# HOUSE OF ASSEMBLY

Tuesday, November 23, 1971

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

## PETITIONS: OBSCENE PUBLICATIONS

The Hon. D. A. DUNSTAN presented a petition signed by 50 electors, stating that obscene and indecent matter of a most undesirable kind was being circulated widely amongst schoolchildren in this State by persons and organizations outside schools, and that the law was not at present effective to prevent this circulation. The petitioners prayed that the House would amend the law to prevent the sale and distribution of obscene and indecent matter to schoolchildren.

Petition received and read.

Mrs. STEELE presented a petition in identical terms, signed by 49 electors.

Petition received.

## PETITION: WOOL BAN

The Hon. D. N. BROOKMAN presented a petition from 53 residents of Kangaroo Island, requesting members of the House of Assembly to take action to remove the injustice being imposed on certain farmers on the island because of their wool being declared black by the Trades and Labor Council, as this action was unsupported by any legal or moral justification and threatened the said farmers with economic ruin.

Petition received and read.

## QUESTIONS

### DRUGS

Mr. HALL: Will the Premier re-examine the State's Statutes so far as they affect drug offences, with a view to updating them to ensure that heavier penalties are imposed on persons who traffic in harmful drugs? Many people in the community are alarmed at the apparent ease with which those who traffic in drugs can evade any significant prosecution. It seems that, if this attitude is continued, we can expect a much more widespread use of extremely harmful drugs, such as lysergic acid diethylamide, in the community.

The Hon. D. A. DUNSTAN: I will re-examine the matter, but I remind the Leader that already this House has provided, in the law, considerable penalties for those who traffic in drugs. We brought in special legislation to provide for that some time ago.

Mr. Hall: It doesn't seem to work.

The Hon. D. A. DUNSTAN: As I understand, the Leader is not really referring to penalties (although his question did) but is referring to means of detection, and I am afraid that that cannot be provided for by legislation. It is a matter of administration and, on that score, I assure the Leader that the Police Force of South Australia is doing its best.

### FISHING REGULATIONS

Mr. CURREN: Has the Minister of Works a statement, on behalf of the Minister of Agriculture, about the proposed regulations and proclamations under the Fisheries Act? Considerable confusion and misunderstanding seem to exist in my district, following an article that appeared in the *Murray Pioneer* on November 18 last, headed "Call for a Protest over Proposed Fishing Laws". This article was inserted as a result of the perusal of a copy of the proposed regulations by a certain gentleman and his organization who apparently misunderstood what was intended under the regulations. To clarify the position concerning amateur fisherman in my area, I asked the Minister of Agriculture whether he would issue a statement to clear the air a little so that this confusion could be dissipated.

The Hon. J. D. CORCORAN: As the member for Kavel asked me a question about fishing regulations, I think last Thursday, I take it that he will accept this as a reply to his question also. Regulations and proclamations under the new Fisheries Act will be considered by Executive Council this week, and it is expected that they will become operative on November 26. The regulations and proclamations provide for the control of both professional and amateur fishing and have been prepared after consultation with the relevant fishermen's organizations. Adequate publicity to assist fishermen to understand the requirements of the new laws will be issued at the appropriate time, and the Fisheries and Fauna Conservation Department has prepared a comprehensive guide for the information of amateur fishermen, explaining the provisions of the law relating to amateur fishing. Copies of this publication will be available to the public from the Government Printing Office as soon as it has been printed. Moreover, to give amateurs an opportunity to familiarize themselves with the new legal requirements, it is intended, following the making of the regulations and proclamations, to allow a phasing-in period (I believe to the end of next January), during which time inspectors will try to educate amateurs in

changes prescribed by the new laws. In addition, my colleague has informed me that he has sent to all members of both Houses a circular setting out the conditions laid down in the new regulations. That circular should be available to members today.

*Later*:

Mr. GOLDSWORTHY: Has the Minister of Works a reply from the Minister of Agriculture to my recent question about fishing regulations? As I entered the Chamber, I heard the Minister say that the member for Kavel had asked a similar question last week and that the reply he gave the member for Chaffey could also apply to my question. However, I ask him whether he will give me an individual reply, because mine was the original request and I did not hear clearly the details he gave the member for Chaffey.

The Hon. J. D. CORCORAN: I shall be pleased to do that for the honourable member. My initial reply to the member for Chaffey was not designed to offend the member for Kavel. I cannot prevent other members from asking similar questions, as the honourable member will appreciate. I realized that the member for Kavel had asked the question last Thursday and, when I replied to the member for Chaffey, I asked the member for Kavel to accept the same reply. The circular to which I refer, and which sets out in detail the regulations, will be given to members today.

## DAMAGES

Mr. MILLHOUSE: Will the Attorney-General say whether it is the Government's view that, in matters of compensation for injury by road accident, we are milking motorists and pauperizing the bereaved and afflicted to maintain a lawyer's bonanza? This question is supplementary to one I asked the Attorney-General a few weeks ago following a report in the newspaper of the speech of the Leader of the Commonwealth Opposition (Mr. Whitlam) regarding the cost of compensation for injury and canvassing the matter of replacing the present system with another system. When I asked the Attorney-General about Mr. Whitlam's proposals, the gentleman said that he had not read them, but he put a gloss on them from the paper, at which I privately wondered. I therefore wrote to Mr. Whitlam and asked him whether he would explain in more detail what had been reported in the paper, and he has now sent me a copy of his speech, together with a "with compliments" slip saying, "Robin, regards Gough", which I appreciate (I do not always get this from Ministers in this State). The relevant part of the speech is on page 8, and the question I have asked relates to part of the relevant passage. It is put in the speech as an assertion by Mr. Whitlam, but he also says:

> Recent studies in the Australian Capital Territory have revealed that, between 1962 and 1965, 20c in every $1 of third party settlements went to meet disclosed legal costs.

He also says:

> Disclosed costs moreover represent merely the tip of the iceberg. In all, not 20c but 33c of every pay-out dollar find their way into the pockets of the legal profession.

That, I think, explains the report in the newspaper.

The Hon. L. J. KING: I hesitate to comment on what is obviously private correspondence of the honourable member for Mitcham.

Mr. Millhouse: It is a reported speech.

The Hon. L. J. KING: I take the reported speech of the Commonwealth Leader of the Opposition to be a somewhat colourful way of saying that the present method of dealing with personal injury claims arising from vehicular accidents is a wasteful and expensive method that results in a situation in which a substantial proportion of the costs consists of legal costs. I believe this to be true. I believe that the system of adverse litigation by which motor accident claims are now settled is often an unnecessarily expensive way of dealing with the situation. I believe that in this area there is room for considerable reform. To that extent, I agree with the proposition that, if a system were properly devised, it would be unnecessary to have such a substantial proportion of the costs of injury in road accidents consisting of the legal costs of settling the dispute. I think that a system of non-fault liability is practicable and that it could be instituted on a Commonwealth-wide basis. I welcome the initiative of the Commonwealth Leader of the Opposition in putting forward such a system for consideration.

## HAMPSTEAD SCHOOL

Mr. WELLS: Will the Minister of Works have investigated the circumstances of the situation that has arisen at the Hampstead school—

Mr. Rodda: Front page?

The SPEAKER: Order! Interjections are out of order.

Mr. WELLS: Many schools in my area are having their ovals rehabilitated and seeded, and in several instances this has developed into an unsatisfactory situation. I recently received from the Hampstead school committee a letter which states:

Our school oval has been under the control of the Public Buildings Department and a contractor, Mr. Giles, for 12 months while the oval has supposedly been "rehabilitated". Our school committee has no control until it is handed back. The oval appears to be in a worse state than previously, and we have to press hard to even get the rank growth cut. We cannot get an answer from the P.B.D. or the Education Department on when the job will be ready.

This is not an isolated case in my district. I have been approached by representatives of three or four schools with similar problems. Mr. Giles, the contractor, seems to be unable to handle the contracts he has undertaken. Will the Minister have this situation, especially that at the school I have mentioned, investigated in order to have the work on rehabilitating the oval expedited? The letter also explains that the playing area for the children is greatly restricted. The council and the school staff are concerned, and I share their concern.

The Hon. J. D. CORCORAN: I shall be happy to have the matter investigated as quickly as possible. However, I would point out that the Public Buildings Department has experienced great difficulty in this area for some time, because it has been able to obtain only one contractor to do this type of work. We approached the nurserymen's association and other organizations to try to encourage people to lodge tenders for this work, but without success. Regarding the rehabilitation of the Hampstead school oval, this work is still in the contractor's hands. I am not certain of the terms and conditions of the contract, but I imagine that the contractor still has some time in which to put the oval in order. As the honourable member has raised this matter, I will see what can be done as quickly as possible. However, I impress on him the difficulty the department has had in this area for several years, and I remind him that it was not until a previous Labor Government came into office that school ovals were supplied at all.

## VINE DAMAGE

Mr. RODDA: Will the Minister of Works ask the Minister of Agriculture to investigate damage which has been caused to vines in the Coonawarra area and which is thought to have been caused by hormone sprays? A serious matter has arisen in the Coonawarra district, where about 260 acres in several vineyards has been affected by hormone spray. It is thought the damage has occurred by drift from the spraying of thistles on grazing properties in the area. It has also been said that hormone sprays such as 2, 4-D, which has been used in the district, can cause extensive damage to vines if used within a 20-mile radius of a vineyard. I inspected the damage at Coonawarra last evening, and the affected vines present a sorry sight. Vignerons say that they are uncertain how extensive the damage is, and it may well be that some areas of vines will have to be pulled out and replanted.

The newly formed South-Eastern Viticultural Council is extremely concerned over this disaster and I understand that it has approached the Chief Horticulturist in the Agriculture Department for an inquiry to be conducted into vine damage at Coonawarra. It costs over $2,000 an acre to get vines to production, and we are looking in this specific instance at a project of $500,000. With a 2,000-acre vineyard project at Coonawarra, extension of this damage could be disastrous. It is vital that this matter be investigated in every aspect, and the effect and ramifications of the cause can be concluded only by expert examination. Will the Minister have this serious matter given prompt attention?

The Hon. J. D. CORCORAN: I will take up this matter with my colleague immediately.

## TEA TREE GULLY SUBSTATION

Mrs. BYRNE: Has the Minister of Works a reply to my question of November 17 concerning children entering the Electricity Trust's substation property at Tea Tree Gully?

The Hon. J. D. CORCORAN: An inspection of the Tea Tree Gully substation has shown that the only likely way in which a child could effect entrance would be under the main gate, which has now been protected by the addition of a lower rail.

## GOVERNMENT CONTRACTS

Mr. COUMBE: In the absence of the Minister of Roads and Transport, will the Minister of Works ascertain whether the Highways and Local Government Department includes in its contracts preference for South Australian goods? As I understand the position, the Supply and Tender Board, the Public Stores Department, the Public Buildings Department and the Engineering and Water Supply Department show preference in their conditions of contract for goods manufactured in South Australia. I understand, however, that the Highways and Local Government Department does not do this. I ask the Minister to take this matter up with his colleague to see whether a clause can be inserted in that department's contract, similar to that which is included in

the Engineering and Water Supply Department's contracts and which states:

Unless otherwise specified all materials in this contract are to be of South Australian manufacture if procurable, suitable and approved by the engineer.

The Hon. J. D. CORCORAN: I shall be happy to discuss this matter with the Minister of Roads and Transport. It is a policy matter, but I am certain that my colleague will be anxious to look at it if it is not already being considered.

## MOTOR VEHICLES DEPARTMENT

Mr. CARNIE: In view of the recent announcement that the Government intends to establish a regional office of the Motor Vehicles Department in Mount Gambier, can the Premier say whether it is Government policy to establish similar offices in other equally important areas, particularly at Port Lincoln?

The Hon. D. A. DUNSTAN: We hope to get regional offices established progressively and Port Lincoln is being considered.

## EVICTIONS

Mr. JENNINGS: Has the Premier, as Minister in charge of housing, a reply to the question I asked last week concerning an eviction from a Housing Trust house at Mansfield Park?

The Hon. D. A. DUNSTAN: The trust has a very real responsibiiity to maintain standards of tenancy that will not lead to a deterioration of housing in any area. It is true that the trust, as far as possible, enforces its tenancy agreement to avoid overcrowding in any of its houses. If the honourable member will provide the trust with the actual details of the families which have been brought to his attention, the trust will investigate the matter.

## HOUSING TRUST RENTS

Mr. BECKER: Has the Premier a reply to my recent question concerning the rents of houses constructed by the Housing Trust?

The Hon. D. A. DUNSTAN: The Housing Trust does appreciate the desire of tenants to remain in the two and three-storey flats on retirement. The trust does not require these tenants to move to pensioner cottage flat accommodation if they are still able to meet the rent. The cottage flats were designed and constructed to accommodate elderly persons who are pensioners, who are of very limited means and who cannot afford to pay the higher rent of walk-up flats or standard houses. These cottage flats are heavily subsidized by the State and Commonwealth Governments and, to a large degree, by the Housing Trust itself. They are basically intended for the type of person mentioned by the honourable member.

The walk-up flats were designed for married couples without children and for single persons, particularly middle-aged women living alone. The rents which must be charged for walk-up flats and villa flats are higher than those at which the trust can let its standard rental houses, though, generally, are low when compared with the rents of similar accommodation privately owned. Should the trust agree, as suggested, to a reduction in rent in each instance, the two and three-storey walk-up flats would eventually become, in the main, another form of subsidized pensioner housing augmenting the cottage-flat programme which is specifically for couples and persons of pensionable age. Moreover, unless quite different financial arrangements are made for the capital invested in these "ordinary" flats, other occupiers of Housing Trust accommodation would be paying higher rents or repayments in order to subsidize these lower rents. Furthermore, should the trust agree to this proposal, less accommodation would be available for those for whom the walk-up flats are intended.

## VISTRAM

Mr. HOPGOOD: Has the Premier a reply to my recent question concerning the fabric Vistram?

The Hon. D. A. DUNSTAN: Vistram C is the registered trade mark of Bayers of Germany who have issued licences to manufacturers in various parts of the world, principally Europe, to produce to a rigid specification this type of polyurethane-coated cotton fabric for the furniture trade. Few complaints have been received by South Australian upholsterers who have used this fabric in the weight specified by Bayer. However, it is understood that some upholstery fabric wholesalers and furniture manufacturers in the Eastern States received faulty samples from a company in West Germany, which is no longer included in the list manufacturers of Vistram C. Although the material in this case was of Spanish origin, a settlement acceptable to the honourable member's constituent has been arranged.

## HILLS SUBDIVISIONS

Mr. McANANEY: Has the Minister of Works further information in reply to my question of November 18 about subdivisions in

the Hills watershed area following a recent court decision?

The Hon. J. D. CORCORAN: The Planning Appeal Board's decision to which reference was made by the honourable member was a successful appeal against a decision by the Director of Planning on the advice of the Engineering and Water Supply Department. The appeal was made under the Planning and Development Act before the extended regulations on subdivision were made in June, 1970. It is believed that no appeals have been lodged since these regulations were made.

## SOUTH PARA FLOODING

Dr. EASTICK: Has the Minister of Works a reply to my recent question about the flooding of the South Para River and the control of the South Para reservoir?

The Hon. J. D. CORCORAN: The department is continuing to evaluate evidence on the flow patterns but the hydrological report has not yet been completed.

