other issues that have come before the House from time to time. The Leader of the Opposition said:

The Party on your right, Mr. Speaker, of which you are a member, is one of compulsion, and the Party on your left consists of a group of people who believe in freedom of choice.

The next great democrat was the member for Mitcham, who said:

We on this side support voluntary voting, because we believe in the freedom of the individual and in the maximum freedom of choice for the individual.

The member for Torrens said:

I am individualistic enough to realize that other people do not like being pushed around any more than I like it.

The member for Heysen, who is opposed to all forms of compulsion, had the good grace to say so. I put to members opposite that they are selective in their opposition to compulsion. They can say that they are opposed to all the forms of compulsion when they are discussing an electoral system, but what about other forms of compulsion that they support? What about the National Service Act, which they support? That Act represents the worst form of compulsion, and it can result in the death of Australian citizens, yet we do not hear members opposite supporting us in this respect and saying that they are violently opposed to compulsion under that Act. However, that is what they should do if they are such democrats. Then there is jury service, and there are all the other measures that have been referred to by Government members, including the wearing of seat belts (which I support) and the provision of traffic laws, and rates and taxes, etc.

Members may say that these are not relevant but they are forms of compulsion. As members opposite support these measures of compulsion, I do not think there is any validity in their argument that they are opposed to compulsion in another area. As I have said, they are being selective in this regard. We have heard something today about industrial laws, and of course members opposite favour compulsion in this respect. So let us hear no more of this farce, this—

Mr. Jennings: Sanctimonious hypocrisy!

Mr. KENEALLY: I thank the member for Ross Smith for that term in relation to members opposite. In addition to the quotes I have already given, I think one speech needs to be considered in depth, not because I think it was a good speech but because I think the honourable member who made the speech has for too long in this House been getting away with having two bob each way, taking up much time and saying nothing. The member for Fisher knows that I am referring to him, because he recognizes the description. In supporting voluntary voting, he said:

I ask members to think back over the years and to consider whether Governments have been any more democratic in this State since the early 1940's.

If any honourable member does not believe he actually said that, I suggest that he read *Hansard,* because he certainly said it. The honourable member invites us to consider whether or not Governments of today are any more democratic than they were in the 1940's. What absolute rot! One would think the honourable member was joking. Of course Governments are now more democratic, and I challenge any member opposite to say that they are not, although I exclude here the member for Fisher, who is not responsible for what he says, anyway. I suggest that he should have a discussion with his Leader or Deputy Leader, or perhaps the member for Bragg. The member for Heysen is another "liberal" who has consistently considered democracizing the House of Assembly. Leaving aside that accusation made by the member for Fisher, I quote what he went on to say, referring to the member for Peake, as follows:

He is arguing that we should compel a person to vote for someone for whom he has no respect. It is possible for political Parties to nominate candidates at an election or for there to be people standing as Independents at an election whom voters in the community are not prepared to have representing them.

Of course that is possible, and a person is not compelled to go along to vote for someone whom he does not believe is worthy to represent him. A person has the opportunity to cast an informal vote, and a deliberate informal vote is an important electoral manoeuvre. Members opposite suggest that under voluntary voting the fact that a person merely stays away from the poll indicates that he believes none of the candidates is worth voting for, but that proposition is worthless, because a person may stay away from the poll for a variety of reasons, not necessarily because he rejects the candidates. Members opposite realize this, and they know that, if people are compelled to vote but deliberately cast an informal vote, that indicates to the candidates and to their Parties that the candidates are in disfavour. Indeed, this is the only way in which voters can indicate that no candidate is of such a calibre as to be worthy of support. Merely staying away from the poll does not indicate this at all.

Mr. Hopgood: I voted informally at the Southern by-election.

Mr. KENEALLY: I do not know how many other members have voted informally, but certainly there are occasions when a person should be entitled to cast an informal vote, which as I have said is an important electoral manoeuvre, indicating that no candidate has support.

Mr. Mathwin: I suppose at a union meeting you'd put up both hands.

The DEPUTY SPEAKER: Order!

Mr. KENEALLY: The member for Fisher then challenged us to say that compulsory voting is more democratic than is voluntary voting, and I understand that that is the whole crux of the matter. I believe that compulsory voting is more democratic and that every Government member would support me here. After all, what is democracy? Is it not implementing the majority will of the people? How can we ascertain the majority will of the people if we have only a 50 per cent vote? If only 50 per cent of the people who are eligible to vote actually vote, how can we determine what the majority wants? The member for Fisher said that he would be content to be elected by a majority vote in a 20 per cent poll.

The Hon. L. J. King: Would he be prepared to be defeated on that basis?

Mr. KENEALLY: I am sure that he would find it vastly different. The honourable member has said that he would be content to sit here knowing that he had received the support of only 11 per cent of the people in his district; he would not be at all sure about the wishes of the other 89 per cent. I submit that that would be an impossible situation for a member to be in. So that Governments that are elected can be representative of the will of the people, the people must not only have the right to vote but must also be charged with the duty to vote. The next enlightening remark of the honourable member (and I think some of these comments are so remarkably funny that they should be commented on) is as follows:

In the era of the Independents in the late 1930's, those members also realized that, as individuals, it was easier for them if there was compulsory voting. They realized that people were forced to the poll and that, as long as they kept their names in front of the people in their district in the period before the election, they had every chance of winning under compulsory voting.

By that, the honourable member seems to be suggesting that we should have a system that prevents Independents from being elected to Government. He knows as well as I know that under a voluntary voting system Independents have an inordinately difficult task to get people to the polls, and a similar situation applies in respect of minor Parties such as the Australia Party, the Democratic Labor Party, the League of Rights, the Communist Party, and, worst of all in the opinion of members opposite, the Country Party. What is so dreadful about a system which allows minor Parties the opportunity to put to the people their electoral policies and which gives them an equal chance of being elected? Obviously, Opposition members see something sinister in this, but I cannot; I think it is a good argument in favour of compulsory voting that the position should be as it is with regard to those minor Parties. The next thing I wish to quote from this great democrat is as follows:

With voluntary voting, people must be attracted to the poll by suitable legislation and action that provides enough incentive to the voter to have him interested in the politician or potential politician.

I remind the honourable member that the most suitable legislation to attract people to the poll is already on the Statute Book and that he is attempting (unsuccessfully, I believe) to amend it. I am pleased that he referred to the matter of giving people an incentive to attend the poll. During the debate, reference has been made freely to the systems that apply in the United Kingdom and the United States of America. Although these matters were adequately dealt with by the member for Mawson, I believe it is worth while dealing with them again. In the United Kingdom, under the voluntary voting system, most of the money, time and effort is spent in trying to get people to the poll rather than spent in putting electoral policies, as it should be spent. The Parties there should be getting over to the people what are their policies and principles; they should not have to spend all their time getting people to the poll. Compulsory voting gets people to the poll for them, so that they can concentrate on the issues. I do not believe that anyone would want to see applying here the electoral system that applies in the United States where, if a person is not a millionaire, it is fruitless for him to stand for election to any form of Government. I do not hear any member comment on that, and it is a fact.

The member for Fisher has suggested that we should act in such a way as to encourage the electors to go to the poll. This brings me to the fact that, if a Party or person

has greater financial means, that Party or person has the greatest chance of encouraging people to go to the poll. People then do not go to the poll in response to the issues: they go because they are encouraged to go. Cars are provided for them. In America at election time there can be bribery and other unsavoury actions as a result of the need to encourage people to vote. Opposition members say that it is a load of rubbish for us to say that they have the support of the more affluent section of the community, and that we cannot prove that. I suggest that, if the average affluence of electors living in the Bragg and Davenport Districts was compared with that of those living in the Adelaide or Stuart Districts, we would see that the more affluent section of the community supports the Liberal Party.

Mr. Jennings: And the affluence of the members, too.

Mr. KENEALLY: Yes, there would be no doubt about that. This means that greater means are available to support Opposition members electorally.

Mr. Goldsworthy: You've been talking bunkum for 20 minutes.

Mr. KENEALLY: If anyone in the House is an expert on bunkum it is the honourable member, who has demonstrated his ability to talk it on nearly every occasion he has spoken.

Mr. Goldsworthy: What about Eisenhower, Truman and Nixon? They aren't millionaires. If you don't like the word "bunkum", I will say that you are talking piffle.

The DEPUTY SPEAKER: Order!

Mr. KENEALLY: The member for Torrens has said that all members represent pockets of affluence and pockets of poverty, but I suggest that the pockets of affluence that occur in the districts represented by Opposition members are certainly much larger pockets than exist in the districts represented by Labor members. Opposition members can say what they like about this subject but the fact remains that of all the Opposition members in the House not one represents what is commonly regarded as a working-class area. If there are members on this side who represent areas that can be regarded as affluent, there are very few of them.

In conclusion, I want to say that I believe that, as compulsory voting ensures that every elector votes, a true expression of the will of the people is obtained. When it is all said and done, that is democracy; a 20 per cent poll does not show what is the will of the people, although it might have something to do with a permanent will of the people that is referred to by members in another place. A 40 per cent or a 60 per cent poll still does not show the true will of the people, which is obtained only by a 100 per cent poll. Compulsory voting ensures that elections are fought and won on issues and not on wealth. I think that it is vitally important that all elections be won or lost on the issues put forward by the respective Parties and not on the ability of those Parties to get people to the poll.

My last reason for supporting compulsory voting and rejecting voluntary voting is that compulsory voting allows minor Parties and Independents with limited means a greater opportunity to present their view, and thereby gives them a greater opportunity to have members in this House. I am completely opposed to the Bill. I think compulsory voting has been shown to be the only voting system that will allow the democratic view of the people to be expressed by their representatives in Parliament.

Mr. CARNIE (Flinders): Although I have listened to the two most recent speakers from the Government side with much interest, I find that their speeches are difficult to answer, perhaps not for the reason that the member for Stuart is inclined to think but because neither member, particularly the member for Whyalla, has said much about the Bill. I am pleased to support this short Bill that has come to this House from another place, because it is of vital importance in many ways. In particular, it points more than does anything else to the fundamental difference between the two Parties at present in the Parliament. Since I have been in this House, I have heard much said about voting, and whenever matters of this kind have been debated we have heard the words "democracy" and "compulsion" used together. The Attorney-General has used those words together many times and the member for Stuart has used them in his speech this afternoon, but I cannot equate democracy and compulsion in the one sentence. I have had a reasonable education as far as English is concerned and the words seem to me to be a complete contradiction in terms.

Running right through this debate over the last week or two has been the fear by the Australian Labor Party that, unless its supporters are compelled to go to the polls, they will not bother to go. The Attorney-General has said that this devotion by the Opposition to voluntary voting seems to have started after the 1970 election. I will deal with that matter

later, but that statement really supports the argument that the A.L.P. is frightened. The Attorney, by saying that, is saying that he feels that the Liberal and Country League supporters are more responsible and more likely to go to the polls than are his own supporters. The Attorney and other Government members have said many times that compulsory voting was introduced in this State and at Commonwealth elections by non-Labor Governments.

I ask members whether who introduced the system is so important: it was introduced over 30 years ago. Are those Government members saying that opinions cannot change in the light of different circumstances and that, once one accepts a principle, one must support that principle for ever? That is a completely ridiculous hypothesis. These members are saying that the A.L.P. would never dare to change policies that had been laid down last year or 30 years ago and that a policy, once laid down, is there for ever.

That is not the view of members on this side, and members of the L.C.L. generally. We have freedom of thought, and there has been a change of thought. The member for Mawson and the member for Stuart have said that this Bill has been introduced for political expediency. However, in the 17 or 18 years that I have been a member of the L.C.L., voluntary voting has been the subject of a growing feeling within the league all the time among rank and file members. I admit that the move towards this system of voting has come while we are in Opposition, but I am sure it would have come in any case because of the growing feeling of rank and file members.

The member for Mitcham has said that when he was in the United States about 20 years ago many people reproached him about Australia's compulsory voting, and I think he has said that Australia was accused of not being a democracy. I had a similar experience in the United Kingdom when I lived there for two years in the early 1950's. I was often asked why we had compulsory voting in Australia, but I was fairly young then and I admit that I had not thought much about the matter: voting was compulsory, I had always voted, and that was it. However, when I was asked the question, I could not think of any sound argument for having this system and I started to have doubts that have been with me since then. I still have not any argument that I consider supports compulsory voting. As other members have said, only about 10 democratic countries have compulsory voting. A Government member may say that the U.K., U.S.A., West Germany, France, or Italy is not a democratic country. The member for Whyalla has said that the United States is not a democracy and the member for Stuart has said something similar.

Mr. Keneally: I did not.

Mr. CARNIE: Those statements were extraordinary, but those honourable members made them. The member for Whyalla said many extraordinary things during his speech, none having anything to do with the Bill. In fact, at one stage I thought he was speaking to the motion that I had moved on prison reform, because for a long time he dealt with prisons, criminals, and such matters. He even brought Vietnam into the debate, but we have become accustomed to Vietnam being dragged in, even when there is no excuse for doing so. Certainly, this Bill has nothing to do with Vietnam.

I am sure that most members, having been scrutineers at an election, would have seen the voting papers that comprised the informal heap. They would have seen some of these ballot-papers left completely blank, some with a cross right through them, and some with obscenities written on them. The donkey vote is a peculiarly Australian phenomenon. It does not occur in any country with voluntary voting, because the people who go to vote have thought about the matter and, before they go to the poll, they know how they are going to vote. The member for Mawson said, by interjection when the member for Stuart was speaking, that he had voted informally at the by-election for Southern District in the Legislative Council. To me this action seems completely irresponsible. The honourable member was saying that his only reason for going to the polling booth was that he would be fined if he did not vote. Surely he should have the right to stay away if he does not want to vote for any candidate.

To get back to informal votes generally, why should these people who vote informally be compelled to vote? Obviously, they are not interested: they vote only to avoid paying a fine. Therefore, should they have to go? An informal vote is only another way of saying, as the member for Mitcham has said, "To hell with the lot of them. I am not going to vote for any of them." Under voluntary voting they can lodge the same protest by staying away and not voting. Several times the member for Stuart said it was likely that a person

could be elected to Parliament on a 20 per cent poll. Certainly that would be possible, but experience has not shown that it would be so. Does he think that members of the general public are so irresponsible that only 20 per cent would vote at a general election? I give people credit for being more responsible than that. Countries that have voluntary voting usually record a poll of about 75 per cent or 80 per cent, and I am sure that this would be the pattern here because, at a normal election now, with compulsory voting, the number of people who do not go to the poll is only about 6 per cent or 7 per cent; sometimes another 6 per cent to 8 per cent of informal votes are cast. This means that just over 80 per cent of the votes cast are worthwhile votes anyway.

This would be the situation if we had voluntary voting in this State or in Australia. I ask the member for Stuart: what was the voting percentage in South Australia prior to 1942 when there was voluntary voting in South Australia? Was it as low as the 20 per cent which, he insisted, would be the situation if voluntary voting were reintroduced into the State? He also said that compulsory voting allowed minority parties and Independents a greater chance and that Independents would have a better chance of being elected to the Government. However, I find it difficult to understand how an Independent could ever be elected to the Government. Most of the Opposition speakers said that the Party with the most money would win an election. The member for Stuart said that unless a person was a millionaire it would be a waste of his time to stand for elected office in the United States of America. He did not mention the United Kingdom, Germany, France, Italy, Greece, or the other countries that have voluntary voting, and I am sure he would be the first to admit that they are, in the main, democratic countries. Does he mean that only millionaires have a chance of gaining office in those countries? He singled out the U.S.A. for this reason but, by interjection, the member for Kavel said that General Eisenhower and Mr. Truman were not millionaires and that Mr. Nixon is not a millionaire, and I am sure that there are many other examples.

Mrs. Steele: Private members wouldn't be millionaires.

Mr. CARNIE: Most private members would not be millionaires. It was a completely irresponsible argument on the part of the member for Stuart. The member for Stuart has accused Opposition members, particularly the Leader, of hypocrisy by saying that we are opposed to compulsory voting in South Australia, but that the Leader has introduced a Bill calling for a secret ballot. However, if the member for Stuart and other members had been listening, the Leader specifically said that there would be no compulsion but that he believed in a voluntary vote in this matter. The member for Stuart either did not listen or he was telling a deliberate lie. He also mentioned the affluence of supporters of the Liberal and Country League, but I am not going to argue that point. Where the L.C.L. does not come up anywhere near to the Australian Labor Party is that we do not have compulsory payments to our funds the same as the A.L.P. Our funds and our membership are voluntary. Whether the funds are for elections or for other purposes, they are voluntary, which is more than I can say for the A.L.P.

Voluntary voting has been discussed time and time again, and I think that most that could be said has been said. My views have always been public on this matter. Although I believe that every person should have the right to vote, I do not think that he should be compelled to vote. Everyone has a duty to vote, and I believe that anyone who does not vote is failing in that duty and is an irresponsible citizen; but I think he should be free to make his own choice. Is the person who believes in compulsory voting made better by being metaphorically taken by the scruff of the neck and told, "You go in and vote. We don't care whether it is an intelligent vote." Compulsory voting infringes all concepts of democracy, and this fact has been recognized by most democratic countries in the world. If our system is so good, why are we so much in the minority on this matter? Why have not other Governments taken our lead and seen that compulsory voting is a good thing? Few countries have followed Australia's lead, and I am sure that none of them is likely to follow it. In this State we have a Government of compulsion, and we have seen this in many ways in the insistence on compulsory unionism and in many of the Bills that have come before us this session and last session. Never was this more evident than in the Government's blind opposition to the Bill before us. The Government claims that it is democratic, but I challenge the Government to pay more than lip service to democracy and to prove that it is a democratic Government by supporting the Bill.

Mr. PAYNE (Mitchell): I oppose the Bill. There have been many speakers in the last

few weeks, and I intend to consider some of the statements that Opposition members have made. I regret that the member for Eyre is absent today, because he is one member who is so often trying to use our platform to bolster his arguments. As usual, in this case he managed to get the book wrong. He tried to say that Government members were bound to support opposition to the Bill because it was a platform in the little book. I have news for the member for Eyre: it is true that it is a platform in the little book, but the reason it is in the book is that Government members belong to the Labor Party, and compulsory voting is the Party's policy and platform. We believe in this principle, and that is why we joined our Party.

During the speech of the member for Spence, remarks were made about the statements made by the member for Glenelg, and at that time the member for Glenelg denied that he supported convict labour. I believe the matter should be put straight. At page 1664 of *Hansard* the member for Glenelg asked the Attorney-General whether thought had been given to setting up a convict labour corps in South Australia.

Mr. Mathwin: What has this to do with voluntary voting?

Mr. PAYNE: If the honourable member is a little more patient than he usually is, he will find out. He specifically added to the question in an interrogatory way, as follows:

> If no thought has been given to this suggestion, will he consider it?

If that does not indicate support for such a proposal, I have never heard support before.

Mr. Mathwin: Well, you have never heard it.

The SPEAKER: Order!

Mr. Mathwin: It is wrong and he knows it is wrong. Why do you call me to order?

The SPEAKER: When I call a member to order I decide, and I am not going to have the honourable member reflecting on the Chair. The honourable member is entitled to make such a reference provided that he links up his remarks with the Bill before the Chair.

Mr. MATHWIN: I ask for your ruling, Mr. Speaker. Do you suggest that this is in the Bill?

The SPEAKER: Order! I have made no suggestion whatsoever. There is no point of order.

Mr. PAYNE: I do not intend to proceed on these lines. I have raised the matter because it is part of the debate on this Bill and it has gone into *Hansard*. The honourable memhad every opportunity to correct *Hansard* before it was printed, but he apparently did not do so.

Mr. Mathwin: I was ill at the time.

The SPEAKER: Honourable members have the right to speak to this Bill, but I object to honourable members who have already spoken continually interrupting someone who is speaking. That is not within the spirit of the debate and it must cease.

Mr. PAYNE: The member for Torrens in his speech, which was lengthy and which contained some plausible arguments (I use the term "plausible" rather than reasonable on purpose), said:

> The young people of today think more deeply than did young people of earlier generations about matters going on in this State.

I have no quarrel with that statement and I doubt whether the honourable member would expect me to quarrel with it, but I suggest that it is for this reason that the Bill has come to this House from the other place. I believe that the people in the other place have realized that this thinking by young people will result in a further sentence to the wilderness of those members opposite for a long time and it is their aim to try to prevent this happening. A further mis-statement made by the member for Torrens is that compulsory voting goes hand in hand with a much increased informal vote. I do not claim to have much intimate knowledge of this, but I have referred to compulsory voting in chapter 16 of *Australian Government* by Colin A. Hughes, in which he devotes much space to this issue and summarizes as follows:

> The contribution of compulsory voting to informal voting appears to be slight and never more than 1 per cent.

So much for the "much increased informal vote". I suppose it is all a matter of degree. When the member for Flinders was talking about the introduction of compulsory voting, about 30 years ago, he tried to imply that because we wanted to retain this type of vote we were against change. This is not true. The A.L.P. is a Party of reform. It has always been a reform Party, and reform implies change. Indeed, much of the criticism directed against the A.L.P. is that it is a Party of change. In this case we are not for change, because there is no requirement for change. The requirement to appear at a polling booth two or three times in three years for those who are able to go (people indisposed or unable to attend are not

required to go) is hardly an onerous requirement, nor could it be said to be difficult or time-consuming. Good heavens, what other arguments of such weak nature will members opposite drag up! What is more important is, if they do turn up, whichever Party wins, that Party has an idea of the degree of acceptance of its policies and its candidates. As the member for Stuart has said, under this condition informals themselves have some value in indicating to the Parties concerned the opinion of some of the electors, but this is really the fundamental difference between our Parties. On this side of the House the A.L.P. values every man's vote and we want to know what people think of the policies and the candidates.

The member for Mitcham invited members on this side to debate the Bill on a matter of principle, and I intend to do just that. I intend to debate it on the one principle that he ignored—honesty. This is an important principle in a matter such as this but, so far as I can see, he has overlooked it. Members opposite have not been honest as to their motives or their reasons for supporting this Bill, and I believe it is time their motive was stated aloud. Their motive is clear: it is fear. They are afraid of the full expression of all of the people on any matter and, in particular, at election time. We have seen in this House how they have acted previously on local government franchise. We have had the whole tirade before. Their fear of the expression of the people guides them all the time into this phoney argument about how people are forced to vote for someone they do not want. This is rubbish! It has been dealt with earlier, yet they trot it out once again to try to bolster their weak arguments. Returning to my statement that members opposite and their Upper House controllers are windy, I point out that members opposite felt the first blast of public opinion in May, 1970, regarding the way in which they held this State in a gerrymander stranglehold.

They were blown out of office, and they know that next time they are gone again, unless they can think up a new gimmick. So what have they tried to do now from that secret lair on North Terrace? The word went out: "The people are a wake-up to us," they said on North Terrace. Even the Leader said that Labor would last at least 12 years. But they have set out to try out a new swifty. Members opposite have worn out the old swifty, so they trot out a new one and say, "Let's make voting voluntary, and maybe we can get the same turn-out as we get in Upper House elections, and scrape in that way." The member for Kavel, skating about on this issue, asked what we were afraid of.

Mr. Jennings: I thought he was Sonja Henie.

Mr. PAYNE: He was doing a lot of thin-ice work. We on this side are not afraid; we are willing to take our chances with all the people, not just some of the people, having a say. We say, as we have always said on this side, "Let everyone express his opinion, and we'll abide by the result." That is more than members opposite can say: because they are not satisfied with the result they got the other way, they now want to change to a new way. They are like the boy playing cricket who wants to take home his bat because he cannot get the highest score. Much has been said about this matter in the House previously and during this debate. I have made clear what is the real issue: members opposite are afraid to have the expression of all the people on these matters. I oppose the Bill.

Mr. MATHWIN (Glenelg): I support the Bill, on the basis that voluntary voting is democratic. The member for Stuart went to great lengths to explain how democratic compulsory voting was, but he certainly did not convince me or, I am sure, any other member, even those on his own side. This matter has been debated in the House many times and has been the subject of several debates in the 18 months that I have been here. The member for Mitcham referred to the countries whose company we keep regarding compulsory voting. There are only 10 such countries in the world, five of which are in South America, and this is not really much recommendation for democracy.

Mr. Clark: How do you know?

Mr. MATHWIN: Because I read the papers and observe many things, and I know people who have been to these places. One does not have to be a Rhodes scholar to realize this. One of the other countries concerned is Spain, and no-one in his wildest imagination would suggest that that was a democratic country. Although Russia was not referred to, it certainly is not a democracy. That country has compulsory voting, wherein there is one set of candidates for one Party, and heaven help a person if he does not register a vote. So one would not hold up Russia as representing a great democracy and a great example for us to follow.

Mr. Clark: Who has?

Mr. MATHWIN: Although it is not one of the 10 countries referred to, it can be

added to them as the eleventh country that has compulsory voting. I suggest that the Government needs compulsory voting to stay in office; indeed, there is no doubt about this in anyone's mind. As has been said many times in this House, the Government was upset at the election—

Mr. Langley: Whom are you kidding?