## COORONG

Mr. NANKIVELL: Can the Minister of Environment and Conservation say whether there is any substance in the rumour I have heard that the Government, as part of its policy to build up the tourist industry in South Australia, intends to embark on the major development of the Coorong area? If this is to be undertaken, can the Minister say what plans have been considered, and especially will he comment on what plans (if any) have now been agreed on with respect to the discussions that have been held in this House over the possibility of improving the quality of the water at the southern area of the Coorong by the influx of drainage water following the diversion of drainage water from the South-East?

The Hon. G. R. BROOMHILL: The first part of the honourable member's question should properly be asked of the Premier, who is the Minister in charge of tourism. Concerning the second part of the question, I repeat that the Government is concerned about the condition of the Coorong, and one of the first duties the environment committee will be asked to undertake, when it has completed its general report to the Government in the new year, will be to consider the methods by which we can help freshen the Coorong by diverting water or by any other means the committee may recommend.

Mr. NANKIVELL: Can the Premier reply to the first part of my question, in which I asked whether there was any truth in the rumour that the Government intended, as a matter of policy of building up the tourist industry, to embark on the major development of the Coorong for this purpose?

The Hon. D. A. DUNSTAN: The matter is at present being examined and a feasibility report is being prepared.

## SUCCESSION DUTIES

Mr. VENNING: Can the Treasurer say what measures the Government intends to implement to safeguard the welfare of wives and families of deceased primary producers from the vicious effect of their total annihilation, or further antagonism, brought about by additional State succession duties?

*Members interjecting*:

The SPEAKER: Order! The member for Rocky River is trying to ask a question of the Treasurer.

Mr. VENNING: It is not necessary for me to refer to the effect that State succession duty is having on the estates of families of farmers, particularly in cases where the farmer has died early in his farming operations. Much legislation has been introduced by this Government dealing with consumer protection, to the extent that the position is now totally out of balance. However, I ask the Treasurer what protection can he offer the wives and children of these farmers who are the victims of State succession duties.

The Hon. D. A. DUNSTAN: The State succession laws have been passed by this House. The specific undertakings given by this Government at election time in respect of remissions on primary-producing properties have been enacted. In these circumstances the Government has no further proposals to alter the provisions of State succession duties legislation.

## GLENSIDE HOSPITAL

Dr. TONKIN: Will the Attorney-General ask the Minister of Health to investigate the possibility of patients at Glenside Hospital wishing to attend Sunday church services being able to attend local churches near the hospital? In reply to a recent question of mine, the Minister of Works said that about $55,000 was to be spent on constructing a religious centre at Glenside. I do not doubt the need for a religious centre or for some basis of religion, but modern developments in psychiatric care

are doing much to return patients to the community as soon as possible. It would seem that the religious centre might not be entirely necessary, and if it were not built much money would be saved. It would help in the re-integration of patients with the community if they could attend community church services held in the surrounding area.

The Hon. L. J. KING: I will refer the question to my colleague.

## TRAVELLING ALLOWANCES

Mr. ALLEN: Can the Minister of Education say whether he is considering increasing travelling allowances to schoolchildren in outer areas? With the closing of 23 primary schools early next year, more families will be forced to take their children long distances to school. For some years the increase in travelling allowances has been small: for instance, 50 years ago I received 4d. a day minimum to help cover expenses for a horse and cart, and today the allowance is 8c a day minimum to help cover the cost of a motor vehicle. I am sure the Minister will agree that, over so many years, the increase has been very small.

The Hon. HUGH HUDSON: I think that the rates were reviewed a short time ago, when the maximum rate payable in special circumstances was increased significantly to well above the figure quoted by the honourable member. Of course, the question arises as to what constitutes the appropriate special circumstances in which the higher rate of allowance can be paid. However, because of the question, I will consider the matter again and, by letter, inform the honourable member of the result.

---

## MOTION FOR ADJOURNMENT: INDUSTRIAL DISRUPTION

The SPEAKER: I have received the following letter, dated November 23, from the Leader of the Opposition:

I wish to inform you that it is my intention to move this day:

That this House at its rising this day adjourn until tomorrow at 1 o'clock p.m. for the purpose of discussing a matter of urgency, namely, the apparent support by the Government of industrial disruption, in view of its failure to take action to end (*a*) serious disruption of the State's metropolitan and export meat supplies by a strike at the Gepps Cross abattoir; and (*b*) the victimization of law-abiding primary producers on Kangaroo Island, whose wool has been illegally declared black by the Trades and Labor Council.

Does any honourable member support the proposed motion?

*Several members having risen:*

Mr. HALL (Leader of the Opposition): I move:

That the House at its rising do adjourn until tomorrow at 1 o'clock,

for the purpose of discussing a matter of urgency, namely, the apparent support by the Government of industrial disruption, based on the reasons I have stated. I move this motion because it is of immense importance to South Australia and to the conduct of industrial affairs in both primary and secondary industry. I will deal mainly with the situation at the Adelaide abattoir and will leave to my colleague the member for Alexandra the situation regarding the illegal ban that has been placed on wool produced by graziers on Kangaroo Island.

The situation at the Gepps Cross abattoir is a sore that has been festering for a long time and members of the public of South Australia simply do not know, in the broad sense, the real issues that have caused the disruption that is so apparent. Members of the public should know the issues, because of the effect they will have on almost all persons if the dispute continues much longer and also because of the extremely detrimental effect that the dispute will have on those people who get their livelihood from producing meat and supplying livestock in this State. The first question the people ask is this: why is there disruption at the Gepps Cross abattoir? The answer is that a left-wing union has taken charge of that concern.

Mrs. Byrne: That is not true.

Mr. HALL: It is true, as I will show soon, yet Government members can do nothing but laugh at the position.

The Hon. Hugh Hudson: We're laughing at your rubbish.

The SPEAKER: Order!

Mr. HALL: Perhaps the Minister of Education will consider some facts that I am putting and then decide whether I am telling lies or whether the men at the abattoir are thumbing their nose at authority. We have seen newspaper reports of the strike, as it has progressed. A press report of November 18, headed "900 Men Strike at Abattoir", states that the men had stopped all production on the chain at the meat processing plant. They walked out of the plant because of this dispute about sterilizing a knife. The report refers to hygiene regulations, which are the nub of the matter, because at the abattoir

today we have, under union direction, an aggravated and perpetuated situation in which some men will not observe hygiene regulations. The matter is as simple as that. When they are called on to observe the regulations, they simply repudiate the authority that asks them to observe those regulations. One knows the important effect that this has on the State and the country. We have, in the country area of South Australia, a tremendously large multi-dollar industry that is supporting, or partly supporting, a rural population that is in extreme difficulties and, in many cases, finding it a real problem to survive.

The figures of stock treated at the abattoir show how important this facility is to these primary producers, and I shall quote these treatment figures on a weekly basis. During the week ended October 13, 2,600 cattle, 463 calves, 48,000 lambs and 16,000 sheep were treated. In the week ended October 20, 3,316 cattle, 546 calves, 41,000 lambs, and 26,000 sheep were treated. So the figures go on week by week. Last week, 2,644 cattle, 391 calves, 26,000 lambs, 16,000 sheep and 3,000 pigs were treated at Gepps Cross. From the production shown by those figures we obtain for this State the metropolitan meat supply and meat exports to other States and overseas to earn and accumulate money for Australia.

It is important to remember that the abattoir provides employment in meat-processing plants and enhances the standard of living of all South Australians. Therefore, there is a tremendous twofold effect, because, apart from the primary industry side and the processing secondary industry that depends on it, there is the consumer. Hundreds of thousands of people will also be seriously interested because a few power-hungry people involved in union management at the Gepps Cross abattoir are directing their men against all common sense and against all the regulations that are important in the hygiene sense. When will the Government take action? How long will the Government sit in its seat and sneer at the sort of protest I now make? If members study the motion they will see that it states "the apparent support by the Government of industrial disruption, in view of its failure to take action to end" the two strikes to which I have referred. What is the Government doing to end the strike by employees at the Gepps Cross abattoir? What statement has been made? What is the public being led to believe is the true situation at Gepps Cross? I guarantee that in our 800 butcher shops there are people who know the true situation at the abattoir, and many country people also know the real situation. When travelling through country areas one can easily find reasons why the situation at the abattoir has been a festering sore in this key industrial scene in South Australia. It was because of this attitude that South Australia lost its licence to export to the United States. It was the result of the deliberate attitude of the men employed there. Members opposite know this and they cannot deny that a number of men refused to observe the hygiene regulations of the Department of Primary Industry. These regulations are necessary to obtain and retain access to the meat market of the United States. When the United States official came around to view the process at the abattoir, he found that hygiene regulations were not being observed. He asked that they be carried out and he came back the next day and they were still not being carried out. He again asked that they be carried out and the men told him to "go home you yankee b——". Those were the words spoken to the United States inspector.

It is no laughing matter when Australia cannot fill its export beef quota to the United States. This Government talks of exports and sends highly-paid experts around the world, yet it does nothing to curb this industrial anarchy at the Gepps Cross abattoir when millions of dollars is involved in the export of meat. We look to the side and elsewhere but not at the cause, which lies on our front doorstep. I understand that the foreman at the abattoir recently detected about 20 carcasses going by without the sterilization hygiene regulations having been observed by a workman. Three times he asked for the regulations to be observed, and the workman told him where to go in the same terms as he used when speaking to the American inspector. The man was taken off the chain and the union would not allow him to be replaced. The chain was stopped and 297 carcasses of lamb destined for Canada were condemned.

The Premier can talk of the people in the community he is helping, yet 300 carcasses are destroyed because of this type of industrial anarchy. No Government can defend the person on the chain who refused to comply with proper and justifiable hygiene regulations. If the Government does defend him, it is saying that the public should have dirty meat. Further, it is thumbing its nose at the American market. This House should be staggered to know that the problems of the abattoir are caused by this

type of attitude on the part of employees. What is the Government doing about it? What is the Minister of Labour and Industry doing? I see that he has been quick to take the side of the person dismissed at Whyalla, not waiting for that matter to go to arbitration. In that case, I understand that he went straight to what he considered to be the core of the matter. What does the Minister think of the abattoir dispute?

The Hon. D. H. McKee: Sit down and I'll tell you!

Mr. HALL: Does he support the men who refuse to carry out the directions regarding hygiene? We are interested to know what is his view on this matter, because South Australians will be extremely inconvenienced in the next few days if the Minister and the Premier will not take action to enforce some discipline in this area. It is common knowledge throughout the agricultural community that in any previous abattoir dispute the Government has immediately sided with employees, without waiting for an arbitration decision, and the Minister has been free in his opinions encouraging this action, whether it involves a strike at Port Pirie or a dispute at Whyalla. He has taken sides long before the situation has been taken to arbitration. We on this side are extremely concerned that an industry as large as the rural meat industry, which is in such trouble, should be held to ransom in this way; that the public should be inconvenienced; and that unions should ignore the public interest.

A meeting was held at the abattoir yesterday by the striking employees to consider their position, and after that meeting certain employees proceeded around the works and were instrumental in getting other employees to leave their jobs. This is the attitude of the union involved, which in today's *News* is reported to be restricting meat imports from other States. A strong minority group in this area is determined to hold to ransom the Metropolitan and Export Abattoirs Board, which does not even have the right to appoint its employees to the chain involved.

Mr. Venning: Disgusting!

Mr. HALL: How many members of the public know that it is the union that appoints the employees to the killing chains? The board has no say in it; it cannot at present enforce hygiene; and the men are demanding the reinstatement of a person who has flagrantly, time after time, refused to obey hygiene instructions. These men have a record of being utterly contemptuous of the American inspectors and are responsible for the present position of the country people involved, on whom this industry depends. The consumer in the metropolitan area is also now affected. The second part of this motion is as important in principle but, as it does not affect as many people, that is no doubt why the Trades and Labor Council so flagrantly and inhumanly ignores the livelihood of the people involved in grazing on Kangaroo Island who, in this instance, are being bullied by the union members in question.

If he is not careful, the Minister will have the angry multitudes of the metropolitan area after him, and this will certainly be the case if he will not bring some sense and discipline to an industry that at present is running wild in a state of anarchy. As I have said, it is time that someone told the public why the stoppages have been occurring, and it is no good the Minister trying to hide the fact that it is the employees' attitude that has been irresponsible in relation to reasonable demands made on them. The employees concerned cannot complain that their awards and conditions have not received attention recently, because they have been considered and, if the Minister cares to quote the average earnings of employees at the abattoir engaged on these operational chains, I think he will see what I mean. I urge the House to give urgent attention to this matter. which is of vital consequence to all sections of the community.

The Hon. D. N. BROOKMAN (Alexandra): The matter to which the Leader mainly referred, dealing with the tragedy at the abattoir, is of greater economic importance than is the other part of the motion, but it is no more important in principle than the principle of what is happening to the people concerned on Kangaroo Island. Kangaroo Island is a small part of South Australia, producing only one sheep in every 25 produced in the State. As the people on the island are isolated (and they are largely as a result of recent economic conditions), they are becoming impoverished. Their freight rates are high, and their inconvenience and difficulties in carrying on business are considerable. It is scarcely worth disposing of old sheep by transporting them to the mainland, because of a freight cost which in some cases is as great as the value of the stock.

Traditionally, shearing has largely been a local occupation, and farmers have often shorn their own and their neighbours' sheep. They are not the professional shearers as we know

those men who travel throughout the Commonwealth. Shearing is a difficult occupation and, when these farmers are too old to shear, their sons take over. This has been the situation on Kangaroo Island, even though there has been considerable union shearing there. Wool from the five properties in question has been declared black by the Trades and Labor Council. The union representatives have visited the sheds in question and, to my knowledge, there has been no acrimonious incident involving hasty words. In one case, the representative visited the shed when the shearing run had 10 minutes to go; he was asked to wait until smoko in order to speak to the shearers, and I think he was offered a cup of tea by the owner. This representative asked the men present to join the union, and I believe there were no hard words at all. Some shearers did not mind joining the union, although others said they did not want to join, and they still say that.

As a result of a refusal by some of the men, the properties concerned have been declared black. This dispute is not one involving the owner: it involves the inability of the union to attract members, and there is no reason why the owner should be dragged into the matter at all. The owner has not prevented the union representative from speaking to the shearers, and he has not interfered in any way. On the other hand, because the owner's shearers have in some cases declined to join the union, the wool from his property has been declared black. Clause 73 of the pastoral award is clear, and it applies to some of the farmers on the island because they are, in effect, signatories to the award. It states:

As between members of the Australian Workers Union and other persons offering or desiring service or employment at the same time, preference shall be given to such members, other things being equal.

In no case to my knowledge was a unionist turned away or not given preference. I have spoken to several of these property owners, and to my knowledge the union shearers did not make themselves available, so there was no question of preference. In one case, the representative asked a landowner why he did not employ union shearers, and the landowner said that he did not know of any who were available. The representative said that he would get 15 shearers there in the morning, but he did not do so. At least one of the owners to my knowledge is not a signatory to any award and was not a respondent in the case of the pastoral award. Some landowners are signatories to the award, so they would be bound by the preference clause.