Mr. MATHWIN: If the eager next Minister of Sport (the member for Unley) will listen, he will let me finish my sentence. I was going to say that the Government was concerned about the last general election in the United Kingdom, when the Wilson Government was turned out. It has been said that this happened because of voluntary voting, but that is ridiculous. Everyone who has any common sense at all and who has carried out any research into this matter realizes that it was the first time in the U.K. that 18-year-olds had voted, and they were smart enough to know that the welfare State was not getting them anywhere, so they got rid of the Wilson Government.

Mr. Clark: And they've bitterly regretted it ever since.

Mr. MATHWIN: Do not kid yourself there.

Mr. Clark: Have you heard what conditions are like over there?

Mr. MATHWIN: Yes; I probably get more mail from the U.K. than the member for Elizabeth has received during his long time in this House.

Mr. Clark: Probably from people of your own type.

Mr. MATHWIN: Yes, and I regard myself as being a reasonable and a good type. The Government opposes this Bill, yet it says we should have a free-thinking public. Part of its platform is that people should be allowed to read and print anything, yet on this issue the Government will not allow people the privilege of voting voluntarily. The Government has to condone compulsory voting, with the threat—

Mr. Langley: You'd better get peop'e moving in your district at the next election.

Mr. MATHWIN: If the member for Unley were a financial Liberal, he would have the pleasure of voting for me in that plebescite. This Government condones compulsory voting, and there is a threat of punishment to those who do not vote. However, what happened regarding the thousands of people who failed to vote in that infamous referendum? There is no problem in that regard. What about the recent by-election, as a result of which the new member for Adelaide came into this place? What about all the people who did not vote at that by-election? What would constitute a valid excuse for not voting? This decision must be made and the procedure clearly defined for all concerned, including those people who are charged with the job of dealing with the people who have not voted at a compulsory election.

Mr. Clark: It is all in the Act.

Mr. MATHWIN: Are these provisions set out for the people concerned to understand? What discretion may be used by people who have power to punish those who do not vote at elections? Although I do not know the figures applying elsewhere, I sincerely suggest that the proportion of informal votes cast in Australia would be the highest in the world. I do not think there would be any doubt about that. Members well know about the donkey vote, especially at the Commonwealth Senate election, where getting first position on the ballot-papers is worth about 35,000 votes. I do not believe that compulsion can ensure an intelligent vote; when people are compelled to vote they do so just to avoid a fine. Not in our wildest imagination can we believe that people are educated politically by reading newspapers. What Onlooker said in last week-end's *Sunday Mail* was an El Dorado of Socialist propaganda: Mr. Blewett wrote the lot.

Mr. Hopgood: It is Dr. Blewett, and it was fact.

Mr. MATHWIN: Surely we cannot suggest that anyone would be educated by reading that. Can any member suggest that compulsory voting enforces political education? If people are interested enough in politics and in what goes on around them, and if they have been affected personally one way or another, they will vote. Those who are not interested will not become interested just because there is a compulsory vote. Reference was made earlier to the Labor Party's little book of rules, which goes further than merely recommending compulsory voting. This book does not credit the average person with any intelligence at all, as it says that people should be allowed to vote merely by marking the ballot-paper with a cross (that is referred to as the sudden-death system). The book advocates that people who cannot understand how to vote by placing the numbers "1", "2", "3", and so on next to the candidates' names should be able to vote by using a cross.

Mr. Hopgood: Did you migrate to get away from that system?

Mr. MATHWIN: If the honourable member wishes to use the U.K. as an example, he should follow it right through. He spent 45 minutes lecturing us on the beauties of compulsory voting, but I did not hear him refer to the glorious system of voting with a cross that operated under voluntary voting in the U.K. Why did he not take that opportunity to convince members of his Party that that was a more democratic way of voting at an election? He did not do that, because, in his own smug mind, he knows that he must not put his head on the chopping block and get the sack. He has a great future in the Parliament, already having been made Deputy Whip so soon. No doubt he will rise to great heights here. Although this Government supports compulsory voting, it also says that people must do as they like: they must be compelled to do this, because they must be compelled to be democratic. Yet the public is not allowed to see certain reports. In the case of the Beerworth report, the Attorney-General said that people should not see it. The Minister of Roads and Transport has failed to release another report, and the Minister of Environment and Conservation has not shown us the report on beaches and foreshores. It has been decided that Opposition members and the general public should not see those reports. There is very little support for compulsory voting, as no-one wants to be compelled to do anything. People want to have the right to do what they wish, and support voluntary voting. The Premier has been wide open (in some respects he has convinced me) in saying that people should not have to do what they do not want to do, and that they may please themselves about breaking the law. An article in the *Sunday Mail* of August 7, 1971, under the heading "Assembly Vote to Stay Compulsory", states:

The Government "would not have a bar" of voluntary House of Assembly elections, the Premier, Mr. Dunstan, said today. Mr. Dunstan said it was the duty of every citizen to exercise his franchise at elections. The Liberals in the Federal sphere had always maintained this. "Voluntary voting would not show the true wishes of the community," he said. He referred to the last English elections where the Labor Government was ousted contrary to pre-poll opinions. "There the Conservatives had more money to drag people to the polls," he said.

He spoke about having more money to drag the people to the polls and, if the Minister of Education were in the Chamber, he would be the first to admit that, on the day of the election, he had operating a fleet of cars that had been supplied to him by a wealthy organization situated in Brighton. On that day this organization lent him four or five cars, while the Liberal candidate relied on a few helpers with their cars. How is big business in this case associated with the Liberal Party, when we have a Socialist Minister supplied by one firm with at least four cars? The Minister can take me up on this if he wishes, but he knows what I am saying is true.

Mr. McRae: What was the firm?

Mr. MATHWIN: Commercial Motor Vehicles Proprietary Limited, and the honourable member knows that as well as I do.

Mr. McRae: I do not.

Mr. MATHWIN: The member for Mawson was kind enough to offer advice on how to run a voluntary election campaign in my area. He spent much time on this, and I became attracted to it, taking heed of what he said. However, I think that at one stage he may have been telling me how to lose an election rather than how to win one. Having worked on many voluntary elections in the U.K., I have had great experience in this connection. One of the main reasons why the Government does not want voluntary voting at any price is that it means that candidates and Parties have to work hard at elections, as do all the workers attached to the Parties. They must canvass the whole area and have as many cars as possible to get the people to the poll. The candidate must be a good one, able to speak at many meetings and encourage people to go to vote. This is a big job, and I have known candidates at elections in the United Kingdom to speak at four meetings in one night.

On polling day, the candidate works harder than does anyone else in the area. He is out getting people to the polls, going to see people, and so on. This is one reason why the Government would oppose this Bill, and the other reason is that the Government would be out of office if it supported it. We all know that Government supporters are very lax in going to the poll, and this is why members opposite support compulsory voting.

Mr. McRae: Why do you think the Liberal Party introduced it in the first place?

Mr. MATHWIN: I was not here then, but no-one can say that in the long period in which I have been interested in politics I have advocated anything but voluntary voting. I consider it to be the only fair and right system of voting: I do not think people should be

forced to vote. After all, we must call a spade a spade. If a person is forced to vote, his vote is not an intelligent one. Under compulsory voting, people go to the poll because they must do so, and they get it over with and then go to the football, or shopping, or wherever they intend to go. Voting is a duty that they must perform, because if they do not vote they will be fined.

The member for Mawson spent much time suggesting that in the L.C.L. the wealthy candidates received preference. He certainly did not look at me when he was saying that, because I am far from wealthy. Anything that I have got in this life I have had to work hard for, and I would be willing to swap my bank account with that of any member opposite if he so desired.

The SPEAKER: Order! I do not think anything about bank accounts comes into this debate.

Mr. MATHWIN: The statement that this side is the wealthy side is ridiculous. I have spent my life working hard. I have been in the building trade all my life and I have worked manually, and I suppose that I will go on working hard for the remainder of my life. That argument by the Government falls flat. The member for Stuart has said, amongst other things, that a person has to go to the poll but does not have to vote, that he can register an informal vote, and that is all he must do to comply with the law. The statement that people are not compelled to register a vote is ridiculous.

Members who have been at the counting of votes would have seen some of the rude things that are written on ballot-papers. Some people have gone to extremes to do drawings and all sorts of things on the ballot-paper. Surely we cannot call this intelligent! Surely we do not say to people, "Go there and, if you do not like it, draw a funny face on the paper"! That is silly. The honourable member has said that people go to the poll but do not have to vote and that this is a political exercise, because it registers disapproval of many candidates. Surely it would be far better for these people, is they felt that way, to say that it was not worth while going and just to leave the matter there.

Mr. Clark: That is not unknown under voluntary voting, either.

Mr. MATHWIN: That is so. I have seen some good ones in the United Kingdom, but these people would go there intending to do it anyway.

Mr. Clark: So do these other people, I think.

Mr. MATHWIN: No. I think they go because they have to go, and they register their disapproval. I was beginning to think much of the member for Mitchell, and only last Sunday we were in church together, side by side. However, the honourable member has made a personal attack on me in this House. *Hansard* shows that I took a point of order when the member for Spence was speaking, and that the honourable member was good enough to retract the statement immediately and to say some kind words about me.

I appreciate what that honourable member did, yet the member for Mitchell, who sat in church with me, as a buddy (at one stage, we nearly went to have a cup of tea together), has attacked me. He quoted me as saying that I favoured prison labour, but that statement was wrong. All I did on that occasion was ask the Attorney-General whether the Government would consider introduciing prison labour here. To my mind and in my innocent opinion and thought at that stage, that question far from suggested that we should have convict labour in this State. In fact, I know that this State is proud of the fact that it has never had any convicts.

Mr. McRae: Why did you ask the question, then?

Mr. MATHWIN: I raised the matter to find out whether the Government had thought about it and to find out whether the Government would consider it. The Attorney gave me a good reply. I thought he was glad that I had asked the question, because he was ready for it and, with his eloquence, went on about the matter and probably won the day on that question. I was disappointed in the member for Mitchell and thought he was extremely unkind to say what he did about me.

Mr. Coumbe: Will you go to church with him next Sunday?

Mr. MATHWIN: I will make sure that he puts his money on the collection plate next Sunday. The member for Mitchell also said that the informal vote did not count for much here. If he had gone on reading, he would have seen that at the 1964 election in South Australia the informal vote was 7.5 per cent, which I consider to be a high percentage for an informal vote. I do not know what anyone else thinks, but I think that it is a sad state of affairs. The crux of the matter is that it is morally wrong and most unsatisfactory to force a vote of

any kind from a disinterested and unwilling citizen. I support the Bill.

Mr. CLARK (Elizabeth): Having to follow the member for Glenelg in the debate, I rise with a certain amount of trepidation, because since the honourable member has been in this House he has won for himself a reputation for the type of speech that he makes and the witty repartee with which he replies to interjections. Therefore, members can understand why I am reluctant to take the honourable member to task about anything that he said. As a matter of fact, I will not do that: I consider his arguments unanswerable, because they were non-existent.

Mr. Mathwin: You're being most unkind.

Mr. CLARK: No, I am simply putting the truth as I see it. As far as I could gather, the member for Glenelg put up the whole of his argument at a somewhat greater length than he normally does. He attempted to rubbish the Government the whole time and only vaguely related his remarks to the Bill at any time during his speech; yet it was relatively one of the honourable member's best speeches since he has been a member. However, it was one of the best speeches we have had from an Opposition member, but, there again, that is a relative matter and is neither praise nor commendation of the member for Glenelg. I have never gone to church with him, but I am willing to go; possibly, it would not do either of us any harm. However, the honourable member should not be seen going to church in his own district with me, because it might damage his chances in a coming contest, in which I wish him well.

I believe this debate to be a waste of time because it is similar to a debate we had early in the session when we had a motion or a Bill before us to provide that elections for another place should be held on a day other than the day on which elections are held for the House of Assembly. That, in my opinion, was the most asinine Bill to come before us this session, and the Bill now before us must run a very close second to it. I believe (and I do not think that any member will disagree with me) that the right to vote is one of our most priceless heritages and that everyone realizes that it has not been idly won. The right of everyone to vote has been fought for and dearly won after centuries of struggle. I also believe that everyone should be interested (and encouraged to be interested) in voting to elect our Parliament.

No-one can deny that, if voluntary voting were introduced, we would be discouraging people from voting. It should be remembered that South Australia led the world (and we are proud of it still) in the granting of adult suffrage. Indeed, we were the first British State to give the vote to women, in 1894. We have been in the forefront and we should stay there. Why should we follow the example of less enlightened countries than ours? I heard the list of countries quoted by a certain member. The one or two members who have rubbished countries for their voting systems know nothing about those systems. The member for Mitcham said that, when he was in the U.S.A. some years ago to debate, everywhere he went he was asked why we had compulsory voting in Australia. I suggest that people in the U.S.A. have no more idea of our system of voting than we have of their system, except that our system is somewhat easier to understand.

Mr. Mathwin: What about the South American countries?

Mr. CLARK: I know as much about them as the member for Glenelg knows. However, if they have the sense to have compulsory voting, that is something in their favour. I shall not be bandying the word "democracy" about during my speech, although most other members have done so. Unfortunately, in this country, particularly in South Australia, democracy, in the mouth of some members, appears to be a dirty word, so I have reached the stage where I prefer not to use it. It is interesting to notice that, in the last election under voluntary voting, about 50 per cent of South Australians voted. When compulsory voting was introduced soon after, over 90 per cent of South Australians voted at the next election. It would appear to me that about half the voters had been disfranchised earlier. For this I cannot blame anyone, except the people themselves. They were disfranchised because they allowed themselves to be disfranchised, but that should not have been allowed to happen.

If we want an example of how well voluntary voting works, I suggest that members walk out of the door of this Chamber, down the passage a little way, turn to the left, and take a good look: they will see the results of voluntary voting, something that most members would not like to see for the House of Assembly, and that should be enough for all of us. Strangely enough, as in elections in the U.S.A., those who do not vote here are normally the most critical of those who do vote and of those who are

elected, because they did not vote or in spite of their not voting. It is my firm conviction (and I am not bringing democracy into it) that a Government should be elected by a majority vote and on the opinion of everyone in the State, and so should every member of Parliament.

The member for Stuart proved that many quotes could be taken from the speeches of Opposition members who, unfortunately, showed their deplorable lack of argument on this issue. One wonders why on earth, when there was such a paucity of ideas in support of their argument, this Bill has been introduced. Of course, there is a reason why the Bill has been introduced, but it is not the reason that has been given by any other speaker. Regarding some of the remarks that have been made, the Leader of the Opposition, for whose remarks I sometimes have the greatest respect, said that government in Australia was not open enough and that people were not sufficiently involved in it. The Leader advocated that we should get people more involved and interested in politics, so achieving a greater involvement, and let them vote voluntarily. Does the Leader believe that, by allowing people not to vote, their involvement in voting will be greater? That argument does not convince me, and I find it difficult to believe that it would convince anyone else. Surely it would encourage people not to get involved.

The member for Kavel made a good speech, but he did not agree with my ideas. However, he said something rather uncommon on this issue for an Opposition member. The honourable member said that obviously in some areas compulsion was necessary. One member said this afternoon that this was a compulsive Government, and we have heard him say some weird things about compulsion. I wonder who is to be the judge of what is compulsion and what is not. To some members it is a dirty word when it suits them and at other times, if it appeals to them, it is a clean, wholesome, sweet-smelling, almost holy word. This legislation stinks, so it is not compulsion! We have had remarks about compulsion from other members. The member for Mitcham gave his opinion when he said that his Party believed in the full freedom of the individual in electoral matters, yet the same gentleman believes in complete and utter compulsion in other matters. It is hard for anyone to convince me that compulsion is not compulsion no matter when, where and how it is used.

This afternoon (and I know I am forbidden to discuss it), we have had a Bill introduced into this place trying to make it compulsory to do a certain thing with regard to people in trade unions, and this Bill was introduced not by a Government that is supposed to have a mania for compulsion but by the Opposition members who think, when it suits them, that compulsion is a vile and dirty word. We had a word or two from the member for Flinders this afternoon about the same matter and I know the honourable member was completely sincere when he said that we could not equate democracy with compulsion. What on earth has that to do with the legislation? Is it in the eyes of the honourable member a different sort of democracy when compulsion is applied, as he is happy to have it applied in certain cases? What is the difference between compulsion for one thing and compulsion for another? It seems that compulsion is all right when it suits members opposite but it is loathsome when it does not.

In passing, I think that the member for Flinders said, in reply to the member for Stuart, that it was virtually impossible for an Independent to get into Parliament, but I remember when Independents could have formed a Government. In 1938, there were enough Independents elected to form a Government but, because they were Independent and could not agree on much, they did not have any Party discipline such as we have and members on the other side have (although members opposite deny that) and they could not form a Government. Indeed, the reason for the election of so many Independents was that most of the people of South Australia, having become fed up with the policies of both Parties, expressed their resentment by electing Independents to this House. Most of the Independents did not stay much longer than the first term.

Mr. Hopgood: The ones who did were not really independent.

Mr. CLARK: As the honourable member says, the ones who did stay were not really independent, but they went on for years denying this. The member for Torrens made one of his poorer speeches on this Bill. I usually enjoy listening to him because his speeches generally make sense. I know it is difficult for members opposite to make sense of this Bill because their argument in this case does not make sense. If one does not have the basis to make sense, it is difficult to make a worthwhile contribution. I agree completely with the remarks I am about to quote. The member for Torrens said that the ordinary citizen, if responsible and aware of his privileges, rights

and responsibilities, should go to the poll without being compelled to go. Of course he should, and so he does. I believe most sincerely that we should try to educate the others, too, in their privileges and responsibilities, but we are not going to do this by providing for a voluntary vote. Indeed, we will extend the ignorance of people with regard to the way their State is governed and the way it should be governed.

I am always pleased to think that in my early days of Parliament I was one of those responsible for having the courses in our primary schools widened so that boys and girls learned more than they had before regarding the way the country was governed, without a political bias. Most of us have shown many parties of schoolchildren through this place and observed with much pleasure the interest shown by most young people, and we have been honoured in doing this. I believe that we have done much good for the young people who have grown up or are growing up to be electors, and the more education we can give in all possible ways to people so that they understand what they are doing, so that they understand the ideals, aims and aspirations of the various Parties, the more likely we are to get an intelligent vote.

I fear that members opposite have despaired in an attempt to educate people on politics and on the policies and ideals of the various Parties. This is one of my chief reasons for opposing this Bill. I believe that we should encourage (not discourage) people to learn about our State and how it should be run. We will not encourage people by letting them vote if they want to and not bother about them if they do not, and this Bill encourages electors to be disinterested.

The member for Eyre has given us in his short stay in this place some pearls of wisdom. This was the first speech I have heard from the honourable member in which he did not hammer the plight of the primary producer: I was brought up on a small farm and I spent all my holidays on a large farm in the district now represented by the member for Light. It did not hurt me to be brought up in that area because I was the first member to get such a big majority when I was elected in a by-election for that district.

Mr. Jennings: Where they knew you!

Mr. CLARK: Yes. Today, the member for Light enjoys a majority there, too, but for entirely different reasons. Although I have every sympathy for primary producers, I sincerely believe that the member for Eyre and others at times do them a disservice by giving the impression in this place that they represent only primary producers and no other section of the community.

The DEPUTY SPEAKER: Order! I think the honourable member should come back to the Bill.

Mr. CLARK: I will come back, Sir. Members are supposed to try to represent all shades of opinion, and I think most members do, especially members on this side (let me say that without appearing to be biased). Years ago, the then member for Mitcham (Mr. Steve Dunks), one of the best speakers I have ever heard here, said that he thought it was a compliment if someone quoted from his speeches. Although I have been quoting certain members this afternoon, I assure them that that is not meant as a compliment. The member for Eyre said:

> I believe that, if people are not satisfied with the Administration, especially the present Administration, they will certainly turn out at the polls to throw out an irresponsible Government.

Surely, if people turn out in large numbers to vote against an Administration they do not like, it means that they will not bother to turn out to vote if they are happy with an Administration. Anyone who cared to write to Mr. Harold Wilson on this matter would receive a reply that would lead him to agree 100 per cent with the statements made by the member for Eyre (made, I fancy, by accident). I am speaking in this debate because, I suppose, it is my duty to have something to say on the matter, but I have seldom heard such weak arguments advanced by members on the other side. I do not believe that compulsory voting favours either side in politics. However, voluntary voting wastes the time of members of both Parties who, under such voting, must ensure that people vote and are apprised of the policy of the Party concerned. I know, as the member for Glenelg has said, that much time is spent in the U.K. in this regard, but it is time wasted, with no result.

I remember in my boyhood, when we lived about six miles from Gawler, that my mother did any legal business she had to do with the late Hon. Reg Rudall who, at every election held at the time, would send a car out to take my mother to the poll. It was voluntary voting in those days, but I must admit that, although my mother went in Mr. Rudall's car, she voted Labor, and I do not think she would be the first one to do so under such a system. Why are we wasting time on this measure? As members know, there have been recent

rumours that there is a certain amount of ill-feeling between Opposition members in this place and those in another place. This is a welcome change, because in the past accusations concerning disunity have been levelled at members on this side. Sometimes it is a nice change to see one's political opponents tearing at each other's throats, too. It appears that Opposition members in this House and in another place are trying to promote the fiction of amity, light and happiness between the two Houses, this motion having been put forward as part of that idea.

A former member of the Liberal Party who has become disillusioned with that Party has given me a definition of anyone who is misguided enough to become a member of that Party (and I do not necessarily mean a member of Parliament). He says that a member of the L.C.L. is one who slowly lurches forward a couple of steps if someone shoves him hard enough. I do not say that I agree with that. In this case, the shove came from the Legislative Council but, instead of a shove forward, it was a shove backwards and, in any case, I do not think it was hard enough, as I rather fancy that, when the vote is taken, the Bill will be defeated. I hope it is, because I oppose it entirely.

Mr. BECKER secured the adjournment of the debate.

LAND TAX ACT AMENDMENT BILL (RURAL)

Adjourned debate on second reading.

(Continued from October 6. Page 1990.)

Mr. McANANEY (Heysen): I strongly support the Bill, which I think is a necessary step in the right direction. The member for Elizabeth has spoken about the Liberal Party's going backwards but, whenever we deal with financial matters, we see the complete ignorance of the Treasurer. The excuses he gave for not removing this land tax from primary producers hardly bear repeating. Surely in the assessment of any tax we must determine whether it is inflicting undue hardship on a certain section of the community. The merit or demerit of having such a tax is assessed on that basis. The Treasurer gave no logical reason at all for not removing this tax. He admitted that primary producers were facing financial trouble. He agreed that they were more efficient and productive than they had ever been before and that, through no fault of their own, but as a result of rising costs in Australia, these difficulties had arisen. At present every other section of the community (employers, employees, professional people, and so on) has some avenue by which it can increase its income, and that statement includes politicians. Therefore, there is every reason why assistance should be given to primary producers.

Any tax must bear a relationship to the ability of people to pay, the ability of primary producers to pay having been reduced considerably. Despite the great increases in revenue that the Government has received from various sources this financial year and last financial year, it has increased its expenditure to a far greater extent than has any other body and to a much higher degree than the increase in the gross national product in Australia would justify. The Government is spending at a far greater rate than the resources of the people and the State can support, and this matter should be investigated. The Government must pay many millions to make up for the losses of the South Australian Railways, these losses not necessarily being incurred in country areas.

The DEPUTY SPEAKER: Order! The honourable member may not deal with railway losses; he must link his remarks to the Bill under discussion.

Mr. McANANEY: I am referring to the remarks made by the Treasurer in this debate, and he referred to the railways. So far I have not spoken about anything that has not already been referred to. In his ramblings, the Treasurer said that there was a loss of $7,200,000 on country water services. He was not honest and accurate enough to say that much of this expenditure was incurred in supplying water from the Morgan-Whyalla main to country towns, and this has no direct bearing on primary producers. There was also a loss on country sewerage expenditure; again this is not in relation to primary producers in the area but is concerned with another group of urban dwellers who are being subsidized by the taxpayers. Therefore, that argument of the Treasurer's is as weak as the water he was talking about.

There is no justification at all for applying land tax to primary producers. Where a group of people come together and live in a city and where, as a result of these people congregating and through no effort of theirs, the land becomes exceedingly valuable, the State has some justification for saying that it is entitled to a share in the increased value of the area. However, I see no merit in levying land tax on land in primary-producing areas, where there is no real increase in

value until someone goes there and individually creates a reason for the increase. Efforts to produce are covered by income tax and so on. As I have said, there is some merit in levying a tax on unearned increases in value. The Treasurer said that city people paid some millions of dollars in land tax, but nearly half of that tax is collected from areas immediately around the square mile of Adelaide. Only a few people live in that area, the tax becoming a cost of production to the people affected, who pass it on to the rest of the community.