Some of the owners whose wool was declared black were not aware of this until it appeared in the press. In one case, I rang the owner after I read about it in the paper, and he said, "It's news to me." He was surprised, because when the representative left his premises he had not expected, nor did the representative lead him to believe, that his wool would be declared black. I suppose that that is in order, because the representative does not decide. The owner was led to believe that he would at least be told, but he was never told. He finally received the *Advertiser* late that day and was able to confirm what I had told him. I attended a meeting on the island at the weekend. It was a well attended meeting and it was unanimous in condemning the action taken by the Trades and Labor Council. The members at the meeting signed a petition, which has been presented to the House. At the meeting, the reply that the Minister gave me last Thursday was read. I had asked the Minister what discussions he had had with the A.W.U., and the Minister said:

I have had discussions with the union, and I understand that the matter is now in the hands of the Trades and Labor Council disputes committee.

That was correct, but the Minister did not tell me the nature of the discussions he had had. The Minister continued (and this provided amusement at the meeting):

However, I would think that the whole situation regarding shearing union labour or non-union labour was settled in the early 1890's when the pastoralists got the Government to bring out the military with field guns and gatling machine guns to quell the strikes, and even appointed non-unionists as special constables. The happenings at that time caused almost a civil war in the colony. Surely the honourable member would not want that sort of situation to occur again. Surely he would not like to see the pastoralists or woolgrowers on Kangaroo Island re-enact the scenes that took place before the turn of the century.

The member for Kavel interjected, "Don't be childish." At this point, considerable laughter ensued. No gatling gun exists on the island, not even in the museum. However, there is a field gun there: a 25-pounder is bolted down at the entrance to Kingscote, but I am reliably informed that no ammunition is stored on the island and that ammunition is declared black as cargo.

The Hon. D. H. McKee: Good idea!

The SPEAKER: Order! There is too much audible conversation.

The Hon. D. N. BROOKMAN: No chance exists that anyone on either side would worry about the use of gatling guns or 25-pounders;

that is a ridiculous allusion. It refers to the disputes in the pastoral country and, as one member at the meeting held on the island the other evening said, he had been an A.W.U. member and it had always been acknowledged that the union did not intrude into the agricultural country farmed by small farmers. However, that is just what is happening today: the union is intruding into these areas. The people at the meeting affirmed that they had nothing against unions, provided that their activity was reasonable, nor did they react against union shearers. They took people as they found them. If a shearer turned up for work drunk or was inefficient, whether he was a unionist or a non-unionist, they naturally took offence, but they did not attack the unions or unionists in the ordinary course of their business. Reference was made to the difficulties they had experienced with imported shearing labour (bad shearing, misconduct, etc.), but there was no general attack on the union. Many of the island's sheep are shorn by union labour. One young shearer at the meeting won my admiration because he had the courage to say to the meeting that he had told the union representative that he did not believe in some union principles, particularly union political support of a Party that he did not support.

*Members interjecting*:

The Hon. D. N. BROOKMAN: It is good for members to jeer at that remark, but it takes more guts for a person to speak to a union representative than to interject in the Chamber. This young man's livelihood depends on shearing. Other speakers spoke about some of the loose talk (such as we have heard here earlier) that there should be zoning of shearing districts and that people shall not decide when they will shear but that it will be decided for them.

Mr. Wright: You were able to tell them that that was not right, weren't you?

The Hon. D. N. BROOKMAN: I was listening to the remarks about that having been said, and I do not know that it is not right.

Mr. Wright: You were told in this House that it was not right.

The Hon. D. N. BROOKMAN: The Minister said he did not know of this; but that does not necessarily convince me: many things that the Minister has said have not convinced me. Several primary producers on the island who are involved in this dispute have given bills of sale over the produce from their farms to the Minister of Lands. When this dispute arose a few weeks ago one, in particular, wrote to the Minister: he wrote again, and may have written a third time. Up to last weekend he had not even received an acknowledgement from the Minister. One would think that, when a man's entire livelihood is at stake and when the Minister is a representative of a Government that is holding a bill of sale, this man would have received something from the Minister—if not advice, at least an acknowledgment.

The Hon. D. H. McKee: To whom did he write? To me?

The Hon. D. N. BROOKMAN: To the Minister of Lands, who has a bill of sale over the produce of some of the properties on the island. Some of these primary producers, who were settled under the war service land settlement scheme, have never been prosperous. At the moment they are in great financial difficulty, not necessarily through the fault of this Government or any individual but because of the economic situation, about which this Government has done nothing. The Minister will not tell me about the discussions he has had. He is quick to go into print and criticize Broken Hill Proprietary Company Limited about a matter in which, I understand, it has no obligation whatsoever to give any reason for its action.

Mr. Payne: No, it just does it!

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: The company as I understand it, works under Commonwealth jurisdiction and has no responsibility to give any reasons for its actions, yet our State Minister is happy to go into print and chatter away about how it has made a mistake. He is ready to take sides whether he knows anything about it or not, but he is not ready to take sides in this matter. He ought to be working towards getting justice for the island settlers. It is relatively easy for the Trades and Labor Council to tie up Kangaroo Island properties, and the property owners are being bullied. The Minister ought to be worried about that, as should the Minister of Lands, and they should be doing something about it. I want the Minister to explain why he has not done something. I know that if the Minister roused himself and spoke to the Trades and Labor Council he would be able to use his influence to get the whole thing settled, but he has not the courage to do it. I support the motion.

The Hon. D. H. McKEE (Minister of Labour and Industry): The Leader of the Opposition referred to the serious disruption of the Metropolitan and Export Abattoirs Board

by the strike at the Gepps Cross abattoir. He accused the Government of making no effort to settle the dispute. I remind him and other members opposite that there have been far worse disputes at the abattoir in the past than are occurring today. In 1952 the men were on strike for some weeks.

Mr. Brown: What did the Leader do then?

The Hon. D. H. McKEE: I do not know what Sir Thomas Playford or the Minister of Labour and Industry did then. In the Leader's time in this House there was a more serious strike than there is today. From the discussions I have had with union officials and the Chairman of the board I am convinced that this dispute could have been settled as early as yesterday, or even before, because I understand that the proposals that were put forward (which I am not prepared to divulge to this House because they are still under discussion and I do not believe it would be fair to divulge them at this stage) were acceptable to the union and the board. However, the board took advantage, I understand, of throwing in a side issue: the question of placing the men on the chain. The authority for the union to place men on the mutton chain has been in existence for nearly 40 years, and it was introduced during a Liberal Government's term of office.

Mr. Venning: It's time for a change.

The Hon. D. H. McKEE: It has worked for nearly 40 years and, according to the Leader of the Opposition, there have been no disputes during that time; it has worked admirably. Therefore, I do not see that that issue should have been thrown into this dispute.

Mr. Hall: You don't?

The Hon. D. H. McKEE: It was completely divorced from it. They were prepared to go to arbitration on it.

Mr. Hall: They were not prepared to man the chain.

The Hon. D. H. McKEE: They were prepared to go to arbitration regarding the men on the chains and this was an entirely different issue from the dispute about the sterilization of a knife. The employee reprimanded for this was going to be reinstated somewhere else in the abattoir as a labourer, and that was acceptable to the union until a side issue was thrown in. Negotiations are still continuing. I met the people concerned yesterday afternoon. I have no information about what has happened today, because I have not been able to attend the meetings. However, I will inquire as soon as possible. I can assure members that the Government is concerned and it is doing everything possible to expedite a solution of the dispute at the abattoir. If the Leader of the Opposition can suggest some other way, I am prepared to listen to him. The Government of which he was a member went through similar disputes. What did it do? Should we take a whip and round them up? What the Leader says is idle chatter; we are doing everything possible to expedite a solution. The member for Alexandra referred to clause 73 of the pastoral award, which states:

> As between members of the Australian Workers Union and other persons offering or desiring service or employment at the same time, preference shall be given to such members, other things being equal.

The difficulty in which some Kangaroo Island farmers now find themselves has been caused by their employing shearers who are not members of the union when union members were available. The member for Alexandra omitted to mention that. The union could have flown shearers to the island within hours of the invitation to do so.

*Members interjecting:*

The SPEAKER: Order!

The Hon. D. H. McKEE: That is contrary to the award, and the problem could be solved quickly if the farmers would employ union labour. It seems strange that these problems have occurred since the Labor Government came into office: it occurred last year in a small way and the union won the day. The union stood up for its rights: it has been fighting for years to have shearing done by union labour. There is no cost to the farmer who employs union labour; in fact, it is to his advantage to employ union labour.

Mr. Goldsworthy: You declare his wool black if he does not.

The SPEAKER: Order!

The Hon. D. H. McKEE: This matter has been referred to the Trades and Labor Council disputes committee, which supports the A.W.U. in this dispute. If a ban is imposed, it can be lifted only by a decision of the Trades and Labor Council disputes committee. After all, if the unions allow these things to occur continually they might just as well dissolve, because they would be no good. All members know very well that the purpose of a union is to get good conditions and wages for its members, and that is what the A.W.U. has done. Do members opposite want them to throw away all the gains and privileges they have fought for over the years? It seems to me that this sort of thing is isolated to Kangaroo Island: why is this so? Why is it not occurring all over the country? Shearing has been going

on on Kangaroo Island for years, but strangely it was not until the Labor Government came to power that disputes occurred.

*Members interjecting*:

The Hon. D. H. McKEE: It is just a stirring point to bring industrial disputes to South Australia because the Labor Government is in power.

Mr. McANANEY (Heysen): The Minister of Labour and Industry seemed to beat a hasty retreat. He did not seem to be making good headway. I have been connected with shearing sheds—

The Hon. D. H. McKee: You look like it.

Mr. McANANEY: —for many years. I have never paid below the award rates.

*Members interjecting*:

The SPEAKER: Order! The honourable member for Heysen is entitled to be heard in silence. Interjections must cease.

Mr. McANANEY: I do not know whether I employed union labour or not during that period: I was not interested. Most of those people have told me that they have since joined the Liberal Party. Now the Labor Party wants compulsory unionism so that these people will make donations to the Australian Labor Party funds. If there is a dispute amongst workers, why bring employers into it? What justification is there for saying that a farmer's wool cannot go to market? I have never seen a group of people looking as ashamed as members opposite are doing. What right has a group of people to say that a farmer's wool cannot be moved? That is blackmail, and there are laws against blackmail in this State. The blackmail dealt with in the law is no worse than the blackmail in this matter. If we believe in freedom and, if there is any justification for living, it is to have freedom and to be able to protect freedom and see that freedoms are handed down to our children. Saying that innocent people cannot have their wool shifted is getting to the lowest depths imaginable.

It was said that the union had nominated the men who had worked on the chain for the past 40 years. We have been told of the strike in 1952. That strike was settled politically when the battle was nearly over, with the management failing to win the right to select its employees. Then the employees went back and the union was given the right to say who was to be employed there, and there have been problems there ever since. We have lost oversea markets because the workers have not carried out the instructions given to them. This happened regarding the boning of meat, and this form of processing had to be given up because the employees would not take out a certain percentage of fat. If other abattoirs had not produced good quality meat that could be sold, the market for that type of meat would have been lost. Had we not had private abattoirs, against which the Labor Party fought tooth and nail, we would have lost completely our oversea markets because of the irresponsible attitude of employees in not playing their part and pulling their weight in the activities of this State. When people have 200 lambs on a chain and say, because they cannot have their own way, that the meat is going to be thrown down the drain, what sort of attitude is that? Something of value was wasted deliberately by irresponsible people, and I strongly deplore this attitude.

We have had instances in which the abattoir has asked that more men be put on before a killing season. The unions have the right to say who these additional employees will be and, when they have been asked to supply labour, they have said that they will see what they can do about the matter. However, they have come back and said that no men were available, irrespective of whether or not that was correct. Until the management of this abattoir, which the community owns, has control over the activities of the persons engaged there, the abattoir will continue to be unable to deliver the goods overseas. It will have no chance to operate at a profit, and that will be to the detriment of the State.

The Minister of Labour and Industry has spoken about what happened at Whyalla. This morning a Labor member (and I will not mention names, because that would be unfair) said that he thought that the man at Whyalla was guilty. However, this is beside the point and I should not bring it into the argument. The point I want to make is that the Minister of Labour and Industry made a statement about whether he thought it was right or wrong and, because the Minister has refused to make a statement about the abattoir situation, he must acknowledge that he believes it is right for a group of people to leave 200 or 300 lambs on a chain, resulting in their being lost to the community and denying the public the benefit. Surely the Minister is under a moral obligation to make a statement.

Regarding compulsory unionism, which is the question at Kangaroo Island, the number of employees who are members of unions has dropped slowly, and now considerably fewer employees are members of unions than was the

case 10 years ago. I believe that this position has arisen because most workers are against many of the issues that the unions take up. Gallup polls about shorter hours and various other matters show that most workers are dead against the proposals. The unions say that these people must be compelled to join a union, but there will be progress only when the leaders of unions find out what the average worker thinks.

The only argument that I have heard from members opposite about why people should belong to a union is that the unions have achieved conditions. Perhaps there is an argument on moral grounds but, if the unions or their leaders are carrying out a policy that is popular with the majority of workers, there is no need for compulsion. I belong to the Australian Primary Producers Union and, although there was no compulsion to join that union, the great majority of primary producers became members. I think that 90 per cent to 95 per cent of the primary producers in South Australia would be members of one or other of the various organizations that represent them. If one treats people according to what they think is right and justified, compulsion is not needed. Compulsion is a form of blackmail to get people to join the union. I repeat what you have done to these farmers in treating them as you have. Then you get up and support—

Mr. Jennings: Address the Chair.

Mr. McANANEY: —the attitude of the people at the abattoir who say that they will not sterilize knives according to requirements. You must make up your mind one way or the other about what is right or wrong and about what is best for the people of South Australia. Meat is hanging on hooks and not being delivered for sale or exported because of some irresponsible lout, and he has not done this only once. Several times is recent months he has defied requests made to him.

The Hon. D. H. McKee: You know that for sure, do you?

Mr. McANANEY: Yes, we know the full story of what has taken place out there. The abattoir lost its licence previously, and this incident has taken place again afterwards. Although the men knew what it would mean if they did not carry out the necessary health regulations, they still refused to do what was reasonable and good. I have never seen such a look on the faces of people as I have seen on the faces of members opposite today. The Premier was so disinterested that he went to sleep in the middle of the debate. However, I hope the Government will take strong action to bring the abattoir into a condition in which it can deliver the goods.

Mr. WRIGHT (Adelaide): I want to deal particularly with the Kangaroo Island dispute. However, before moving on to that, I wish to refer to a statement made by, I think, the Leader of the Opposition that the dispute at the abattoir was under the control of a left-wing organization. In making that statement, of course, he would have been referring to the Secretary and other officials of the union as being left-wing. I refute that statement, because I happen to know the Secretary of the Australasian Meat Industry Employees Union (Mr. Tonkin) very well. He serves with me on the executive of the Labor Party. I have great admiration for him, and he is considered to be a moderate, and a responsible moderate at that. Therefore, I will not accept that sort of talk in this Chamber without defending Mr. Tonkin. I repeat that he is a responsible trade union official and should not be accused as the Leader has accused him.

Mr. Gunn: He has not acted in a responsible manner.

Mr. WRIGHT: If the honourable member wants to speak, he can speak after me. Otherwise, I tell him to keep quiet.

Mr. Gunn: Stand-over tactics again!

The DEPUTY SPEAKER: Order! The honourable member for Adelaide.

Mr. WRIGHT: I want to deal now with the Kangaroo Island situation and, if the member for Eyre listens, he may decide to employ union labour this year, if he does not already do so. No speaker so far who has supported the motion has mentioned that the award covering the sheep-shearing industry is the Commonwealth pastoral award and, therefore, is not under the control of the State Minister. There has been an attempt to lay the blame at the feet of that Minister but the award is a Commonwealth award and at present the union is pursuing the matter on a Commonwealth basis.