The profits of these companies do not vary from year to year. I recently saw figures for the profits of John Martin and Company Limited and Myer South Australia Stores Limited, which show that in five successive years there was variation in percentage of profit in only one year. Those firms do not pay an increased amount, because the increase is passed on and, unfortunately, the primary producer is at the end of the scale and he cannot pass it on. I know of no reason why this tax cannot be removed, because the other States have removed it, and this Government's refusal to do so is poor. The Treasurer got well away from the Bill when he spoke of what was happening in other States on other matters. The fact that in the last two years this State has had the greatest increase in reimbursement grants from the Commonwealth Government shows that we should be able to do what the other States have done.

The SPEAKER: Order! There is too much audible conversation. I cannot hear the honourable member for Heysen.

Mr. McANANEY: It would be a pity not to hear my words of wisdom. Unfortunately, the Treasurer is not here so that I can convince him of my argument, but he may do me the courtesy of reading my speech in *Hansard*. These people cannot pay this tax at the present time. In other sections of the community, increases can be made to meet rising costs. In any case, the tax is not just, because it is not an unearned increment such as applies in other cases. I strongly support the Bill and the motives behind it.

Mr. GOLDSWORTHY secured the adjournment of the debate.

The SPEAKER: The question now is that the adjourned debate be made an Order of the Day for?

Mr. MILLHOUSE: Next Wednesday.

The SPEAKER: Is the motion seconded?

Mr. MILLHOUSE: Yes, Sir.

The SPEAKER: Order! The honourable member for Mitcham cannot second his own motion. Is the motion seconded?

Mr. EVANS: Yes, Mr. Speaker.

Motion carried.

CIGARETTES (LABELLING) BILL

Adjourned debate on second reading.

(Continued from October 6. Page 1991.)

Mr. GOLDSWORTHY (Kavel): I support the Bill and congratulate the member for Glenelg on introducing it. I doubt that the honourable member was motivated by anything he read in the Labor Party's little blue book, and I think he probably introduced the Bill without prompting from that quarter. Nevertheless, I think the Bill is definitely a move in the right direction. There is definite statistical evidence to link cigarette smoking with ill health. I do not intend to canvass the whole matter again, because much publicity has been given to the incidence of lung cancer as a result of cigarette smoking. I think many other disabilities are also caused by it, but they do not get as much publicity. I do not intend to repeat the sort of material that has been put before the House, but I wish to quote one paragraph from the Royal College of Physicians publication *Smoking and Health Now*. It deals with disablement by cigarette smoking, and states:

> Cigarette smoking not only shortens life: it may also cause prolonged ill health. While, for example, many patients recover completely from an attack of coronary disease, there are others who remain invalids after the attack. And patients who ultimately die from chronic bronchitis or emphysema usually endure 10 or more years of distressing breathlessness before they die. Cigarette smokers are also more liable than non-smokers to attacks of acute bronchitis and other chest illnesses.

I think the next sentence is particularly significant because it throws a different light on the problem. It states:

> In Britain as many as 50,000,000 working days may be lost to industry every year as a consequence of cigarette smoking.

I have quoted that paragraph because I think it sums up the fact that in Britain cigarette smoking has been recognized as a national problem. I will not say more about the evidence that proves that there is a link between cigarette smoking and ill health. The problem is not simple, because an elaborate and massive business is flourishing in regard to the tobacco and cigarette industry, particularly the latter. A tremendous amount of revenue flows to Government coffers from this business, and

the advertising of cigarettes is also a tremendous industry. Despite these facts, if we are convinced that the advertising of the habit of cigarette smoking should be curtailed in some way, we should be willing to act, and I think the Bill is a move in the right direction.

We often speak of priorities, and pollution and the environment are topical matters. Much publicity is given to the fact that we need to breathe clean air. However, the pollution of the air caused by cigarette smoking is far greater than the pollution that one would encounter when walking down the main streets of the city.

I consider that pollution of the atmosphere by smoking in lunchrooms and such places (particularly as it affects non-smokers who are also present) is far greater than the sort of pollution that is getting headlines. Therefore, if we are to get our priorities right, we must recognize cigarette smoking as a major pollutant of the atmosphere, certainly of the atmosphere that smokers breathe and that which others breathe where smokers exhale. Although I do not travel on the railways much now, I know that many years ago, before this smoking hazard came to the fore, compartments on trains were set aside for non-smokers and I know that many people were annoyed because smokers occupied non-smoking compartments, because they found cigarette smoke distasteful.

Moves have been made to prohibit cigarette smoking at some meetings. I understand that instructions are given that it will not be permitted during the meeting. I do not know whether the member for Florey had his tongue in his cheek when he asked the question about allowing smoking in this Chamber, but I consider that to allow it would be a retrograde step. It certainly would infringe the rights of other members.

The Hon. L. J. King: It would not be compulsory.

Mr. GOLDSWORTHY: Nevertheless, it is compulsory to breathe the air: no way of existing without breathing regularly has been found, and non-smokers would be compelled to breathe polluted air, so in those circumstances to permit cigarette smoking in the Chamber would be a retrograde step. When we consider pollution of the air we breathe, we see that cigarette smoking causes tremendous pollution. I do not think there is much in the argument that we should not pass the Bill because we would be acting unilaterally. The legislation will not cost cigarette companies much money to have a little extra printing put on their cigarette packages. I suppose there is some sense in waiting until some of the other States have passed similar legislation. If we are honest we must decide what we are trying to do with the Bill. We should be trying to discourage young people from taking up the habit of smoking, but habitual smokers are well aware of the publicity that is being disseminated, and many of them decide that the enjoyment outweighs any health risk. That is their view. My view is that we should discourage young people from taking up smoking. However, if we are successful in such an educational policy the cigarette companies will suffer in the long term, and we must face that fact. If we are successful in our attempts to discourage young people from smoking, we will reduce cigarette sales. I believe we should discourage them from taking up the habit. Habitual smokers who gain pleasure from smoking must weigh up the situation themselves. The main import of our education policies now should be to educate young people, if we are to help them in the long term. Even if we cannot give up the habit ourselves, we should still educate young people not to acquire the habit. A comprehensive British survey contained in a publication called *The Young Smoker* sets out some of the characteristics of schoolboy smokers. The publication states:

> Data presented in chapter 2 show that most boys try smoking while they are still at secondary school but of the youngest ones (first and second year) very few reach the stage of smoking as much as one cigarette a week and of the oldest ones (fourth year) only about one-third do so.

They start off in a minor way by smoking one cigarette a week. The publication continues:

> Despite the anti-smoking campaign, the incidence of smoking amongst schoolboys appears to have remained fairly stable over the last few years . . . Although the anti-smoking campaign may not have done much to reduce the incidence of smoking in this age group, data in chapter 3 show that it has had a marked effect in increasing children's awareness of the health risk in smoking.

The publication comments on the performance and progress of schoolboys, as follows:

> The smoker's poor performance at school work may be partly due to the fact that his leisure interests lie outside the school and that they to some extent conflict with the school's aims.

At present, in secondary schools in South Australia a campaign against smoking is being waged amongst students. It is usually the deputy headmaster's responsibility in the larger schools to administer the campaign, and smoking is considered to be a breach of

discipline. That is how it is viewed in all the secondary schools I know about, but I do not know the rationale behind it. I do not think that smoking is considered from the health angle: it is considered to be a habit that should be discouraged. If a child is allowed to smoke at home with his parents' consent but is forbidden to smoke at any school function or on the school premises, there is a conflict between the school influence and the home influence, and that is unfortunate. There is a tendency to suppress smoking at secondary schools at present. The report's main conclusions are as follows:

The main pressure on a boy to smoke comes from his need to conform with, and gain status in the eyes of, his group of friends. This influence is countered by his parents' disapproval of smoking and by the health risk in smoking. Anti-smoking strategy needs to be directed (1) at devaluing smoking as a means of achieving status in the peer group, (2) at strengthening home restraints, and (3) at increasing the effectiveness of health education. In relation to each of these aims the following approaches would appear to be useful:

(1) Try to persuade boys that smoking in itself cannot make a boy tough and mature even if many pretend that it does. Remind them that a boy who smokes will be seen by other boys as a failure, whereas non-smokers are seen as successful.

(2) Enlist the support of parents for the anti-smoking campaign—especially those whose children are at secondary modern and comprehensive schools.

This step is essential, because it is difficult for schools to impose standards that are not supported in the home. The report's main conclusions continue:

> Make them aware of the importance of their own smoking behaviour and attitudes, in relation to their children's smoking, and encourage them to dispel an atmosphere of easy-going tolerance towards smoking in their own homes—particularly as the children get older.

The third recommendation is to improve the effectiveness of health education, and there are other recommendations that I will not read. The publications highlight the fact that much research has been carried out in Great Britain into smoking, but it appears to me that the campaign has not been successful in discouraging people from smoking. My view is that much television advertising of smoking is damaging, because the habit is made to appear attractive in attractive circumstances. However, that is not dealt with in the Bill. The Bill, which cannot do any harm, is straightforward: it simply enables a warning to be placed on cigarette packages.

Mr. Jennings: How will people know that the warning is there?

Mr. GOLDSWORTHY: They will be aware that it is there, but it is difficult to say that it will achieve great results. However, the more frequently it is brought to the attention of people that the habit is harmful, the better. This legislation will not cause great expense to cigarettee companies. The only practical way of legislating in this matter would be to introduce Australia-wide legislation. The amendment would improve the Bill, but I am prepared to support the Bill without the amendment. I congratulate the member for Glenelg on introducing the Bill, and I am pleased that the Government has indicated its support for the measure.

Mr. JENNINGS (Ross Smith): I, too, support the Bill and congratulate the member for Glenelg on his initiative in introducing it. He presented a volume of evidence in an impeccable manner. I am not astonished that he should have done this, but I am astonished that he beat the loquacious member for Bragg, who lately has become an expert on practically everything under the sun.

The Hon. L. J. King: But he's not as familiar with the A.L.P. platform.

Mr. JENNINGS: That could be so. The member for Glenelg, as we know, assiduously reads the platform of the A.L.P., and he has taken this from it.

Mr. Clark: He's a unionist at heart.

Mr. JENNINGS: We know that he was a good unionist. However, I think that a couple of things that the member for Glenelg said were not intended to help his case. For example, when the member for Elizabeth pointed out that this did not cover those of us who rolled our own cigarettes, he said that he had not thought of that and invited the member for Elizabeth to move an amendment. Of course, my colleague said, properly, "Well it's your Bill; you work out your own amendment," and later added, "How will you get people to read it?" The member for Glenelg replied, "Twist their arm." We have heard much about compulsion in this place, but I hate compulsion and will not have it in any circumstances.

We have lately heard many bad things about tobacco: what about some good things about tobacco? As the member for Glenelg wanted a vote to be taken on this matter today, I was willing to curtail my remarks

to allow this to happen, knowing other members wished to speak. However, the member for Kavel, who spoke in a way that I must say made me support him (probably for the first time since he has been here), did not curtail his remarks. As it is now too late to get a vote, I will proceed to tell the House what other people have said about tobacco. I am sure the member for Glenelg is well aware of *Anatomy of Melancholy,* in which the following passage appears:

Tobacco, divine, rare, superexcellent tobacco, which goes far beyond all their panaceas, potable gold, and philosopher's stones, a sovereign remedy to all diseases. . . . But, as it is commonly abused by most men, which take it as tinkers do ale, 'tis a plague, a mischief, a violent purger of goods, lands, health, hellish, devilish, and damned tobacco, the ruin and overthrow of body and soul.

What a blessing this smoking is! Perhaps this is the greatest thing to be said about the discovery of America, although I do not wish to sever diplomatic relations with that country. Charles Kingsley wrote:

When all things were made none was made better than this; to be a lone man's companion, a bachelor's friend, a hungry man's food, a sad man's cordial, a wakeful man's sleep, and a chilly man's fire, Sir; while for stanching of wounds, purging of rheum, and settling of the stomach, there's no herb like unto it under the canopy of heaven.

Mr. Mathwin: What herb wrote that?

Mr. JENNINGS: Surely the member for Glenelg would know that that was by Charles Kingsley. I could quote Kipling. I think he said "And a woman is only a woman, but a good cigar is a smoke."

Mr. Hopgood: Or the other way round.

Mr. JENNINGS: Or the other way round—the same thing. I think the honourable member asked how it would be if our children decided to smoke. My three sons are non-smokers.

Mr. Ryan: You make up for it, though!

Mr. JENNINGS: No. I smoked when I was about 12 or 13 years old.

Mr. Becker: Is that what stunted your growth?

Mr. JENNINGS: I may be short in stature but I am not short in the respects that the honourable member is short—from the shoulders up. That was a teenage stunt that we all go through.

Mr. Rodda: One of them.