I want to deal now with democracy and the statements by members opposite that the union has been undemocratic in not allowing wool to come from the island so that it can be processed on the mainland. The Commonwealth pastoral award does not provide for a right of entry into sheep properties. It never has, and Commissioner Donovan, when he last examined this aspect of the award, decided that the union was not able to give sufficient evidence of being refused right of

entry, and he was therefore not prepared to write the provision into the award. Some owners (not all) are well aware of this, because they have been informed by United Farmers and Graziers Incorporated and the Stockowners Association of South Australia of their rights under the award, and they are trying to enforce these rights.

The union organizer who has just returned from Kangaroo Island was faced with this situation on the island. The graziers concerned would well know that the attempt made last year was the first attempt to organize non-union shearers on the island and that a follow-up attempt would be made on this occasion, and they were naturally well prepared for the situation when the organizer arrived. On several occasions when he attempted decently and in a friendly way to interview the non-union shearers (or even union shearers, as an organizer would not know, before going on to a property, who was or was not a member), he was refused right of entry and told that he was not wanted on the property; he was told to come back at night, after the shearing had finished; he was told to see the shearers in town at the weekend; and, in fact, on many occasions he was told to get off the island. That is an example of the democracy that exists on Kangaroo Island. When the Branch Secretary of the A.W.U. was on the island last year, people threatened to tar and feather him.

*Members interjecting*:

The DEPUTY SPEAKER: Order!

Mr. WRIGHT: The union representative tried in a decent way to interview people who ought to be paying their way. Members opposite who spoke about our being ashamed should be ashamed of anyone who does not pay his way. A non-unionist does not pay his way and, if he could get away with it, he would not pay his taxes and would not pay for his driver's licence, motor car registration or anything else. He is nothing more or less than a dodger in the community. He is willing to accept the rates and conditions which have been won in the Arbitration Court and which have also been brought about by strike action, yet he does nothing about it, and that is the sort of thing accepted by members opposite.

Mr. Becker: That has been absolute nonsense for years.

Mr. WRIGHT: I will argue with the member for Hansen outside afterwards if he wants to argue.

The DEPUTY SPEAKER: Order!

Mr. WRIGHT: The union and the Trades and Labor Council have been accused of victimization, particularly in relation to Kangaroo Island, but I have never heard so much rubbish in all my life. There is no more victimization on Kangaroo Island than there is anywhere else in the State or, indeed in Australia. The Australian Workers Union, irrespective of where non-unionists are working, will take every action and precaution to ensure that people pay their way and do not break down conditions. Yet graziers on Kangaroo Island have allowed the present situation to exist, as other graziers allowed a similar situation to exist in parts of the South-East previously. Similar action was taken there, so that not one place in the South-East now allows shearing by non-union labour. That is the situation that will eventually exist on Kangaroo Island, which will be in a position similar to that existing in other areas of South Australia, irrespective of how we handle the matter. The men concerned ought to be paying their way, and they will be paying their way. There is much shaking of heads and holding up of fists by members opposite, but we do not see that sort of thing in relation to sending the boys to Vietnam.

The SPEAKER DEPUTY: Order!

Mr. WRIGHT: That is another story. A standover tactic is used in that regard, and it is exactly the same sort of thing here; members opposite are used to waving their hands about. If members opposite say that it is undemocratic and wrong that unionists on the mainland should refuse to deal with wool that has been handled by non-union labour, surely it is democratic for the unionists to say that they will not handle it. Does that not make sense?

Mr. Goldsworthy: No, it doesn't.

Mr. WRIGHT: Of course it does. Members opposite must know that that is correct and that they cannot ignore that argument. If graziers on Kangaroo Island want non-union labour to handle their wool, that is their business, but the same principle must apply here: the trade unionists who have to bring the wool across and handle it ought to have a similar right. I support the motion.

Mr. Keneally: "Oppose" you mean.

Mr. WRIGHT: Yes.

Mr. MILLHOUSE (Mitcham): I take it that the member for Adelaide is opposing the motion.

The Hon. J. D. Corcoran: Of course he is.

Mr. MILLHOUSE: I support the motion. We have had only the speech of the member for Adelaide and that of the Minister (that

is, if we can call the Minister's remarks a speech) in opposition to this motion. The member for Adelaide has made the conventional speech of a trade union official and, in doing so, I believe he has had the support of the solid phalanx of trade union officials or, rather, ex-officials on the Government benches. I do not intend to say any more about his speech, because he added nothing to the debate or the issues raised by the Leader. However, I want to say something about the Minister's remarks. It was noteworthy that the Minister, who I presume was speaking on behalf of the Government, took the side of the union in both the disputes canvassed by the Leader, namely, the dispute at the abattoir and that on Kangaroo Island. All he did regarding the dispute at the abattoir was criticize the board, which I believe the Government has an obligation to support at a time such as this.

The Hon. D. H. McKee: I didn't criticize it.

Mr. MILLHOUSE: The only thing the Minister could say was that a settlement was about to be reached when the board threw in what he called a side issue.

The Hon. D. H. McKee: And it was a side issue.

Mr. MILLHOUSE: If that is not criticism of the board, I do not know what is. What the Minister was saying was that the board avoided a settlement of this dispute deliberately by introducing another issue. I believe it was disgraceful for the Minister of Labour and Industry to criticize the board publicly in such a way as that, at the very time when the obligation is on the Government to support the board in the dispute that has arisen at the abattoir.

Mr. Coumbe: He's abandoning it.

Mr. MILLHOUSE: Of course he is. There was not one word about the damage to the export trade of this State, and not one word about the cutting off of meat supplies to people living in the metropolitan area and other parts of South Australia. Not one word was said about these things.

The Hon. D. H. McKee: I told you that—

Mr. MILLHOUSE: There was not one word of regret, and not one word of blame on anyone for allowing this to happen. The only thing the Minister could do about the abattoir dispute was to sell the board down the river and take the union's side. Precisely the same thing happened with the Kangaroo Island dispute: all the Minister could say was that the union had been fighting for years to have the shearing there done by union labour. He did not say even one word about the hardship to the producers on the island caused by the black ban on their wool which has been imposed by the Trades and Labor Council, as he must know, illegally as well as unjustly. He did not refer to that. He did not give even one thought or one word to the rights of the producers on the island or to the injustice or justice of their position and what is being done to them. When members on this side made a few interjections that he found difficult to handle, he sat down and we heard no more from him. That is what we had from the Minister of Labour and Industry in trying to defend the Government's position and its lack of action in regard to these two disputes that are doing so much harm both materially and morally.

Mr. Langley: What did you do when you were in office?

Mr. MILLHOUSE: The member for Unley is a past master at diverting attention from the real issues of the day.

*Members interjecting*:

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

Mr. MILLHOUSE: Let us stick to this motion and consider what is happening in South Australia at present. One matter I wish to raise in regard to the island dispute arises from the Minister's remarks. As I understand the position, several of the islanders had almost finished shearing when this dispute arose. Not only had they engaged shearers to shear their sheep, but the shearing was coming to an end. What does the union say should have been done? Should the shearers have been sacked if a unionist had turned up? Is that what the Minister or the member for Adelaide said? It is a question that Government members do not seem to be hastening to answer. Perhaps this is why they do not try to answer the question. Let me remind them of the pastoral award and the relevant clause, as follows:

> As between members of the Australian Workers Union and other persons offering or desiring service or employment at the same time, preference shall be given to such members, other things being equal.

Do Government members say that those shearers doing the work should be put off if union labor is introduced? I do not know. Although the union representative said that he could engage 15 shearers, they never materialized. If any other members speak, I hope this pertinent question will be answered. The Minister said that the Government was

prepared to listen to any suggestion and that the Government had done everything possible to help in this matter, or words to that effect. Opposition members, and many people in the community who support us, complain about the influence which the trade unions and the movement as a whole has on the Labor Government, not only on this Government but on any Labor Government, whether Commonwealth or State and whether in this State or elsewhere. We complain bitterly about the influence exerted on a Labor Government by the unions. However, at least at a time such as this we should have the advantage of the disadvantage: we hope that there will be a two-way traffic and that the Government will do something to exert its influence on the trade unions. Surely it is not too much to ask that the Government should use its influence with the Australasian Meat Industry Employees Union, or the A.W.U. in the case of the island dispute, to settle these disputes, because we know very well that, whatever may be said by Government members, all the Government has to do is to tell the unions to call off the disputes and ask the men to return to work, and this will be done. However, the Government will not say even one word in criticism of the unions. It does not matter what the unions do, we get not even one word of condemnation or criticism from the Government.

Mr. Coumbe: It would not dare do it.

Mr. MILLHOUSE: That is right. That shows how the influence on the Government is a one-way influence. The Government in its turn will not lift its little finger when it is able to do so now, at a time when meat supplies are cut off, when export markets are jeopardized, and when individuals on the island are being victimized and treated unjustly by having the handling of their product banned. The Labor Party says that it cares for people; yet, when it comes to the crunch, the Party will not do a thing to stand up to the unions because it knows that it is dominated by them and that, if it were not for union support, the Government would fall. I answer the Minister's question in this way: if the Government is willing to listen to any suggestion and to do anything to have these disputes settled, it will use its influence with the unions, if it believes that it has such influence. That is what the Government can do, because if it does that we shall have no more of this trouble. The Government knows that as well as we know it. I hope that even now it is not too late to stand up to these people in the interests of justice and the interests of this community.

Mr. WELLS (Florey): I oppose the motion and support the meatworkers' case. Listening to the debate, it has been obvious to me that Opposition members know nothing at all of the circumstances that led up to the abattoir dispute. Opposition members have done nothing but castigate and crucify a reputable trade union and support victimization of a member of that union's work force. As the Leader said, we shall be losing export markets, and hardship will be suffered by consumers throughout the State. That is so, but the blame lies fairly and squarely on the board's shoulders. Anyone who knows anything about the case knows that this is so.

What were the events that led up to the man's dismissal? Last Wednesday the assistant secretary of the meat industry employees union went to the abattoir and met the board. He merely asked for a clarification of the board's intentions and of the sterilization requirements. The board said, "Sterilize at every cut." The man who was dismissed was on a single-cut line and was required to make only one cut. However, as he was on a line that was in motion, if he were to comply with the instructions many carcasses would pass by and would not be treated. Otherwise, the line would have to be stopped, with a resultant loss of production, and this would not have suited the board.

Then the board insisted that sterilization be done at every cut. However, the foreman countermanded the order and said, "That's rubbish. We'll never get the line through. Sterilize when and where you can." That was the situation confronting the meatworker. The normal position in the abattoir is that the worker sterilizes when and where possible: in other words, whenever an opportunity presents itself while the line is in motion.

At 4 o'clock, the bells having been rung, the motion was withdrawn.

*Questions resumed*:

## LOCK LEVELS

Mr. HALL (on notice): What were the highest and lowest upper pool level readings in the Murray River at locks 2, 3, 4, and 5 for the months of September and October, 1971, respectively?

The Hon. J. D. CORCORAN: As the reply consists entirely of statistical information, I ask leave for its incorporation in *Hansard* without my reading it.

Leave granted.

UPPER POOL LEVELS

| Lock No. | September, 1971 Maximum Gauge Reading (ft.) | Maximum Reduced Level (ft.) | Minimum Gauge Reading (ft.) | Minimum Reduced Level (ft.) | October, 1971 Maximum Gauge Reading (ft.) | Maximum Reduced Level (ft.) | Minimum Gauge Reading (ft.) | Minimum Reduced Level (ft.) |
|---|---|---|---|---|---|---|---|---|
| 2 . . . . | 18.90 | 127.40 | 18.30 | 126.80 | 18.90 | 127.40 | 18.50 | 127.00 |
| 3 . . . . | 17.80 | 139.30 | 17.50 | 139.00 | 17.90 | 139.40 | 17.50 | 139.00 |
| 4 . . . . | 18.80 | 150.30 | 18.15 | 149.65 | 19.10 | 150.60 | 18.40 | 149.90 |
| 5 . . . . | 19.20 | 160.20 | 18.72 | 159.72 | 19.08 | 160.08 | 18.72 | 159.72 |

## EUDUNDA-MORGAN LINE

Mr. Coumbe, for Mr. ALLEN (on notice):

1. Who was the successful tenderer for purchase of the railway line from Eudunda to Morgan?

2. What was the amount of the tender?

3. Will the rails be shipped overseas?

4. If so, what is their destination?

The Hon. L. J. King, for the Hon. G. T. VIRGO: The replies are as follows:

1. Midalia & Benn Proprietary Limited, of Subiaco, Western Australia.

2. It is not Government policy to divulge the amount of successful tenders.

3. The contractor has advised that the rails he purchases are for export.

4. Not known.

## MATRICULATION EXAMINATION

Mr. MILLHOUSE (on notice):

1. Has the report been received yet from the Public Examinations Board on the error in the processing of the Matriculation results for 1970?

2. If so, when was it received?

3. Does such report show that the error was either—

(*a*) a human error by the computing centre programmer; or

(*b*) an error due to defective procedures introduced in 1969 under the previous supervisor. If so, which?

4. If neither was the cause of the error, to what was it attributed?

5. Is it intended to make the report public? If so, when? If not, why not?

6. If the report has not yet been received, when is it expected that it will be received?

The Hon. HUGH HUDSON: The replies are as follows:

1. Yes.

2. September 6, 1971.

3 and 4. The report suggests that the error was a human error. It states that the immediate cause of the error was that "the programmer acted in the belief that the results of iteration 1 rather than those of iteration 0 were those to be used in the programme. The reason for this conceptual error was that the job description was incomplete (see section 4 last paragraph), so making a misunderstanding possible". The paragraph referred to in this quotation reads as follows:

In July, 1970, a meeting between chief examiners and officers of the computing centre was held, under the chairmanship of the chairman of the board, to discuss the processing of examination entries and results. The relevant programmer subsequently completed, as far as possible in the time available, a new set of documentation for the processing system; and a copy was supplied to the board in October, 1970. The senior programmer pointed out in the letter which accompanied this documentation that it was incomplete and that some of the outstanding work could not be finished in 1970. It was unfortunate that the work deferred included the complete check-out and redocumentation of a portion of the system which had originally been written outside the centre solely for the purpose of the admissions office of the University of Adelaide and which had been offered to the centre for such use as the centre might wish to make of it. It was this portion which subsequently proved to be incomplete for the purposes of the centre and which to that extent contributed to the error under investigation.

The report also suggests that there was a misunderstanding between the board and the computing centre over who was checking the accuracy of the rescaling operation, with the result that no check was carried out. The report states:

The board considered that the centre, whose professional services it was employing, was responsible for the correct application to the examination results of the scaling and rescaling operations. Such responsibility would, in the board's view, include responsibility for checking the accuracy of the operations performed. The centre, for its part, believed that the board carried responsibility for checking the accuracy of the results. It was aware that the board's officers spot-checked the computer print-out of the results, and believed that this spot-checking was comprehensive, from raw marks to final print-out, so that any error affecting the results checked would be revealed.

There is no suggestion that the error was due in any way to defective procedures introduced in 1969 other than a quoted claim by the senior programmer that at that time sufficient briefing was not given to the programmer handling the board's work. However, the report makes it

quite clear that the fact that documentation was not complete was well known to both the board and to the computing centre in the months immediately prior to the 1970 P.E.B. examinations.

Apart from the report, I have been informed that the previous officer-in-charge of computing services had endeavoured to have documentation of the whole process completed prior to the 1969 examination, particularly in view of the considerable number of *ad hoc* amendments that had been made to the programme, often decided on by representatives of the board and the university outside the computing centre. After the completion of the 1969 examinations, this officer had specifically instructed the programmer not to undertake any further work until the documentation was completed to the satisfaction of the board and the senior programmer. This decision was communicated to the board, the director of the computing centre and the senior programmer. This officer left the employment of the computing centre in mid-May, 1970, a few days after returning from a six weeks' absence interstate and overseas. However, the report makes clear the documentation was still not complete in October, 1970.

5. At the moment only one copy of the report is available. It is not proposed to print a large number of copies as the report is very technical in nature, and not of general interest. However, should any member wish to see the report, I will make copies available for their perusal. Copies will also be available for the press at the appropriate time. I would point out to members once again that, as a consequence of the decision of Commonwealth and State Governments to grant additional scholarships, no student was adversely affected by the error. The report contained a number of recommendations. The one recommendation involving action by the Government was that the board should have on its staff an officer with an understanding of data processing methods. Approval of the appointment of such an officer was given by me in a letter to the board dated September 10, 1971, and the officer concerned (Mr. L. Whitehead) took up duties on a half-time basis on September 13. I understand that arrangements are in hand for this officer to work for the board on a full-time basis from December of this year.

6. *Vide* No. 1.

## GILLMAN ESTATE

Mr. COUMBE (on notice):

1. When did the reclamation work commence on the Gillman industrial estate?

2. What area has now been reclaimed?

3. What area still remains to be reclaimed?

4. What has been the total cost to date of this reclamation and ancillary works?

5. What area has been sold or leased to industry?

6. What amount has been received by the Government for the above sites?

The Hon. J. D. CORCORAN: The replies are as follows:

1. 1957.

2. 310 acres.

3. 900 acres.

4. $2,545,000.

5. 32 sales involving 150 acres.

6. $1,377,000.

## EYRE PENINSULA ELECTRICITY

Mr. GUNN (on notice):

1. When it is expected that the Electricity Trust of South Australia will be supplying Ceduna with electric power?

2. What towns on Eyre Peninsula will be supplied this financial year?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The Electricity Trust has no plans at the present time for supplying Ceduna. An investigation made last year showed that it would be more economic to continue to generate power locally for some time yet. It is proposed to review the situation again in about 1975.

2. So far this financial year, the Electricity Trust has completed extensions of transmission lines providing bulk supplies to Cowell, Cleve, including Arno Bay, Rudall and Lock. Bulk supplies should be available at Darke Peak by about the end of this month, Kimba during December, 1971, and Elliston by the winter of 1972.

---

## HOUSING GRANTS ADMINISTRATION BILL

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

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to authorize and provide for the administration of certain grants from the Commonwealth for assistance in the provision

of housing, and for other purposes. Read a first time.

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

*That this Bill be now read a second time.*

It is designed to facilitate the administration of housing grants expected to be received from the Commonwealth. Many members will be aware that there is a Bill presently before the Commonwealth Parliament designed to give effect to new arrangements discussed between the Commonwealth and the States over the course of the last six months. The Government had hoped that, by this stage, the Commonwealth legislation would have been passed but, whilst there is every expectation on the part of the Minister in charge of the Commonwealth Bill that it will be passed without any amendment of substance, it may be two or three weeks before that stage is reached. Accordingly, it has become necessary for this Government to submit this Bill without being absolutely certain as to the details that will be included in the Commonwealth legislation when it is finally passed. I expect that some members of the Opposition will have seen a copy of the Commonwealth Bill but, if not, I shall be happy to secure one for them upon request.

For a number of years up to June 30 last, when the existing Housing Agreement terminated, the Commonwealth assistance for housing had been the provision of funds at a concessional interest rate of 1 per cent below the long-term Commonwealth bond rate. Actually the funds provided were amounts nominated by the States out of their gross annual Loan allocations for general works purposes, so that the concession was really limited to the amount of the reduction in interest. It was a condition of the concession that at least 30 per cent of the funds nominated should be used through a Home Builders Account for making loans to persons desiring to acquire their own homes, and that not exceeding 70 per cent of the funds should go to the State housing authority for the provision of rental and sale homes. It was a further condition that the benefit of the reduced interest rate should be passed on to the tenants and prospective home owners concerned. Whilst every other State has consistently kept its allocation to the Home Builders Account to the minimum of 30 per cent, South Australia has latterly made a much higher apportionment. For 1970-71, 53 per cent of our available funds went to the Home Builders Account, and the Budget for 1971-72 forecast almost 54 per cent. However, this much greater provision for loans to home owners has not reacted to the detriment of the South Australian Housing Trust. Last year the trust was allocated $11,750,000, which was about $10 a head of our population. The other five States together allocated to their housing authorities about $81,600,000 or about $7.20 a head of their combined population. At the same time whilst the other States provided through their Home Builders Account about $3.10 a head, South Australia provided $13,250,000 or $11.30 a head. The gross allocation a head in South Australia under the Housing Agreement in 1970-71 was $21.30 a head or rather more than twice the $10.30 a head for the other States.

The total funds allocated in South Australia for housing for each of the nine years up to June 1970, varied from about $18,000,000 to $21,250,000. Last year the amount was raised to $25,000,000 and this year it will be at least the Budget figure of $26,500,000. The States have pressed the Commonwealth for an improved Housing Agreement stressing three specific features. First, and in particular whilst interest rates remain higher, the concession on interest rates, especially where basic rental housing is concerned, should be greater than 1 per cent. Secondly, the Commonwealth should make a significant special contribution to rental rebates given by State housing authorities where underprivileged people are concerned. And thirdly, a significant Commonwealth provision has been sought towards the capital costs and capital losses arising from urban renewal.

The Commonwealth has decided that it will not renew the Housing Agreement in the old form giving specific interest concessions. In lieu of this it proposes specific money grants towards the debt servicing of the capital provisions made by the States for housing over the next five years with the grants continuing for 30 years. In respect of each year's capital provision, which the States will make directly from their annual Loan allocations rather than diverting them to special Commonwealth housing loans as in the past, the Commonwealth will provide grants of $2,750,000 a year for 30 years. South Australia's share of this will be 17.1 per cent or $470,250 in respect of each year. This 17.1 per cent is consistent with South Australia's proportionate diversion for housing in recent years, and is almost twice a population proportion. This new arrangement will amount to significantly more than the old 1 per cent concession in interest. The Commonwealth will impose the condition, as before, that at least 30 per cent of capital allocations

shall be for loans to acquire homes; it requires that the grants be used wholly for the benefit of tenants and purchasers of homes, and that at least 30 per cent of the grants shall be for the benefit of home purchasers through a Home Builders Account. This State would expect to continue to provide capital moneys through a Home Builders Account on the basis of a continuing 50 per cent to 55 per cent rather than the minimum 30 per cent. It would propose to devote the major part of the new grant for the benefit of the rental housing of the Housing Trust where the need is greater but it will ensure that borrowers through the Home Builders Account get a continuing benefit at least as great as the former 1 per cent concession, and if possible rather more. It is calculated that if two-thirds of the annual Commonwealth grant goes to the Housing Trust and one-third to the Home Builders Account—the minimum laid down by the Commonwealth is 30 per cent—it will be practicable to give the Housing Trust activities a rebate in interest charges of about 2¼ per cent and the Home Builders Account rather more than 1 per cent. In addition the Treasurer, in accordance with powers given under the Public Finance Act, will give the Housing Trust activities so long as interest rates remain high the further benefit of the Commonwealth contribution towards the repayment of State debt which is ¼ per cent a year. This would mean that, whereas Loan money has cost the State 7 per cent a year interest during this year up to date—for a loan now open it is reduced to 6.7 per cent—the charge for Housing Trust activities can be kept to 4½ per cent a year. Loans through the Home Builders Account, including administrative margins for the lending authorities and the Treasury, will presently remain at 6¾ per cent a year.

Since the Commonwealth grants will be fixed amounts per annum whilst the actual capital expenditure may be expected to increase over the five years and, since the grants in respect of the debt servicing of each year's capital will continue for 30 years, whilst the borrowing will be repaid over 53 years, it will be necessary for the State to set up special machinery to equalize the charges. Provision for this is made in the Bill.

On the effective assistance towards interest this Commonwealth provision is an undoubted improvement. The Government would have liked it higher, but it will help to put a brake on the necessary increases in rentals, which were arising out of increasing capital and maintenance costs and high interest rates. It will not, unfortunately, entirely avoid the necessity for periodic rental adjustments as costs continue to rise.

In the case of specific Commonwealth assistance for rental rebates by State housing authorities to under-privileged persons, the Commonwealth has agreed to fixed annual money grants of $1,250,000, of which South Australia's share is to be $152,500 a year. These grants will not be sufficient to cover all the rebates which the State authorities are presently giving, and certainly the Commonwealth grants will not themselves permit significant extensions, though, no doubt, some extensions will be found necessary. However, these new grants are a real advance and the State Housing Ministers will endeavour now to have them extended. No special State legislation is necessary in respect of these particular grants.

The Government regrets that so far the Commonwealth has not been disposed to assist in the matter of urban renewal, and honourable members may be assured that the State Ministers, and particularly this Government, will continue to press for the necessity for Commonwealth participation in that most important social project.

Before turning to the particular provisions of the Bill, some information as to the procedures in handling the Home Builders Account in this State may be desirable. In some other States these particular funds are distributed largely or almost wholly by building societies, mainly terminating societies. In South Australia, for reasons mainly historical, terminating societies have not developed as major financing agencies for home ownership. Possibly the substantial reason was the extensive and economical operations of the State Bank as a housing finance institution. In part, too, the more extensive operations of the Savings Bank of South Australia in housing loans made the development of societies less necessary. This was accentuated by the fact that both banks lent at rates ordinarily below those at which the societies could afford to lend. Two permanent societies did, however, develop to significant size together with a few smaller ones.

However, the State Bank had become the major lender of Governmental provisions for housing and the public generally has sought its provisions to a considerable degree from that source. This has applied particularly to those persons of modest means who could not qualify for priority with the savings banks and trading banks. The State Bank has never

had a preference list in granting loans but all qualified applicants take their turn on the waiting list. Accordingly, when this State entered into the Housing Agreement with the Commonwealth it was most convenient, most economical, and most in line with public demand that a considerable proportion of the Home Builders Account moneys was distributed through the bank. The permanent societies, however, were permitted also to participate, and in fact the financial supplementation they have received in relation to the volume of funds provided from their own resources has actually been greater than the proportionate supplementation of funds for societies in other States.

During earlier years of the arrangement the building societies received about 4¾ per cent of the total housing funds handled under the Housing Agreement and about 9 per cent of those passing through the Home Builders Account. In 1970-71 they received 7.6 per cent of the total allocations and 12.5 per cent of the Home Builders Account funds. There is an arrangement with the Commonwealth Minister at present that the building societies shall share in the Home Builders Account as a minimum to the extent of 5 per cent of total annual housing allocations and 9 per cent of Home Builders Account funds. They are currently clearly exceeding these minima and the Government would propose to permit them to continue to do so. At present, however, and particularly whilst the waiting time for State Bank loans continues to be greater than for building societies and increasing, a much greater allocation to the societies cannot be arranged. For persons presently applying for State Bank loans the expected waiting time is about 13 months.

Turning now to the provisions of the Bill, I offer the following explanations. Clause 1 is formal. Clause 2 provides for the Act to come into operation on a day to be fixed by proclamation. This is thought desirable because of the remote possibility that the Commonwealth Bill may be amended in some significant way, in consequence of which a deferment of the commencement of this measure for some amendment may be necessary. Clause 3 includes normal definitions consistent with the Commonwealth Act and the provisions of this Bill.

Clause 4 authorizes the opening of two specific accounts at the Treasury necessary for the operation and administration of the grants. Because under the old Housing Agreement there is provision for a Home Builders Account, it is necessary to distinguish between that account and the new one by giving them specific numbers. Clause 5 authorizes the Treasurer to pay the housing assistance grants to either the Home Builders Account No. 2 or to the Housing Trust Debt Service Equalization Account in the manner that the conditions laid down by the Commonwealth require. These require at least 30 per cent for the Home Builders Account No. 2 and any remainder for the purposes of assisting the trust's activities.

Clause 6 (1) provides for the financing of the capital sums required for the Home Builders Acount No. 2 and the terms of repayment of those provisions. Subclause (2) of that clause is necessary to bring into line with the new procedures the interim arrangements which it was necessary to make after June 30, 1971, until new arrangements could be made and formalized. Subclause (3) of that clause refers to the dealing with repayments from the lending authorities who do the detailed financing of prospective home owners, whilst subclause (4) relates to the appropriate disbursements from the Home Builders Account No. 2.

Clause 7 (1) provides for operation of the Debt Service Equalization Account which will receive the appropriate proportions of the Commonwealth grants, earn interest from the Treasury upon balances in hand and be used to assist in meeting the interest and sinking fund payments which the Treasurer must recover to meet his own obligations upon the Loan funds, and thereby allow the Housing Trust a specific rebate. On moneys provided during the earlier part of this year the interest cost has been 7 per cent a year, but with the help of the equalization account supplemented by the benefit of the Commonwealth's ¼ per cent a year sinking fund contributions towards State debts it is expected the net charge to the trust will be reduced to 4½ per cent. With the new interest rates now to apply for Government borrowing it is estimated that, from about the end of January, 1972, this could come back to about 4¾ per cent.

Subclause (2) of that clause authorizes, in addition to payments by the Treasurer of interest on outstanding balances, other appropriations which may be necessary to cover any possible temporary deficiencies which may arise in the course of equalization. Theoretically, such small deficiencies may occur in an equalization, but detailed analyses on a wide variety of assumptions as to variations in

interest rates and procedures in rebating suggest this is unlikely to occur either from the present five-year arrangement or any likely extension of that arrangement.

Mr. MILLHOUSE secured the adjournment of the debate.

## HARBORS ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Marine) obtained leave and introduced a Bill for an Act to amend the Harbors Act, 1936-1970. Read a first time.

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

*That this Bill be now read a second time.*

Under the Act as it now stands, all foreign-going and interstate ships of registered tonnage over 60 tons and all coast trade ships of registered tonnage over 100 tons must take on a pilot when entering and leaving certain ports. This obligation becomes onerous and unnecessary when the master of a particular ship makes frequent and regular trips into and out of a particular port. The pilotage fees in such circumstances become quite costly and moreover, the harbormaster of the port can be put in the awkward position of not being able to meet the demand for pilot services.

An example may be seen with respect to the Shell Development Corporation, which intends over the next few months to run two supply vessels from Port Lincoln to an oil rig in the gulf. It is expected that these vessels, which are of Dutch registration and have Dutch masters, will require about 16 pilotages a month. Pilotage fees will amount to about $1,500 each month and the Port Lincoln harbormaster has indicated that, as the grain-shipping season is about to commence, there could be frequent occasions on which an extra pilot would be needed. It is entirely impracticable to make an extra pilot available, and the Government believes that, in order to relieve this and similar situations, power must be given to the Minister of Marine to issue pilotage permits in certain circumstances.