Mr. JENNINGS: Yes, one of them; I do not want to enumerate them all. After that, I did not smoke until I was 25. I was a non-smoker until I got involved in going to meetings and had nothing to do except roll a cigarette. That is probably why I still roll my cigarettes. I have been smoking ever since but am not proud of it. I should like to give it up tomorrow; probably I could if I wanted to, but we do not have too many vices left to us when we reach my age.

Mr. Keneally: How many times have you given it up?

Mr. JENNINGS: I have not given it up once since I took it up properly. I should like interjectors to be specific with their interjections. One of the difficulties about the proposed legislation is that not too many people will take much notice of it. I have been told by many smokers that they never look at what is on a cigarette packet beyond the name and the brand; they look at nothing else. That is probably true. I ask for the same brand of tobacco every time I buy it but am not too sure whether some shopkeeper could not hand me another brand: I would not know the difference. I am afraid I was off the track just now when I spoke about my three sons. They may have seen the awful example of me but, on the other hand, I realize that when we are dealing with teenagers we cannot tell them not to do something. If they come to us, we must say, "Well, in the circumstances I wouldn't", and that sort of thing. It works satisfactorily. I ask leave to continue my remarks.

Leave granted; debate adjourned.

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

SECONDHAND DEALERS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendment:

Page 5, line 21 (clause 8)—Leave out "whether".

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

That the Legislative Council's amendment be agreed to.

The Government is willing to accept the amendment, which has no real effect on the Bill. I do not know whether it improves the Bill, but I cannot see why we should not accept it.

Motion carried.

AGED CITIZENS CLUBS (SUBSIDIES) ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendment:

Page 1. After clause 1 insert new clause 1a as follows:

"1a. *Amendment of principal Act, s. 2—Interpretation*—Section 2 of the principal Act is amended by striking out from the definition of 'council' the passage 'The City of Whyalla Commission and'."

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

That the Legislative Council's amendment be agreed to.

The reason for the amendment is that the City of Whyalla Commission no longer exists; evidently this point was overlooked by the draftsman. However, it has been noticed in another place, and there is no reason to disagree to the amendment.

Mr. COUMBE: The Opposition raises no objection to the amendment. Because legislation has been passed granting local government to Whyalla, the reference in the Bill to the City of Whyalla Commission is unnecessary.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from August 31. Page 1255.)

The Hon. G. T. VIRGO (Minister of Local Government): When I explained the Bill, I said it was substantially the same as the legislation that had previously been introduced, with five major exceptions. I did this in an endeavour to assist members who, I presumed, had studied the previous Bill, and to thus short circuit some of the discussion that would otherwise ensue. However, it is regrettable to know that many members opposite seem to have formed the opinion that I spent much time discussing matters which were not in this Bill but which were in the previous Bill. Several members, including the members for Bragg and Glenelg, accused me of this. It may be interesting to members if I point out just exactly what is the position. I invite members to look carefully at pages 498 to 504 of *Hansard* where my remarks are recorded.

My second reading explanation, together with points of order, interjections, and rulings by you, Mr. Speaker, amounts in all to 96 column inches. The first inch is a record of my obtaining leave to introduce a Bill and the first reading of that Bill. The next 8in. is devoted entirely to my explaining that the Bill is basically the same as the previous Bill. The following 16in. is virtually taken over by Opposition members: I scarcely got a word in. That space is occupied by 6¼in. of my speech, 9¾in. being taken up by interjections of Opposition members and your rulings, Sir. The next 10½in. is taken up by my explanation of three other points, the remaining 60½in. being devoted entirely to my explanation of the clauses of the Bill.

I therefore invite members opposite to review their accusations against me, measuring them alongside what actually happened. The member for Light was good enough to have recorded in *Hansard* a letter I sent to the Chairman or Mayor of every council throughout South Australia and, in addition, the reply from the President of the Local Government Association. I am grateful for this, because I believe those two documents are valuable. Several members, of whom the member for Bragg was one, claimed that I had attacked the Local Government Association by sending a confidential letter to its President and then widely circulating the letter.

Dr. Tonkin: That's right.

The Hon. G. T. VIRGO: I am pleased that the honourable member says that, because it is completely untrue. People who have never been in local government do not know much about these things. That letter was sent to the President of the Local Government Association, who was informed that it would be forwarded to all councils. I defy the member for Bragg or any other Opposition member to produce a copy of that letter that is marked "Confidential". When they left my office, all the envelopes were addressed to the mayors or chairmen of the various councils, and they were marked "Confidential" to ensure that they did not get lost in the maze of office paper work. That is not strange.

The Hon. D. N. Brookman: They were marked "Confidential".

The Hon. G. T. VIRGO: The honourable member, who seems to take exception to this practice, might be interested in the letter marked "Personal" which I received from the Local Government Association. Why should it have been marked such? There was nothing personal in it. It was so marked because the association wanted it to come straight to my desk.

Mr. Clark: That is normal business practice.

The Hon. G. T. VIRGO: Yes, and that is exactly what happened. However, members opposite are trying to stir up something of a confidential nature. When something deals with the affairs of the people, it should not be restricted to councils only: it should be circulated to the people themselves. It is interesting to note that in one poll of which I know and which was held in a country

district the people voted overwhelmingly in favour of adult franchise. The member for Torrens said he opposed the previous Bill because he knew most people in his constituency were opposed to adult franchise. However, he did not say how he consulted those people. I think he might have done what a former member did: go into a telephone box and consult them. I remind the honourable member of a letter I received, part of which is as follows:

I am directed to advise that, after consideration of the full facts of this matter—

the Local Government Act Amendment Bill—the council is at a loss to understand the claim made that local government did not want any of the amendments proposed in the Bill. In a letter dated March 16, 1971, to its representatives in the House of Assembly and all members of the Legislative Council, this council expressed its strong opposition to some portion of the Bill but in fact indicated that some extension of the existing franchise was desirable. It did, however, also state that many of the provisions of the Bill were welcomed by the council.

Yet the member for Torrens said he knew the people did not want full adult franchise.

Mr. Coumbe: Who is the letter from?

The Hon. G. T. VIRGO: It is signed by the Town Clerk of the City of Prospect, which claims the honourable member as one of its representatives in this House. As members did not hear anything about that letter previously, I suggest that a fair bit of double talk has been going on. I should like now to deal with a point raised by the member for Glenelg who, I am sorry to say, is not present in the Chamber. I hope one of his colleagues will direct his attention to this matter. The honourable member made a stout defence of the Local Government Association and claimed that, because 90 per cent of councils belonged to that association, the voice of the association is the voice that should be heard. If the Local Government Association represented 90 per cent of the people in local government areas in South Australia, his claim might be valid. However, he did not tell us that, and I think the House ought to know what is the position. At present, there are about 825,000 citizens in the metropolitan planning area. In an area within the planning area and comprising the 21 metropolitan councils in the terms of the Local Government Act, there are 641,000 people but of that number about 223,000 are not represented by the Local Government Association. The distribution of 223,000 people is as follows:

Council	Number of People
Mitcham	53,500
Marion	68,700
Port Adelaide	39,200
Burnside	39,600
Kensington and Norwood	11,200
St. Peters	10,800

Therefore, the plain facts are that the Local Government Association represents about 34.8 per cent of the people concerned, not 90 per cent as the member for Glenelg has claimed. In fact, the figures I have given are subject to further amendment because, since they were taken out, the Tea Tree Gully council, with 32,000 people, has withdrawn from the association and the Port Pirie, Sedan, Angaston, and Eudunda councils also have withdrawn. Let us get a clear understanding of this claim that the Local Government Association is the voice of the people. Frankly, the association is not representative of the people of South Australia today.

Mr. Venning: Why? What has happened to the association?

The Hon. G. T. VIRGO: That is the association's worry, not mine.

The SPEAKER: Order! Honourable members have had the opportunity to speak in this debate on the second reading, and many members have spoken. The Minister has the right of reply to the remarks that have been made and he will be heard in silence. If honourable members wanted to contribute to the debate, they left it a little bit late. I will not give another warning if an honouable member interjects from now on.

The Hon. G. T. VIRGO: Having made that position plain, I want to make equally plain that I have had much association and discussion with the Local Government Association and I respect its point of view. I welcome any submissions it makes to me on matters associated with local Government. However, it is erroneous to make wild claims that the association is the voice of the people of the various council areas in South Australia. That point should be cleared up.

The Bill contains many points of tremendous advantage to the people of this State, and I regret that the people have been denied these provisions for 12 months already. I hope that we can resolve the issues satisfactorily as soon as possible, so that the benefits can be passed on to the people in the various districts.

Bill read a second time.

The Hon. G. T. VIRGO (Minister of Local Government) moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to parking meter spaces.

Motion carried.

Dr. EASTICK (Light) moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to form of nomination for office, Part XII of the principal Act—rates, ballot boxes, and owners of property requiring communication with a street.

Motion carried.

In Committee.

Clause 1 passed.

Clause 2—"Interpretation."

Dr. EASTICK: It was indicated earlier that, there being some doubt about the definition of "ratable property", discussions were being held on the matter between the Minister's department and another body. Can the Minister say whether this matter has been resolved?

The Hon. G. T. VIRGO (Minister of Local Government): Discussions have been held, but it has not been possible to arrive at anything more specific. Nevertheless, we are confident that the term adequately covers the situation.

Clause passed.

Clauses 3 and 4 passed.

Clause 5—"Petition for severance."

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

In new section 27a(1)(*a*) after "in ratable value" to insert "one-half of".

This amendment, which covers a matter raised by the member for Light, improves the Bill.

Amendment carried; clause as amended passed.

Clauses 6 and 7 passed.

Clause 8—"How vacancies occasioned."

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

After "council" to insert "and the passage 'to the mayor or to the chairman or' ".

This relates to the resignation of a member of a council. We are providing that a member of a council may resign without the licence of the council. I do not know the history of this. All I know is that no member here if he wishes to resign has to obtain a licence. The question has been raised of the possibility that a mayor or chairman could resign and send himself notice of his resignation and so defeat the whole object of this provision, but that is a fairly long shot. When a mayor, chairman or councillor dies, he does not tell anyone about it beforehand! In this instance, if there is a doubt, there is no difficulty about it since the clerk receives the notification of death.

Dr. EASTICK: I accept the Minister's explanation of his amendment. It is a feature in many areas, not only of local government, that the executive office of an organization is the one to be advised of such action as this. By the removal of the mayor or chairman (as the case may be) we are by-passing the situation where a place other than the executive office is advised in the first instance. It is advisable to have this amendment and I support it.

Amendment carried.

Dr. EASTICK: I move to insert the following new paragraph:

(*b*) By striking out the last sentence of paragraph IX.

Section 54 (IX) of the Local Government Act provides:

Failure to pay any rates payable to the council (including any fine added thereto pursuant to this Act) upon any land within the area for the payment of which he is liable (whether primarily or otherwise, but other than as attorney for any person) within six months from the time the rates are declared: Provided that if a mayor, alderman, or councillor is a ratepayer only in respect of the land of which he is the attorney, the provisions of this subdivision shall apply with respect to the rates payable in respect of the said land. The clerk shall give notice in writing to any mayor, alderman, or councillor of any rates payable by him as aforesaid at least two weeks before the expiration of the said period of six months:

The sentence that my amendment strikes out is as follows:

The clerk shall give notice in writing to any mayor, alderman, or councillor of any rates payable by him as aforesaid at least two weeks before the expiration of the said period of six months:

It was earlier proposed that the whole of the provision should be struck out, and it was subsequently promoted in a Bill of which I was the author. However, the Minister said he would not accept the striking out of the provision because he believed it was essential that the mayor, councillors and aldermen should pay their rates as required. The Minister said that those officials should set an example and pay their rates on time. That may be correct, but I do not believe that they should be treated differently from the way other ratepayers are treated. If the mayor, councillors and aldermen fail to pay their rates, they are to be informed in writing by the clerk that they are liable to expulsion. That, again, is unnecessary and not in the best interests of local government, as it involves the expenditure of ratepayers' money. The amendment in no way

defeats the purpose of the provision, which the Minister said earlier he wanted to retain.

The Hon. G. T. VIRGO: I appreciate the points made by the honourable member, but I am not willing to accept the amendment. In fact, I do not think the problems he raised will, in normal circumstances, eventuate. I do not believe that much time or expense will be incurred by the council in informing the elected members that the period for paying rates is rapidly drawing to a close. I do not know what the average size of a South Australian council is, but let us say that there are 12 members of a council. I would expect members of a council to display an attitude of responsibility and to set an example to ratepayers in their area. Accordingly, I would expect that most members of a council would, on receipt of the notice, pay their rates; not many would drag the chain. If a few members of councils do not pay, seeing that failure to pay within 14 days or 21 days will render their position on the council void, surely it is not asking too much that they should get some reminder. This provision has been in the Act for years. It would be interesting to note how often a councillor has had to be notified that his rates are due in two or three weeks.