This Bill provides the Minister with such a power, which is exercisable only in fairly limited circumstances. The master must be examined and certified competent to navigate the particular ship into and out of the port with respect to which the permit is sought. The master must be engaged in dredging or similar operations, exploratory work, or servicing other vessels engaged in sea-bed operations and must propose to use the port regularly. Penalties contained in the sections amended by this Bill are increased to a realistic level. The numerous other penalty provisions in the Act have been reviewed, and proposals for increasing those penalties will be the subject of a separate Bill, which the Government hopes to place before Parliament in the new year.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 amends section 89 of the principal Act which sets out the duty of a master to take on board a pilot when entering or leaving a port. The ship to which this section applies is to be more simply described as a ship having a gross tonnage of or exceeding 100 tons. The other amendments to the section are either consequential or increase the maximum penalty for breach of the section to $500. Clause 3 contains consequential amendments to section 90 of the Act and increases the maximum penalty from $10 to $100. The existing maximum penalty has not been increased since the original Act was passed in 1881. Clause 4 enacts new section 116a which provides for the granting by the Minister of pilotage permits to certain masters. Such a master must be engaged in the operations to which I have already referred, must pass an examination as to his competency, must propose to use the port regularly and must pay a fee of $10. A pilotage permit may be effective for a certain period of time and may be subject to such conditions as the Minister thinks fit. Such a permit is not transferable.

Clause 5 contains consequential amendments to section 117 of the Act. The minimum penalty of $4 is struck out, as it is intended that all penalties shall be expressed only as maximum amounts. Clause 6 contains consequential amendments to section 118 of the Act which deals with the power of the Minister to cancel or suspend pilotage exemption certificates. The section is amended so as to extend to pilotage permits. The Minister is given power to suspend or cancel a permit for breach of conditions to which it is subject.

Mr. RODDA secured the adjournment of the debate.

## WEIGHTS AND MEASURES BILL

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

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to repeal the Weights and Measures Act, 1967-1968, to consolidate and amend

the law relating to weights and measures and for other purposes. Read a first time.

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

*That this Bill be now read a second time.*

This Bill, which is substantially a re-enactment and consolidation of the Weights and Measures Act, 1967-1968, effects one change of great significance in the administration of weights and measures law in this State. Members will be aware that the 1967 consolidation of weights and measures law continued in existence the arrangements whereby the administration of weights and measures law was shared between the Government and the various local government authorities. This dichotomy of administration was historically based and in the circumstances of its origin had much to commend it. Originally weights and measures were properly a matter of local, as much as central government, concern, particularly when the day-to-day contact of the citizen with weights and measures was through the medium of the small corner store (the sight of the grocer with his beam scales carefully weighing out the sugar and salt is perhaps more familiar to our generation than it will be to our children). The marked growth in sales of pre-packed goods is very much a feature of the present retail scene; in short, the emphasis is changing from weighing or measuring at the point of sale to weighing or measuring at the point of manufacture or production.

As evidence of the changes that have occurred, members will recall that local government, as such, had no direct part to play in the administration of the Packages Act which was passed by this House in 1967. In fact this measure with its high degree of uniformity between the States looks more towards the national scene, since it cannot be denied that from the trade and commerce point of view uniformity of weights and measures law on a national basis is essential. Over the past four years more and more local government authorities have taken advantage of section 31 of the Act, proposed to be repealed, to divest themselves of the administrative responsibilities for weights and measures. The reason for this is that, in the case of the smaller authorities, it is just not economically feasible to maintain the administration apparatus necessary effectively to carry out their functions under the Act, and in the case of the larger councils it would appear that their revenues could be applied to better purpose in other areas. Further, with the proposed conversion to the metric system additional burdens will fall on the local government authorities, which still retain the administration of the local aspects of the law.

For the foregoing reasons it has been decided to centralize the administration of weights and measures in this State and should this Bill receive the approbation of members the entire administration of the Bill and hence weights and measures law in this State will come within the purview of the Warden of Standards, subject of course to the general control and direction of the Minister. However, the Government is most reluctant to lose the manifest advantages of formal advice as to "local" aspects of weights and measures law and for this reason the Bill provides for the establishment of a Weights and Measures Advisory Council, one-third of the membership of which is to be drawn from local government authorities. The function of this council will be to advise the Minister on any matter in connection with weights and measures policy. It also has been given some powers of initiating advice on its account. It is proposed that commercial interests will also receive direct representation on this council. By this means it is hoped to achieve desirable uniformity in the administration of the law and at the same time to ensure an appropriate flow of advice and information from parties affected to assist in policy formulation.

Clauses 1 to 3 are formal. Clause 4 is the usual transitional provision in Bills of this nature. Clause 5 sets out the definitions necessary for the purposes of this Bill. The only new definition of importance is that of the advisory council and definitions related thereto. Also a definition of "measuring instrument" has been included to cover the rather long description of "weights, measures, weighing instrument or measuring instrument" formerly set out in the Act proposed to be repealed which for convenience I shall in future refer to as "the repealed Act". Clauses 6 and 7 which deal with standards of measurement are, minor drafting amendments apart, in identical terms to sections 6 and 7 of the repealed Act. Clauses 8 to 12 again are merely re-enactments of sections 8 to 12 respectively in the repealed Act and deal with the care and custody of standards. The careful preservation of standards is of course fundamental to good weights and measures administration.

Clause 13 provides for the establishment of a Weights and Measures Advisory Council and at subclause (4) the composition of the council is set out. Briefly the composition of the council is two persons having detailed technical knowledge of weights and measures, that is,

the Warden and Deputy Warden of Standards; the South Australian Commissioner for Prices and Consumer Affairs, who will represent interests of consumers; two local government representatives; and one representative of commerce. The machinery for the appointment of these members is set out in subclause (4). Clauses 14 and 15 are again formal provisions as to removal from office and vacation of office of members of the council. Clause 16 provides for the usual procedural matters in relation to meetings, etc., of the council. I would, however, draw honourable members' attention to the fact that at least "two official" members and one other member are required to constitute the quorum of three members.

Clause 17 is self-explanatory. Clause 18 sets out the duty of the council which may be summarized as advising the Minister on any matter of weights and measures policy. Clause 19 provides for the appointment of the officers necessary to administer the measures, that is, the Warden and Deputy Warden of Standards and sufficient inspectors. Clause 20 provides that the Warden will be responsible, under the general control and direction of the Minister, for the administration of the measure. Clause 21 is a somewhat alternative form of section 14a of the repealed Act. Clause 22 is for practical purposes a re-enactment of sections 32 and 33 of the repealed Act and deals generally with the powers of inspectors, and clause 23 is again a re-enactment of section 36 of the repealed Act which deals with additional powers of inspectors. Clause 24 follows closely section 34 of the repealed Act and deals with the stamping of measuring instruments.

Clause 25 permits the use of "old" patterns approved before January 1, 1966, being the day on which the Commonwealth Parliament's legislation in this area had effect. Clause 26 with some minor drafting amendments re-enacts section 35 of the repealed Act in its entirety. This provision deals with the general question of stamping and verification of measuring instruments. Clauses 27, 28, 29 and 30 are incidental to this provision and again follow the corresponding provisions in sections 39, 40, 41 and 42 of the repealed Act. Clause 31 re-enacts in terms section 44 of the repealed Act which provides that trade and commerce will be conducted with reference to Commonwealth legal units of measurement. Clause 32 re-enacts section 47 of the repealed Act which provides that sales will be by net weight or measure.

Clause 33 re-enacts section 48 of the repealed Act which deals with false declaration of weights, etc., and clause 34 deals with short weights. Clause 35 preserves the rights of a person to sell grains, etc., by the bushel and preserves the old weight relationships. Clause 36 provides for the peculiar circumstances of the sales of coal and firewood. Part VI, being clauses 37 to 50 with minor drafting exceptions, substantially re-enacts Part VI of the repealed Act. I would, however, draw honourable members' attention to clause 48 which is intended to ensure that weights and measures prosecutions are not commenced lightly or without due consideration. Honourable members will no doubt be aware that such is the general standard of honesty and probity on the part of traders in this State that prosecutions under this Act are comparatively rare, and it is the earnest wish of the Government that this situation will obtain in the future. The second and third schedules are re-enactments of the old second and third schedules, except for Part II of the second schedule which has been brought up to date.

Mr. WARDLE secured the adjournment of the debate.

## INDUSTRIAL CODE AMENDMENT BILL (COMMISSIONERS)

The Hon. D. H. McKEE (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to amend the Industrial Code, 1967-1971. Read a first time.

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

*That this Bill be now read a second time.*

This short Bill makes two amendments to the Industrial Code. On the resumption of this session in the new year I propose to introduce a comprehensive Bill relating to the industrial relations provisions of the Industrial Code. In the meantime there are two matters in respect of which amendments are urgently necessary.

At present, section 23 of the Code permits the appointment of only two commissioners to the Industrial Commission, and this Bill removes that limitation. Because of the volume of work which the commission has had before it this year and the present indications that this volume will not diminish, it is necessary that early action be taken to appoint additional commissioners. Many parties who regularly appear before the commission have complained at the delay in hearing cases and with the present volume of applications it is not physically possible for the commission as presently constituted to deal expeditiously with all

matters which come before it. The appointment of an additional judge after the Workmen's Compensation Act was passed has not given any relief: in fact, the President and both Deputy Presidents are hearing workmen's compensation matters, so that less time is available for them to hear industrial matters.

Last year section 135 of the Act was amended to provide that the registration of a trade union could not be refused only because it had among its members persons employed by the Commonwealth Government. This was designed to deal with the situation arising from a decision of the Industrial Court given in 1967 refusing registration to a union because it had among its members employees of the Commonwealth who could not be subject to an award of the State Industrial Commission. Unions with such members have been registered for many years; in fact, this has been so ever since trade unions were first able to obtain registration under the Acts which preceded the Industrial Code. They include long established unions such as the Australian Workers Union, the Australasian Society of Engineers and the Federated Ironworkers Association.

Since that amendment was made, it has been argued that every union, whose members include any employee of the Commonwealth, that was registered before 1970 was erroneously registered, and already proceedings have commenced in the Industrial Commission to have the registration of reputable trade unions cancelled on this ground. These proceedings are directed against unions that have been registered for years and in one case have been commenced by persons representing an organization which is itself not registered under the Industrial Code. If the law in this matter is not speedily put beyond doubt, the whole basis of trade union registration in this State could be jeopardized.

Clause 1 of the Bill is formal. Clause 2 makes a consequential amendment to the definition of "Commission in Appeal Session" in section 5 of the principal Act. Paragraph (*c*) of clause 3 removes the limitation of two commissioners, while paragraph (*b*) ensures that the present balance of background experience as between commissioners will be preserved. Clause 4 is again consequential on the removal of the limitation of numbers of commissioners. Clause 5 puts beyond doubt the validity of the registration of those unions which have, among their members, persons employed by the Commonwealth Government.

*Later*:

Mr. COUMBE (Torrens): I support this short Bill, but I think it is necessary to look at its implications. Its main provision relates to the commissioners of the Industrial Commission. Some years ago, when I had the privilege of being Minister of Labour and Industry, the work involved in the industrial jurisdiction increased substantially. As a result, I introduced a Bill providing for the appointment of a President and a Deputy President in addition to the two Commissioners. This occurred when Judge Williams was elevated to the Commonwealth Conciliation and Arbitration Commission. Subsequently Judge Bleby was appointed President of the Industrial Court of South Australia, and I introduced amendments which provided for the position of Deputy President and which, as I recall, were agreed to unanimously. Judge Olsson was appointed to this position, occupying also the position of Chairman of the teachers salaries tribunal. That appointment and the appointment of the two Commissioners (Messrs. Lean and Johns) certainly strengthened the commission at the time. As I understood the position at the time, it was likely that the commission's work would increase, and I believe that that prediction was correct.

When I earlier asked the Minister a question about this matter, he said that two conciliators (not commissioners) would be appointed. However, I see that the Bill provides for the appointment of at least two more commissioners. Although it does not specifically provide that two shall be appointed, an equal number will be appointed, one having had industrial experience on the employers' side, and one having had industrial experience on the trade union side. Indeed, the two present Commissioners, both of whom I know extremely well, have been drawn from those two fields. I believe that these additional appointments are necessary. With the introduction of the new workmen's compensation legislation, even though another court is involved, the Industrial Commission is heavily committed.

I am pleased to see that the commission, which previously occupied accommodation and worked under intolerable and overcrowded conditions in the Supreme Court library building, is now housed in more spacious quarters. The former Attorney-General (Mr. Millhouse) and I, when in office, planned to provide a completely new Industrial Court complex adjacent to the Supreme Court, and this plan was to take several years to implement. I

know that the Minister will try to ensure that adequate provision is made and accommodation provided for the new officers to be appointed. I hope that he will use his utmost diligence and ensure that qualified men, from whichever side they may be drawn, are appointed to this most responsible position.

Secondly, the Bill deals with registering trade unions that have members employed by the Commonwealth Government. This matter having come before me when I was Minister of Labour and Industry, I recall giving instructions for certain drafting to take place whereby these officers would be covered, and legislation was subsequently enacted. Unfortunately, this matter has been challenged in the Industrial Commission, and the ludicrous position has apparently arisen wherein proceedings have been directed against certain unions by persons representing organizations that are not registered under the Industrial Code. Although this was never intended in the amending legislation, anomalies have apparently arisen, the Industrial Commission having to consider possible deregistration or dismissing certain applications. The Bill clearly seeks to cover any registrable union having a Commonwealth employee and being registered before 1970, and this will cover certain cases in which proceedings have been taken to deregister or in which proceedings have been taken against certain unions. The Industrial Commission has had the unenviable task of proceeding as the Statute has provided, and I believe that this amendment corrects the position.

The Bill removes the limitations on the number of commissioners and provides that in future they shall be equal in number and shall be drawn from both sides of the fence, if I may use that expression. I hope in all conscience that the Minister will not go overboard but will appoint only two more commissioners and not six. After all, the taxpayers must pay for these worthwhile officers who do a diligent job. The Bill provides that, if the commission finds that after the appointment of another two commissioners additional appointments are required, another Bill will not have to be introduced but that the appointments can be made administratively. Clause 5 puts beyond doubt the validity of the registration of those unions that have among their members persons employed by the Commonwealth Government. As this is commonsense legislation, I support it.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

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

*That this Bill be now read a third time.*

I thank the member for Torrens and other members for their support of this legislation and I assure them that only two additional commissioners will be appointed at this stage. The member for Torrens has a wide knowledge of what the Bill is intended to do and, as he has outlined his attitude clearly, I shall not delay the measure further except to say that it should be accepted because of the heavy volume of work that has been forced on the Industrial Court over the last 12 months.

Bill read a third time and passed.

## WORKMEN'S COMPENSATION ACT AMENDMENT BILL

The Hon. D. H. McKEE (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to amend the Workmen's Compensation Act, 1971. Read a first time.

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

*That this Bill be now read a second time.*

The Bill is brought down following certain submissions made to the Government by Their Honours the judges of the Industrial Court, and it is intended to resolve some procedural difficulties that have arisen in connection with the transitional provisions enacted in the Workmen's Compensation Act, 1971, which came into force on July 1, 1971. In transitional provisions of this kind proceedings may be divided into two classes: (*a*) proceedings which have been commenced under the old Act but have not been completed at the time the new Act came into force; and (*b*) proceedings which could have been commenced under the old Act but which had not been so commenced at the time of new Act came into force. The former class causes no difficulty since, as is provided in the Act, they may for practical purposes be completed as if the new Act had not been enacted.

However, in the case of the latter class it was determined that although they would be commenced and continued under the old substantive law they would be heard and determined by the Industrial Court, which would for this purpose be given the powers of a local court or a judge thereof. Further, to facilitate this vesting of jurisdiction the Industrial Court was given power to give directions to the parties as to the steps they should take in proceedings of this class. In the event, the powers conferred on the Industrial Court have not in fact proved to be sufficient for this purpose, and hence one of the objects of the Bill is to arm the court with a sufficiency of power in this regard. In addition, again on the recommendation of Their

Honours the judges, opportunity has been taken to resolve a doubt that has arisen in connection with the registration of agreements arising out of matters that were within the ambit of the old Act.

Clauses 1 and 2 of the Bill are formal. Clause 3 repeals sections 5 and 6 of the principal Act and substantially re-enacts those provisions but in a somewhat more orderly form. Subsections (2), (3) and (4) of section 5 have, cross-references apart, been re-enacted as new section 5 since, strictly speaking, these provisions are not transitional provisions. Section 5 (1) and subsections (1), (2) and (3) of section 6 have been enacted as new section 6. Of course, these are true transitional provisions. Two amendments of substance have been made in this latter re-enactment. First, by new subsection (4) it has been made quite clear that on and after January 1, 1972, the procedure to be adopted in proceedings referred to in the latter class of proceedings (that is, those that could have been, but had not in fact been, commenced under the old Act) will be the procedure of the Industrial Court as set out in its rules with, of course, any necessary modifications or adaptations, and secondly by new subsection (5) the Industrial Court has been given a sufficiency of power to deal with any future difficulties in this area.

Clause 4 deals with the question of registration of agreements for the payment of lump sums by way of compensation for injuries under the old Act. From the outset, Their Honours took the view that such agreements were registrable under the present Act although there was no explicit power to so register them and such an approach is, in the Government's view, entirely consistent with the objects of the new Act. However, a doubt has arisen whether such agreements are so registrable, and accordingly by an amendment to section 35 of the principal Act the position is made quite clear, and in accordance with the usual practice in matters of this kind all "purported" registrations have been validated. This validation has been effected by new subsection (1a) at paragraph (*a*). Paragraph (*b*) of this new subsection deals with the question of agreements for the payment of lump-sum compensation that have been, in effect, registered under the old Act since the new Act came into force, and for the sake of consistency these also have been deemed to have been registered under this Act. Thus the way is now open for all future agreements of this kind to be registered under this Act.

Clause 5 merely amends section 69 (9) of the principal Act by altering the position of the quotation marks in the passage set out. Unfortunately, in the consideration of the original Bill in Parliament, these quotation marks were misplaced, and in its present form the definition is almost meaningless. The amendment places the marks in their correct position. I understand that Their Honours the judges of the Industrial Court have conferred with representatives of the Law Society of South Australia, and the principles on which this measure is based have been approved of by those representatives. As this measure arises from a submission of Their Honours the judges and, in fact, has been prepared following close consultation with Their Honours, and having regard to its aims, I ask honourable members to ensure that its passage is not unduly delayed.

*Later*:

Mr. COUMBE (Torrens): The Bill is designed to remedy certain matters that have evolved since the 1971 Act was passed in the earlier session of this Parliament. As a result of the time that has elapsed since the passing of the Act, certain matters have become apparent. Provided in the earlier legislation were certain transitional provisions we are considering in the Bill now before us. They can be divided roughly into two classes: those proceedings which had been commenced under the old Act but which have not been completed at the time the new Act came into force; and secondly, proceedings which could have been commenced under the old Act but which had not been commenced at the time the new Act came into force. That statement may seem confusing to some members but, if they analyse it, they will realize the importance of my remarks.

In my opinion, the first of these categories does not cause any difficulty. However, regarding those proceedings which could have been commenced but which were not commenced, it was determined that, although they were commenced and continued under the old substantive law, they would have been heard and determined by the Industrial Court which, for that purpose, would have been given the powers of a local court or of a judge therein. To facilitate the vesting of that jurisdiction, the Industrial Court was given power under the Act to direct the parties concerned as to the steps they should take in such proceedings. What has happened is that the powers conferred on the court have not proved to be sufficient for the purpose. Therefore, one of

the purposes of this Bill is to vest the court with sufficient power in this regard.

In addition, on the recommendation of the judges of the Industrial Commission, the opportunity has been taken to resolve a doubt that has arisen in connection with the registration of agreements. There is no purpose in my explaining to the House what agreements are, as I think all honourable members have examined this subject before. I refer to the registration of agreements arising out of matters that fell within the ambit of the old Act, which has now been superseded.

One has really to examine carefully the Minister's second reading explanation, as one can so easily get confused with the new sections, new subsections and clauses to which the Minister referred. I make it clear that I am not reflecting on the Minister in this respect. Many of these provisions deal with the transitional period between the operation of the old Act and the new Act. Two important amendments of some substance have been made. New section 6 (4) makes it clear that, on and after January 1, 1972, the procedure to be used in the conduct of any proceedings to which I have referred (those which could have been initiated but which were not, in fact, initiated) shall be the procedure set out in the provisions of the Rules of Court, made under the Act with such modification or adaptations, which, to the court, seem necessary or desirable. New subsection (5) gives the Industrial Court power to deal with any future difficulties experienced in this area.

Clause 4, which amends section 35 of the principal Act, deals with the registration of agreements for the payment of lump sums for compensation under the old Act. Honourable members will recall that, during the debate on another amending Bill earlier this year, certain points were made about injuries that were sustained during the period of operation of the old Act and those that would be sustained in the period of the amending Act. Their Honours took the view (there having been some confusion in this respect) that the agreements under the old Act were registrable under the present Act, although there is no explicit power for them to do so. I believe, with respect to Their Honours, that the court took the correct view. However, it is my view that, when considering legislation, Parliament should spell out its intentions clearly so that the courts have no doubts in this respect. I therefore support clause 4, which amends section 35 of the principal Act and which removes any doubt whether purported registrations can be validated.

Lump sum concession payments have been registered under the old Act since the new Act came into force and, for the sake of consistency, these are deemed by Their Honours to be registered. Once again, Parliament is confirming an attitude that has been taken by the court, although possibly the court may not have had the power strictly to take that attitude. However, I believe it has taken a commonsense view in this regard. In future, all agreements of this type will be registered under the Act.

Clause 5 deals with the not world-shattering matter of the position of quotation marks. When the Bill was amended previously, certain quotation marks were inadvertently placed in the wrong position, which has made interpretation of the section involved almost impossible. In future, at least a logical interpretation of this section will be possible. I am fortified in my remarks, as the judges of the Industrial Court have considered this matter at length and have made certain recommendations to the Government on it. I respect the views of Their Honours, as I have worked with them and I know of their integrity, probity and intense desire to do the correct thing in relation to the Workmen's Compensation Act. Under these amendments, the rights of workers who suffer injuries as a result of their employment are not in any way affected. I understand also that Their Honours have conferred with the Law Society of South Australia. I am sorry that my learned colleague, the member for Mitcham, is not present so that I can place the accolade on his shoulders; I know he would agree with me in this respect. The Law Society has agreed with the principles upon which the measure is based, and has agreed to it. As the judges of the Industrial Court, and also the Law Society, have recommended to the Government that this action be taken I support the measure.

I should like to refer to a weakness in section 25 of the Act, in relation to which the Minister has been active. I intend later to take action in relation to this section in the hope that it will strengthen even further the operation of the Act, particularly as it refers to our learned friends in the legal profession; what is more important, it affects the workmen of this State, who may be seeking relief under this provision. I hope in due course, when I move a certain motion, that the Government will be sufficiently courteous to give me its support so that I can at least put forward my views. I support the Bill.

Mr. McANANEY (Heysen): I support what the member for Torrens has said.

Bill read a second time.

Mr. COUMBE 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 to amend section 25 of the principal Act relating to representation.

Motion carried.

In Committee.

Clauses 1 to 5 passed.

New clause 3a—"Representation."

Mr. COUMBE: I move to insert the following new clause:

3a. Section 25 of the principal Act is amended—

(*a*) by inserting after the figures "25" the symbols and figure "(1)";

and

(*b*) by inserting at the end thereof the following subsection:—

(2) Nothing in this Act shall be read or construed as preventing a person not being a legal practitioner, as defined in the Legal Practitioners Act, 1936, as amended, from—

(*a*) preparing, or lodging for registration, any agreement referred to in section 35 of this Act;

or

(*b*) preparing, or lodging for recording, a memorandum of agreement pursuant to the repealed Act.

Section 25 provides that, in proceedings under the Act, a party may be represented only by a legal practitioner. The word "proceedings" is not defined in the Statute and, as happens in such cases, one must go to the dictionary meaning of the word. The opening passage of the new section 6 refers to all proceedings, including but without limiting the generality of the expression "proceedings" on recording a memorandum of agreement pursuant to the repealed Act. This indicates, perhaps inferentially, that the word "proceedings" in section 25 is intended to comprehend agreements for registration as well as all other proceedings under the Act.

If this is the case, only legal practitioners will be permitted to lodge agreements for registration in the court. We all realize that the court is concerned about the quality of agreements lodged by insurers or assessors, but I cannot see any reason why an employer's indemnity insurer should not be permitted to lodge these agreements. The provisions of this new clause, which will allow insurers to lodge agreements, will not in any way impinge upon a workman's rights under the Act. We will get better agreements as a result of the new clause and the employer's insurer will be able to lodge these agreements. This matter may be said to be minor, but I see no harm in the Government's accepting the new clause. If I cannot get support from the Minister, I may get it from my legal friends opposite.

The Hon. D. H. McKEE (Minister of Labour and Industry): I have considered this new clause and realize there may be some value in it. However, the Government intends to give full protection to any person who is placed in the position where an agreement has to be registered, and it believes that, to ensure that the position is safeguarded, he should be represented by a legal practitioner. I must ensure that this legislation gives full protection to those who require it.

Mr. COUMBE: I regret the Minister's attitude, because the new clause will not affect the right to compensation of any workman. I wanted to clarify the present position and spell out the details. This new clause will not deny any workman the rights to protection, and I think it could be accepted with no loss to the purpose of the Bill.

Mr. MATHWIN: This new clause will not be detrimental to the interests of a workman in any way. I cannot understand why the Government opposes it.

The Committee divided on the new clause:

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

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

Pair—Aye—Mr. Wardle. No—Mr. Virgo.

Majority of 6 for the Noes.

New clause thus negatived.

Title passed.

Bill read a third time and passed.

## HEALTH ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

*That this Bill be now read a second time.*

It has two principal objects: the first is to extend the operation of certain provisions of the Act relating to clean air and air pollution to all areas of the State and to provide for an Air Pollution Appeal Board, and the second is to clarify the provisions of the Act relating

to the licensing of private hospitals and rest homes and to make provision for the licensing of nursing homes. Section 91 of the Act as it now stands prohibits the operation of the two preceding sections of the Act within any part of the State to which the Noxious Trades Act applies. Those sections deal with offences arising out of a trade or business which has become, or is likely to become, injurious to the health of or offensive to inhabitants of a district. The court in such a situation may impose a penalty or may order that certain actions be carried out to prevent or mitigate the offence. As the Noxious Trades Act applies virtually throughout the entire metropolitan area, the unfortunate situation exists whereby, as a consequence of section 91 of the Health Act, sections 89 and 90 of that Act cannot be applied to any trade or business (whether or not a noxious trade) within that area. The Government is of the opinion that every provision of the Health Act that enables some control to be had over the growing pollution of this State must be fully operative and effective. As the State becomes more industrialized over the years, the risks to our health and enjoyment of our environment must be minimized as far as possible.

In recognition of the gravity of pollution offences, it is also intended to increase the maximum penalty that may be prescribed for breach of a clean air regulation from $200 to $2,000. At the same time, the Government fully realizes that industry must be given as free a hand as possible to operate efficiently and profitably, and this Bill seeks to provide for the establishment, by regulation, of a body to be known as the Air Pollution Appeal Board. It is intended that this board will entertain appeals from any person or body against decisions of the Director-General under the clean air provisions of the Act. The Director-General is to be given, under the regulations, further powers with respect to setting limits on the emission of various pollutants into the atmosphere and to the imposition of specific conditions on individual industries. Obviously, these powers are necessary, and it is fortunate that various industrial interests have indicated that the restrictions that will necessarily follow will be accepted without undue opposition if there is some right of appeal to an independent tribunal. The Government believes that co-operation between all interested parties in reaching a solution of the pollution problem is essential, and it is therefore willing to set up the appeal board without further delay.

In amending the provisions of the Act dealing with the licensing of private hospitals, nursing homes and rest homes, the Government's primary concern is to clarify the definitions of these three classes of institution so that the present conflict with corresponding Commonwealth definitions is resolved. As the Act now stands, no distinction is made between rest homes and nursing homes, whereas the Commonwealth has provided separate levels of benefit for those two institutions. The Bill therefore contains various new definitions and provides for the licensing of nursing homes. These amendments partly result from an undertaking given to the Commonwealth Minister for Health that the Government wishes to honour as expeditiously as possible.

I shall now deal with the clauses of the Bill. Clause 1 is formal and, as certain regulations will have to be made, commencement is to be on a day to be fixed by proclamation. Clause 2 contains a consequential amendment. Clause 3 provides a definition relating to the Air Pollution Appeal Board. Clause 4 repeals section 91 of the Act. I have already referred to the reasons for this repeal. Clause 5 adds a further regulation-making power in that Part of the Act dealing with clean air and air pollution, providing for the setting up of an Air Pollution Appeal Board. Substituted paragraph (*r*) increases the maximum penalties for breaches of clean air regulations to $2,000, and to $200 a day for a continuing offence. Clause 6 inserts a new section 94d, which provides for the appointment of the Air Pollution Appeal Board. Clause 7 contains a consequential amendment.

Clause 8 inserts a new section 145a, which defines a private hospital, a nursing home and a rest home. Certain premises are deemed to be a nursing home or a rest home, as the case may be. Certain institutions covered by other legislation are excluded from the provisions of the Part. Clause 9 contains two consequential amendments to section 146 dealing with the licensing of private hospitals and also increases the maximum penalty for a breach of any of the provisions of the section from $100 to $200. Clause 10 inserts new section 146aa, which provides for the licensing of nursing homes. The same provisions are included as are now contained in the sections dealing with the licensing of private hospitals and rest homes. A building previously licensed as a private hospital or a rest home must, if it is to be used as a nursing home and comes within the definition of a nursing home, be licensed as a nursing home after the expiration

of its current licence. Clause 11 contains two consequential amendments to the section dealing with the licensing of rest homes and also increases the maximum penalty for a breach of that section to $200. Clause 12 amends section 147 relating to the making of regulations to conform to the new provisions relating to private hospitals, nursing homes and rest homes. The power to prescribe conditions relating to the refusal of an application for a licence (either for the hospital or home or the manager thereof) is also included.

Dr. TONKIN secured the adjournment of the debate.

## PISTOL LICENCE ACT AMENDMENT BILL

Second reading.