Mr. Mathwin: It would be quite a number.

The Hon. G. T. VIRGO: The honourable member may have had to get a notice, but that was not my experience; I believed that it was my responsibility to show an example to the people that I represented. I know of no instance (and the member for Light has not pointed to any) where this provision has acted detrimentally. Until there is such an instance, I think we should protect those people who are prepared to serve the nation.

Dr. EASTICK: I can assure the Minister that I know of cases where it has been necessary for a town clerk or district clerk to notify councillors in this position. I am prepared to accept what the Minister has said about this. Apparently, councillors can expect, with the Minister's blessing, to obtain a degree of preferential treatment in this respect, because the amendment would delete from the Bill a provision that presently enables a small group of ratepayers to receive treatment denied to other ratepayers.

Amendment negatived; clause as amended passed.

Clauses 9 to 14 passed.

Clause 15—"Rate in respect of garbage removal."

The Hon. G. T. VIRGO: The Government included this clause in the Bill for the express purpose of enabling councils, particularly those in country areas, engaged in garbage collection to declare a rate for that section of their area in which garbage collection takes place. The weakness in that provision is that a ratepayer who does not avail himself of the service can opt out of the payment; in other words, the council can charge only those who avail themselves of the service. The Government is trying to ensure that when this situation occurs the council is able to declare a rate for the whole district being serviced.

In its desire to do the right thing in relation to some councils, the Government may be running into difficulties in relation to other councils. The Local Government Association has said it is keen to have this provision included in the Bill, as it will provide an additional area for councils to obtain rate revenue. However, this was never envisaged and, if it is thought that this could happen (and it appears that it may), it is only right and proper to remove the clause altogether. Councils should not look upon this clause as a means of raising additional revenue. If they want to increase their rates, they have a perfectly legitimate and simple way of doing it, and that is by increasing their rate in the dollar. To use a second string, as it is suggested some may do, would defeat the whole purpose, and for those reasons I ask the Committee to vote against the clause.

Dr. EASTICK: I acknowledge that the Minister's view about how the provision was interpreted outside is the attitude commonly taken. It was considered a desirable provision for councils that have many flats in their areas. The key word is the third word in the clause, which is "may", not "shall"; but I take it that the Minister is fairly certain that "may" would become "shall".

The Hon. G. T. Virgo: That is what I am frightened of.

Dr. EASTICK: Councils are being denied something that they have sought, and I do not support the deletion of the clause.

Mr. MATHWIN: I agree with the member for Light. The matter comes down to the two different systems of rating, annual value and unimproved value. The Marion and Glenelg councils, in my district, cannot rate each individual flat. The Minister has said that councils can alter the rate if they so desire, but this would not have the desired effect for these two councils. The Glenelg

and Marion councils have many flats in their areas and they are in great difficulty, because a block of flats is rated as a property, having one rate, yet on one block of land there could be 80 different flats or units, and extra work is imposed on the council because of the number of flats. A differential rate could not be introduced, and a council would have to penalize the whole area and all the householders in it.

The Hon. G. T. VIRGO: I ask the member for Glenelg to reconsider the matter when I give him the facts, because I think he will then support my view and vote against the clause. Section 537 of the Local Government Act provides:

The council may from time to time fix a scale of annual fees to be paid to the council for the removal of nightsoil, filth, offal, and refuse, or any of them, from ratable or other property within the whole or any portion or portions of the area.

The section goes on to deal with fixing fees, and so on. Under that provision, the Marion council can, if it so chooses, say that for the rate it collects from a block of flats or home units (or whatever the case may be) it will remove one garbage can and that for the removal of every other garbage can it will set a fee of so many dollars a year. The member for Torrens knows of a council that does that now. The removal of this clause is not denying a council the right to charge an additional sum in respect of the collection of extra garbage, for there is already provision for that. All this provison sought to do was to impose a garbage rate in respect of people entitled to use the garbage collection service, irrespective of whether or not they used it. I think there are about six councils in question, most of them in the North, although there may be one or two others.

I think the point raised by the honourable member rather justifies my action in withdrawing this provision. He thinks that the Brighton council may be using the provision in an attempt to increase its rate revenue but, if a council wants to do that, this is not the way to do it. The rate in the dollar would be increased so that it would be a clean change. This clause will in no way affect the situation in the area to which the honourable member referred.

Dr. EASTICK: Section 216(1) provides:

If the general rate is insufficient for carrying out any purpose by this or any other Act authorized to be carried out by the council, and if the same has not been provided for by a separate or other rate, the council, by a resolution passed by an absolute majority, may, with the consent of the ratepayers, to be obtained as hereinafter mentioned, declare a special rate for the financial year on the ratable property within the area.

As a result of this section, many councils have been confused about this matter. I am sure that the Minister is aware of the way in which most councils shy away from ratepayers' polls, especially when they involve an increase in the rate. However, I am satisfied that local government can advance in this area.

Clause negatived.

Clause 16 passed.

Clause 17—"Expenditure of revenue."

Dr. EASTICK moved:

In new paragraph (j4) to strike out "(if the Minister approves in writing of expenditure for that purpose)".

Amendment carried.

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

In new paragraph (j4) to strike out "or Australia" and insert "and (if the Minister approves in writing of expenditure for that purpose) to the funds of any organization that has as its principal object the furtherance of the interests of the local government generally throughout Australia".

In the amendment that we originally started with, there was a suggestion that it could well cover subscriptions to the Local Government Association. Naturally, there was some concern about this. I certainly had no intention of seeking approval for the payment of normal subscriptions to the Local Government Association. However, a request has been made for subscriptions to be paid to a certain national body consisting of the lord mayors and town clerks of the capital cities of Australia. There is value in local government keeping itself associated with what is happening in all the capital cities, but it is thought there should be some restraint in this direction because, if it is thrown wide open, the true purpose of the Local Government Act may be departed from.

Mr. COUMBE: I agree with this amendment. I am perfectly aware that representatives of the capital city councils meet each year regularly. In fact, they will be meeting in Adelaide next week for a conference. They work in the interests of local government generally although, admittedly, they are concerned with the capital cities. Here, the Minister is providing that, with his consent in writing, the councils will now be entitled to subscribe to that organization, which is fair and proper. Normally, of course, local government cannot take part in functions and affairs outside this State. The amendment is reasonable.

Dr. EASTICK: I, too, support the amendment. With the removal of the earlier restriction, which had caused considerable concern to the councils, it is only right that there should be a clearer definition of the extent to which a council may proceed in this area. This is an important amendment, which we can all support.

Amendment carried.

Dr. EASTICK: I move:

To strike out paragraph (*c*).

The other amendments to this clause standing in my name are really consequential on this amendment. I suggest that the purpose for which the Minister sought to include this provision is adequately covered by my other amendments.

The Hon. G. T. VIRGO: This matter was fairly well debated previously, and I cannot agree to the amendment. The Government does not desire to inhibit the promotion of any Bill that may be necessary for the benefit of local government. However, I do not believe that the words "if the Minister approves in writing of expenditure for that purpose" are unreasonable: rather, they are very reasonable. Local government should keep its perspectives right in this matter. For instance, I can imagine that, if one or two councils I am thinking of authorized the expenditure of $500 (not a very large sum) in promoting a Bill, they would probably want three or four years to pay it. I think the Minister has a responsibility in this area as he has in many other areas where at present a council must seek the Minister's approval, to ensure that what the council is proposing to do is in the best interests of the community.

Last year the Local Government Association suggested that one-half of 1 per cent of the rate revenue of each council (that may seem, at first glance, to be a small sum) be paid into a trust fund to be held by the association to sponsor any Bill before Parliament that it thought was desirable for the benefit of an area. I do not have the figures for rate revenue for 1970-71, but in 1967-68 one-half of 1 per cent of the total rate revenue amounted to $121,845. In my opinion, no responsible Minister would allow that kind of sum to go into such a fund; rather, it should be used for roads, footpaths and other amenities in local government areas. The provision at present in the Bill is proper and should be retained by the Committee.

Dr. EASTICK: By opposing my amendment, the Minister potentially places a total stricture on councils' promoting a Bill before Parliament. I do not say that there is a stricture, but I do say that there is a potential stricture, depending entirely on the attitude of the Minister of the day. The Minister said that the establishment of a trust fund would involve a very large sum. I accept the situation as the Minister outlined it. I am also aware that few councils were prepared to go into the trust fund. If a council were to make funds available to a trust fund, it would lose identity with those funds and would have no actual right to say whether the Bill to be promoted was the one that it, as an individual organization, wanted to align itself with. Nowhere in the Bill is there provision that a council "shall" promote a Bill before Parliament; again the word "may" is important. If we follow the Minister's line of approach to the amendment, the councils would find themselves excluded from an area of action. The Minister can prevent any individual body from going beyond 1 per cent. The people I know who are custodians of public money in councils are mainly reasonable people who attempt at all times to make sure that ratepayers get value for their money. They would not use and have not in the past ever used funds in a way which they did not sincerely believe to be to the advantage of the people they represent.

Mr. COUMBE: I believe that the Minister is denying councils the right to promote any Bill before Parliament that may be to the benefit of a certain council, unless the Minister's approval has been given in writing. I do not recall any abuse of this provision, which has been in the legislation since 1934. Having been in local government for much longer than the Minister has, I believe that the councils have certain basic rights. For many years councils have had the right, if they desired to exercise it, to prepare and promote a Bill before Parliament, provided it was necessary or desirable for that council area. True, the councils would be involved in some preparatory work and they might have to consult their solicitors and obviously, if they wanted the Bill to succeed, they would have to consult the Minister of Local Government. They could also approach their local member or another private member of either House to promote the legislation for them. I am concerned that we are tampering with a fundamental right that local government, the system of government that is closest to the people, has had for many years.

Although the Minister has talked about the rights of local government, he is now restricting those rights. Many members here have served with distinction in local government, and I am sure they would appreciate the point I am making. The Minister is saying that no council should expend money on promoting a Bill before Parliament without his express consent in writing. However, that is taking bureaucracy and control a little too far. The points made by the member for Light were perfectly valid. I am also concerned about the trust fund, as I do not believe that many councils would wish to be involved in it. If one looks at the consequential amendments, one will see that the Minister ultimately has some control in this matter.

The Committee divided on the amendment:

Ayes (18)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Hall, Mathwin, McAnaney, Millhouse, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (21)—Messrs. Broomhill, Brown, Clark, Corcoran, Crimes, Curren, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McKee, McRae, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Pairs—Ayes—Messrs. Gunn and Nankivell. Noes—Messrs. Burdon and Dunstan.

Majority of 3 for the Noes.

Amendment thus negatived; clause as amended passed.

Clause 18—"Homes and services for the aged and infirm."

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

In new section 287b (2) to strike out "not exceeding one-third of the cost to the council of acquiring or building the dwellinghouse or home unit and of acquiring the land on which it is situated" and insert

"of an amount not exceeding—

(*a*) one-third of the cost of acquiring or building the dwellinghouse or home unit and of acquiring the land on which it is situated;

or

(*b*) such greater amount as the Minister may approve".

Here, we are attempting to cover two or three various provisions, the first being that one-third of the cost of acquiring the building and the land in question may be obtained from the incoming person, or it may be such greater sum as the Minister may approve. As present, a set sum is available from the Commonwealth Government for this purpose, but that sum is not as great as one would desire and, in fact, it would not necessarily constitute two-thirds of the cost of providing a unit. We think that there ought to be considerable latitude here, so that, where the financial position of the people concerned permits, a greater sum than one-third of the cost may be asked of them. However, by inserting "an amount not exceeding", the council concerned can make up any deficiency when a person is not in such a sound financial position.

Dr. EASTICK: I support the amendment, which considerably widens the original provision. Bearing in mind the various forms of accommodation provided in this way, I say that a considerable sum is involved. The portion of this amendment that I commend to the Committee is paragraph (*b*)—"such greater amount as the Minister may approve". This will give the Minister the opportunity, if he so desires, of allowing a sum of money greater than that immediately needed for the building of the unit, provided that the money that is in excess of requirements is set aside in a fund for some specific follow-up purpose, the most common being the provision of an infirmary or nursing home arrangement eventually to be attached to the overall project. It is because of this widening of the concept of the Bill that I seek the support of all members so that action can be taken by any council wishing to move in this direction.

Amendment carried.

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

In new section 287b (3) to strike out "the council shall pay all donations after the first" and insert "and the total amount so received exceeds the maximum donation payable by any person in respect of the dwellinghouse or home unit under subsection (2) of this section, the amount of the excess, and any further donations shall be paid".

The position we are attempting to deal with is probably unusual, but we are trying to cover all aspects. Where a person moves into a unit and makes a donation and then he does not like it or does not live long enough to justify the retention by the council of the amount of money paid and the council then refunds that money, either in part or in full, the second person going into the unit is, of course, technically making a second donation; but, in view of the refund of the original donation, it really becomes the first donation. The purpose of this amendment is to ensure that the original amount of money stipulated as the donation necessary for occupancy is paid into

the fund and, irrespective of any funds, that full amount is retained.

Dr. EASTICK: I hope the effect of the provision is a little wider than the Minister's explanation. Assuming the person who enters the home is satisfied with it, eventually he will die or pass on into an infirmary. I take it this provision permits the person who then becomes the occupant of the unit to make a donation if he so desires, but he is not obliged to. That is the general situation, though it was not always the case, where the Commonwealth specifically states that a donation towards the cost of the unit as predetermined and agreed to by the Commonwealth may be made once only as a subscription to enter the unit. However, a person who subsequently enters the residence and who may wish to make an equal, lesser or greater donation is not denied the opportunity to do so. I hope the Minister will agree that the amendment makes it possible for funds other than those he mentioned to become part of the total fund.

The Hon. G. T. VIRGO: Members will find the solution to the problem in new section 287b (4). I shall give a hypothetical example. After person A goes into a home unit and pays $3,000; a fortnight later he may decide that the living conditions are unsuitable. In that case the council would be able to refund the $3,000. Person B may then be charged $3,000 because, in effect, none of the initial donation has been retained. In effect, B's donation is the first donation.

Amendment carried.

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

(3*a*) For the purposes of subsection (3) of this section, any amount received by way of donation and subsequently returned to the donor or his legal representatives, shall not be taken into account.

This is a consequential amendment.

Amendment carried.

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

In new section 287b (6) after "section" second occurring to insert "or for such other purposes as the Minister may approve".

The provision relates to the establishment of a fund into which shall be paid one-third of any rental received; the fund will be applied to the maintenance or improvement of any land or buildings held by the council for the purposes of new section 287b. Situations could arise where the fund was larger than was really necessary. Since at least one-third of any rental received shall be retained for the purpose of new section 287b, if a council has a very buoyant fund and there are some activities which it considers should be undertaken but which do not strictly come within the ambit of this provision, it should be possible for the Minister to approve other purposes as required.

Amendment carried; clause as amended passed.

Clauses 19 to 24 passed.

Clause 25—"Public streets."

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

Before "Court" to strike out "the Land and Valuation" and insert "a".

I have been told that the term "Land and Valuation Court" may not necessarily cover the situation regarding determinations that were made before the establishment of that court. The amendment should clear up that position.

Amendment carried; clause as amended passed.

Clauses 26 to 35 passed.

Clause 36—"Power to make by-laws."

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

In new paragraph (48a) after "water" to insert "onto".

Water may go on to a public street as well as into or under it.

Amendment carried; clause as amended passed.

Clauses 37 to 41 passed.

Clause 42—"Penalties for depositing rubbish on streets, roads, etc."

The Hon. G. T. VIRGO: As I intend to move to insert a new clause 42, I ask members to vote against this clause.

Dr. EASTICK: Is that the correct procedure?

The CHAIRMAN: At this stage, we are discussing clause 42 as printed; no new clause can be considered until we have gone through the Bill.

Clause negatived.

Remaining clauses (43 to 45) passed.

New clause 10a—"Form of nomination, etc."

Dr. EASTICK: I move to insert the following new clause:

10a. Subsection 105 of the principal Act is amended by inserting after subsection (2) the following subsection:

(3) Any dispute as to the validity of a nomination for the office of mayor, alderman or councillor may be determined summarily by the returning officer whose decision shall be final.

Although he had previously promoted it, the Minister indicated previously that he could not accept this new clause in any circumstances because he believed that the words "returning officer" referred to the Returning Officer for the State. Although in the previous Bill this was so in many instances, it was not so in every

instance. Indeed, the Bill provided for the provision of returning officers by the Returning Officer for the State. As the returning officer will be nominated and elected by councils, I suggest that the flaw that the Minister saw in the proposal does not exist. I therefore hope that he will support the inclusion of the new clause.

The Hon. G. T. VIRGO: When this matter was raised earlier I said I could not agree to the inclusion of this new clause, and the same position obtains now. It is not correct to say that this clause was included in a Bill previously promoted by the Government. True, there were similar terms in the previous Bill, but they related to different factors. The situation then was that, if the Returning Officer for the State was also the returning officer for all council elections, there was a right of appeal, but under the proposed new clause a person could lodge a nomination with a returning officer for any of the 137 councils in South Australia and, if that returning officer wrongfully rejected that nomination the person nominating would have no right of appeal. That would not be justice: a person must have a right of appeal where an injustice occurs. At present, he has that right of appeal to the courts. In the previous Bill we provided for an appeal to a specialist, namely, the Returning Officer for the State, but without that provision we must retain the right of appeal to the courts.

Dr. EASTICK: Clause 24 (*g*) of the Bill passed by this Chamber on March 10, 1971, inserted a new subsection stating that any dispute as to the validity of a nomination for the office of mayor, alderman, or councillor may be determined summarily by the returning officer, whose decision shall be final.

The Hon. G. T. Virgo: Who is the returning officer? Look up the definition of returning officer.

Dr. EASTICK: The Bill previously passed by this House contained a provision that did not refer to the Returning Officer for the State. It referred to the returning officer, and provided that his decision shall be final. Provision is made elsewhere for other persons nominated by the Returning Officer for the State to be returning officers for the conduct of the poll, and we also have a provision about authorized officer.

The Committee divided on the new clause:

Ayes (18)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Hall, Mathwin, McAnaney, Millhouse, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (21)—Messrs. Broomhill, Brown, Clark, Corcoran, Crimes, Curren, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McKee, McRae, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Pairs—Ayes—Messrs. Gunn and Nankivell. Noes—Messrs. Burdon and Dunstan.

Majority of 3 for the Noes.

New clause thus negatived.

New clause 12a—"Counting of votes by deputy returning officer."

Dr. EASTICK: I move to insert the following new clause:

12a. Section 126 of the principal Act is amended by striking out subparagraphs (*a*) and (*b*) of paragraph I and inserting in lieu thereof the following subparagraphs:—

(*a*) in the presence of any scrutineers who are in attendance, open every ballot box in which voting papers have been deposited at the polling-place at which he presided, remove the voting papers, and exhibit the ballot box empty;

(*b*) examine the voting papers so removed;

This clause was originally promoted as an amendment to section 119a. It was found necessary, after research by officers of the House, to incorporate this provision to amend section 126 so as to permit the ballot box to be exhibited empty after the completion of the count.

New clause inserted.

New clause 12b—"Counting of votes by returning officer."

Dr. EASTICK: I move to insert the following new clause:

12b. Section 127 of the principal Act is amended by striking out subparagraphs (*a*) and (*b*) of paragraph II and inserting in lieu thereof the following subparagraphs:—

(*a*) as soon as practicable after the close of voting, at the place of nomination, or if votes have been taken at only one place, at that polling-place, in the presence of any scrutineers who are in attendance, open every ballot box in which voting papers have been deposited, remove the voting papers, and exhibit the ballot box empty;

(*b*) examine the voting papers so removed;

This is consequential on the passing of new clause 12a.

New clause inserted.

New clause 15a—"Memorial for specific works."

Dr. EASTICK: I move to insert the following new clause:

15a. Section 218 of the principal Act is repealed and the following section is enacted and inserted in its place:—

218. A majority of the ratepayers for any portion of an area may address a memorial to the council requesting that any works specified in the memorial be carried out for the benefit of that portion of the area.

This new clause gives effect to specific works arranged by memorial.

New clause inserted.

New clause 15b—"Contents of memorial."

Dr. EASTICK: I move to insert the following new clause:

15b. Section 219 of the principal Act is amended—

(*a*) by inserting the word "and" between paragraph (*a*) and paragraph (*b*); and

(*b*) by striking out paragraphs (*c*) and (*d*).

This amendment is consequential on the passing of new clause 15a.

New clause inserted.

New clause 15c—"Liability for payment of separate rate."

Dr. EASTICK: I move to insert the following new clause:

15c. Section 222 of the principal Act is amended by striking out subsection (1).

This amendment, too, is consequential.

New clause inserted.

New clause 15d—"Contents of memorial."

Dr. EASTICK: I move to insert the following new clause:

15d. Section 230 of the principal Act is amended by striking out paragraphs (*b*), (*c*) and (*d*) and inserting in lieu thereof the following paragraph:—

and

(*b*) define the position in which it is proposed that the works be carried out.

This is another consequential amendment.

New clause inserted.

New clause 15e—"Power of council to comply with memorial."

Dr. EASTICK: I move to insert the following new clause:

15e. Section 232 of the principal Act is amended by striking out paragraph (*a*) and inserting in lieu thereof the following paragraph:—

(*a*) for the purpose of the works declare for one year, or annually for not more than five years, a separate rate.

New clause inserted.

New clause 15f—"Payment for special works."

Dr. EASTICK: I move to insert the following new clause:

15f. Section 233 of the principal Act is amended—

(*a*) by striking out subsection (1); and

(*b*) by striking out from subsection (2) the passage "specified in the memorial which is at the time of the presentation of the memorial the property of any ratepayers being a signatory to the memorial" and inserting in lieu thereof the passage "abutting upon the public street, road or place in which the lighting is, or is to be, provided".

New clause inserted.

New clause 26a—"Communication with street."

Dr. EASTICK: I move to insert the following new clause:

26a. Section 336 of the principal Act is amended—

(*a*) by striking out the passage "owner, or the majority in number of any owners of property, who require" and inserting in lieu thereof the passage "person who requires"; and

(*b*) by striking out the passage "the owners of such property" and inserting in lieu thereof the passage "that person".

New clause inserted.

New clause 32a—"Marking of metered spaces."

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

32a. Section 475d of the principal Act is repealed and the following section is enacted and inserted in its place:

475d. Every metered space must be marked out on the public street, road or place on which it is situated.

My amendment regularizes the meaning of the legislation. I ask members to visualize what Adelaide streets would look like if posts were sticking out of the ground at 10ft. intervals. We are attempting to avoid that situation by providing that metered spaces should be marked out on streets where they are situated.

Mr. COUMBE: Does that mean that, irrespective of whether there is angle parking or ranking, wherever there are parking meters the council must mark out the streets in the appropriate fashion?

The Hon. G. T. Virgo: Yes.

New clause inserted.

New clause 42—"Depositing of rubbish, etc."

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

42. Section 783 of the principal Act is repealed and the following section is enacted and inserted in its place:

783. (1) Any person who—

(*a*) deposits any litter, refuse, or waste matter on any street, road or public place;

(*b*) without the consent of the council, deposits any earth, building material, stone, gravel or other similar substance on any street, road or public place;

or

(*c*) without the consent of the council, makes or causes to be made any drain, gutter, sink, or watercourse in, over or across any street, road or public place, or fills up or obstructs any ditch, drain, or watertable in any street, road or public place,

shall be guilty of an offence and liable to a penalty of not less than ten dollars and not more than two hundred dollars.

(2) Where any—

(*a*) litter, refuse or waste matter

or

(*b*) earth, building material, stone, gravel or other similar substance,

falls from a vehicle on to any street, road or public place, the person by, or on whose behalf, the vehicle is driven shall be deemed to have deposited it on the street, road or public place.

(3) In any proceedings for an offence under this section in which it is alleged that any litter, refuse, waste matter, earth, building material, stone, gravel or other similar substance fell from a vehicle, it shall be a defence that the defendant could not, by the exercise of reasonable care and diligence, have prevented that alleged occurrence.

(4) The court by which any person is convicted of an offence under this section may order the convicted person to pay to the council any costs incurred by the council in removing and disposing of any litter, refuse, waste matter, earth, building material, stone, gravel or other similar substance deposited in contravention of this section.

I think this meets the necessary requirements. We have attempted to satisfy the various requirements without being oppressive.

Dr. EASTICK: I intended earlier to suggest that the penalty be changed from $10 to $20. In view of the greater breadth of the new provision, I believe the penalty now provided is appropriate. I support the new clause, which will assist councils in their work.

The CHAIRMAN: Before the new clause can be put to the Committee the amendment on file in the name of the member for Hanson has to be considered by the Committee.

Progress reported; Committee to sit again.

ADJOURNMENT

At 9.35 p.m. the House adjourned until Thursday, October 14, at 2 p.m.