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

*That this Bill be now read a second time.*

Earlier this year, the Pistol Licence Act was amended to exempt from the pistol licence provisions of the Act any member of a pistol club who possessed a pistol prescribed for the use of the club, or used or carried when engaged in or proceeding to or from target practice. After examining the implications of that amendment, the Commissioner of Police has reported to the Government that the exemption is far too wide, in that virtually any person of whatever age or character may possess a pistol without a licence, provided he is a member of an organization or body calling itself a pistol club, even if the organization or body is not a *bona fide* one. At least in one case the Commissioner has discovered that a 10-year-old boy is a proposed member of a pistol club and, as the Act now stands, there is very little the Commissioner can do in such a situation. The Government believes that this potentially dangerous situation must be rectified without delay, and for this reason I commend the Bill to honourable members. The Bill seeks to give the Commissioner power to approve the persons who may be exempted from the obligation to obtain a pistol licence. In this way, some measure of control will be regained. The Bill also contains statute law revision amendments.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 effects several decimal currency amendments to section 4 of the Act which deals with the penalty for carrying an unlicensed pistol. The exemption provision is amended so that only rifle and pistol club members who are approved by the Commissioner are exempt from the obligation to hold a licence for a pistol. Clauses 3 to 10 inclusive effect decimal currency amendments to sections 5, 9, 10, 11, 15, 16, 17 and 18 of the Act, respectively. Clause 11 effects a statute law revision amendment to section 20 of the Act.

Mr. McANANEY secured the adjournment of the debate.

## ADELAIDE FESTIVAL CENTRE TRUST BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

### THE REPORT

The Select Committee to which the House of Assembly referred the Adelaide Festival Centre Trust Bill, 1971, has the honour to report:

1. Your committee held two meetings and examined the following witnesses:

Mr. W. H. Hayes, Lord Mayor, and Mr. R. W. Arland, Town Clerk—representing the Corporation of the City of Adelaide.

Mr. F. C. Hassell, Architect, of Hassell and Partners, North Adelaide.

Mr. Tom Brown, Theatre Consultant, of Tom Brown and Associates, Double Bay, New South Wales.

Mrs. Madeleine Brunato, President, and Mr. M. F. Page, Vice-President—representing the South Australian Writers Association.

Mr. L. L. Amadio, Development Officer (Performing Arts and Tourism), Premier's Department, Adelaide.

Mr. D. F. Collins, Registrar-General, Registrar-General's Department, Adelaide.

Mr. R. J. Fitch, Railways Commissioner, South Australian Railways.

Mr. R. J. Daugherty, Senior Assistant Parliamentary Counsel, Adelaide.

2. Advertisements inviting interested persons to submit evidence to the committee were inserted in both Adelaide daily newspapers. As a result of these advertisements a submission was received from the South Australian Writers Association.

3. In its submission, the South Australian Writers Association sought to have facilities made available to it within the festival centre for the purpose of holding seminars, lectures and other functions in connection with its activities. The committee sees no difficulty in arrangements being made within the centre for the holding of functions conducted by the association, at which there is a large attendance, but considers that it would be preferable for semi-permanent accommodation to be provided elsewhere for smaller meetings and other activities.

4. The Railways Commissioner, in his evidence, expressed concern that the vesting,

under clause 29, in the Festival Centre Trust of the land comprised in sections 655 and 656 and the subsequent control by the trust of these areas, could prejudice railway operations, unless free access to facilities on the land could be provided until their relocation. The committee is satisfied this can be done.

5. A submission was made on behalf of the Adelaide City Council that provision should be made under the definition of "the centre" in clause 4 to include parks and open spaces. As some of the land to be vested in the trust would come under this description either now or at some future date the council considered it desirable to extend the powers to make regulations contained in clause 35 to include any parks or open spaces surrounding the buildings within the confines of the trust's land. The committee agrees with the council's submission and recommends that the necessary amendments be made to clause 4.

In his evidence, the Lord Mayor indicated that, subject to the foregoing amendment, "the council fully supports the measure and is pleased to be so intimately associated with the exciting concept of the 'Adelaide Festival Centre'".

6. After consideration of the evidence placed before it, your committee is satisfied that the passage of this Bill will ensure the satisfactory development of the festival centre and of the area contiguous to it. It will also enable an efficient administration to be established for the total complex.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Definitions."

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

In the definition of "the Centre" after "walks" to insert "parks, open spaces,"; and after "connected with" to insert "or comprised in".

Amendments carried; clause as amended passed.

Remaining clauses (5 to 35), schedule and title passed.

Bill reported with amendments. Committee's report adopted.

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

*That this Bill be now read a third time.*

Mr. HALL (Leader of the Opposition): I have supported this Bill in the second reading and Committee stages because it is fulfilling a plan to complete the theatre complex as announced previously. This includes the completion of the festival theatre and the drama theatre sooner than had previously been expected. It seems that the plan investigated by the Select Committee is feasible and produces desirable amenities that I hope will serve the community for many years. However, I still maintain the position I took when this matter was announced. The completion of this complex is before its time and has been brought forward in a rather hasty manner, which will produce some strain on Government finances. It will mean that other items that are required in this State will be put back because of the requirements to complete this drama centre.

The total expenditure estimated for the two theatres has risen to $12,000,000 (a figure with which the Premier would agree), and this will probably escalate to about $14,000,000 when the plan is completed. This sum comprises a significant amount of the Loan programme each year, and for this reason I still maintain that the completion of the whole scheme so soon after the beginning of the festival theatre is before its time and will deprive some sectors of the community of amenities they could have had ahead of the drama centre.

I am also concerned about the matter raised during the Select Committee investigations concerning the future possibility of building an underground railway along King William Street with a connection with the Adelaide railway station. It appears, from the evidence given to the committee, that this is not precluded by the position of the festival theatre. I believe the additional plans for the drama theatre do not jeopardize in any further way the building of an underground railway. Whenever this matter is considered, it should be realized that Adelaide will almost inevitably require in its future development an underground railway system. Although one cannot put a time on this, it is obvious that, as this city follows world trends and becomes more densely populated, it must move into a system of transport through the city, which may involve a tube system. Whatever alterations may have to be made, I hope that the final plan will allow construction of the underground railway when it is necessary, and I am sure that in future we will all see this facility provided.

Having made that statement and believing that this construction is before its time financially, I concede that the project is Government policy. The Government is making the financial provision and one cannot deny that, physically, the project will present a most attractive complex in total. It will also improve aesthetically further areas of the Torrens River bank that at present are somewhat isolated and not at all attractive.

Mr. COUMBE (Torrens): I have previously indicated my support for the Bill. By completing this construction, we will provide

Adelaide and South Australia with an outstanding centre that I hope will enhance the Festival of Arts generally so that it will maintain a high standard of artistic achievement not only by our own performers but also by performers from other States. However, as the Leader has said, the public should know that the total cost is likely to be more than $12,000,000, which is not a small amount. We are not talking about a fantastic cost, like that of the Sydney Opera House, but the taxpayers of South Australia will have to bear a considerable sum.

If it is Government policy to proceed with this project, it is important to see that it is operated properly, in conjunction with the Adelaide City Council, as under present arrangements, and eventually with the trustees to be appointed, so that the money will be spent to the best advantage to enhance the arts generally in South Australia, to the benefit of the people and of the State.

Another matter we must consider is the whole aspect of this situation. Perhaps we can say that now we see the light at the end of the tunnel. I have been involved in this matter for a long time and I think the Select Committee was the fourth Select Committee on the subject of which I have been a member. In addition, for some years I was a member of the Lord Mayor's Festival Committee. We have had many setbacks but I hope that now we can see some results of all the deliberations, giving us a complex worthy of the State.

We know that, unfortunately, the main hall will not be ready for the Festival of Arts next year. I understand that it will be completed in about October or November next year. However, this new drama theatre may be available for the 1974 Festival of Arts and, if it is, this will be all to the good. However, I assume from evidence I have read that legislation will be necessary, perhaps in two years time, to validate further action. In drawing the attention of the people to the cost, which I think is an important matter, I indicate my support of the third reading.

Mrs. BYRNE (Tea Tree Gully): As a member of the second Select Committee (not the fourth one, to which the previous speaker referred), I support the third reading. The submissions to the committee and the evidence taken convince me that the final result will be an attractive complex. The Leader of the Opposition has said that one of his few criticisms is that the drama centre is being erected before its time and, consequently, this will affect other projects that could have been built before it. However, if we deferred the erection of the drama centre, the eventual cost could be more than the present estimate.

Also, I am of the opinion that the entire complex, when completed, will attract tourists from other States, and perhaps from overseas. Doubtless, people from the country areas will come to see it. These visitors will stay in hotels and motels in the metropolitan area, thus providing employment, so the real value to the State cannot be assessed.

The only question that can be raised is whether the site of the two buildings will impinge on the future construction of an underground railway. Evidence given on this matter was not decisive but was to the effect that it would not impinge in this way. Whether the underground railway will be built remains to be seen: I do not expect to see it in my lifetime. I hope that I am wrong in saying that, but I am entitled to my opinion. Other people may not agree with me but I think that, by the time we get around to building the underground railway, some other form of transport will be available and the underground railway will not be necessary.

Mrs. STEELE (Davenport): It will be gratifying to the people of Adelaide and of the whole State to know that at last we have a festival centre of the dimensions of the model displayed in the House. As a result of the publicity given in this morning's newspaper, many people have come in off the street today to see that model, and there is great interest in it. Having been away from South Australia for a time, I was interested to see the progress being made in building the festival centre. Although there is regret that it will not be ready in time for the Festival of Arts next year, I am sure that the people of South Australia will look forward to 1974, when the centre will be in use for the first time for a festival.

I believe that we are providing a complex that will be as good as many I have seen in some of the larger cities of the United States and Mexico, although it will not be as large as one I saw in Salt Lake City, known as Salt Palace, which accommodates 18,500 people.

Mr. Coumbe: Is it a Mormon project?

Mrs. STEELE: No. It is a round building without a single pillar and the seats are most comfortable. In so many cities centres of this type are now being provided, and a centre such as the one being provided here will bring Adelaide into line with other cities where cultural

centres are being provided, for instance, Melbourne and Sydney. For many years I have been closely associated with the South Australian Symphony Orchestra. Until the festival centre is in use, the Adelaide Town Hall will continue to be used as a concert hall; indeed, it is one of the finest halls in this regard in the Southern Hemisphere, I hope it will continue to be used as a concert hall, even when the festival centre is in use. Much hall accommodation will still be needed in Adelaide. The festival hall will be a wonderful venue for the symphony orchestra, and I hope that it will have acoustic properties at least as good as those provided in the Adelaide Town Hall. However, as much more is known about acoustics now than was known in the past, I am sure that this has been one of the main considerations of the architects concerned. I do not think it is appreciated how great a debt we owe to the Australian Broadcasting Commission for the part it has played in developing the cultural life not only of Adelaide but of the Commonwealth. Were it not for the initiation years ago by the A.B.C. of a programme of bringing oversea artists to Australia, we would not have been encouraged or been able to enjoy the kind of cultural life that Australians can enjoy today. As previous speakers have said, the festival centre belongs to all the people of South Australia, and I am sure that it will be a great attraction to country people who, of course, will help pay for it. The festival centre will be a great asset to South Australia and I am sure that, as it becomes known, people will visit Adelaide for the Festival of Arts; it will also draw tourists not only from other States but also from overseas. I have pleasure in supporting the Bill.

Bill read a third time and passed.

## MINING BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 3 (clause 5)—After line 8 insert new subclause as follows:

"(6a) Where a person was, immediately before the commencement of this Act, lawfully conducting mining operations upon lands that constituted private lands under the provisions of the repealed Act, he may, by virtue of this subsection, continue those operations for a period of six months from the commencement of this Act."

No. 2. Page 3 (clause 6)—After line 43 insert new definition as follows:

"'mineral lands' means any lands that are mineral lands in consequence of a declaration under this Act:".

No. 3. Page 4, lines 32 to 36 (clause 6)—Leave out the definition of "precious stones" and insert new definition as follows:

"'precious stones' means opal and any other minerals declared by regulation to be precious stones for the purposes of this Act:".

No. 4. Page 6, line 4 (clause 9)—Leave out "one hundred and fifty" and insert "four hundred".

No. 5. Page 6, line 9 (clause 9)—After "from" insert "mining".

No. 6. Page 6, line 15 (clause 9)—After "from" insert "mining".

No. 7. Page 6, line 19 (clause 9)—After "from" insert "mining".

No. 8. Page 6 (clause 9)—After line 23 insert new subclause as follows:

"(4) This section does not affect any provision of the Pastoral Act, 1936-1970, prohibiting or restricting the conduct of mining operations on lands subject to that Act."

No. 9. Page 7, line 9 (clause 14)—After "Act" insert "or in the Department of Mines".

No. 10. Page 9, lines 4 to 6 (clause 19)—Leave out paragraph (*b*) and insert new paragraph (*b*) as follows:

"(*b*) mining operations have been commenced before or after the commencement of this Act for the recovery of any of those minerals or for the purpose of ascertaining whether any of them may be profitably exploited;".

No. 11. Page 9, line 8 (clause 19)—After "Minister" insert "within five years after the commencement of this Act".

No. 12. Page 9, line 12 (clause 19)—Leave out "the mine" and insert "an area determined in accordance with this section".

No. 13. Page 9, line 12 (clause 19)—After "shall" insert "subject to subsection (1a) of this section".

No. 14. Page 9, lines 14 to 16 (clause 19)—Leave out "and the minerals may be dealt with and disposed of in all respects as if this Act had not been enacted".

No. 15. Page 9 (clause 19)—After line 16 insert new subclauses as follows:

"(1a) The Minister may reject an application under subsection (1) of this section where no mining operations have been conducted on the land subject to the application within a period in excess of 12 months before the date of the application, but otherwise no application shall be rejected on the grounds of the discontinuance of mining operations.

(1aa) The Minister may reject an application under subsection (1) of this section where, in his opinion, the mining operations in the area to which the application relates have been insignificant, or have not been genuinely conducted for the recovery of minerals, or for the purpose of ascertaining whether a deposit of minerals that may be profitably exploited exists.

(1b) The area to be declared a private mine under this section shall be the whole of the area, comprised in the application, in which the prospective proprietor of the

mine held property in minerals immediately before the commencement of this Act, and which is reasonably required for exploitation of minerals.

(1c) In the event of any difference between the Minister and the applicant for the declaration as to the area to be declared a private mine under this section, the applicant, or the Minister, may apply to the Land and Valuation Court for a determination of the difference.

(1d) The Land and Valuation Court shall, upon the hearing of an application under subsection (1c) of this section, determine the area to be declared a private mine in such manner as it considers just and reasonable."

No. 16. Page 9, line 17 (clause 19)—After "proclamation" insert "vary or".

No. 17. Page 9, line 18 (clause 19)—After "that the" insert "whole or any part of the private".

No. 18. Page 9, line 20 (clause 19)—After "not be" insert "varied or".

No. 19. Page 9, line 21 (clause 19)—After "for" insert "the proposed variation or".

No. 20. Page 9 (clause 19)—After line 25 insert new subclauses as follows:

"(4a) The proprietor of a private mine who is liable to pay royalty upon extractive minerals may apply to the Land and Valuation Court for an order that any other person, named in the application, should indemnify him wholly or partly for the payment of that royalty.

(4b) The Court may, upon an application under subsection (4a) of this section make such order for indemnity as it considers just and equitable having regard to the relative proportions in which the proprietor and the other person or persons, named in the application, derive profit from the operation of the mine."

No. 21. Page 9 (clause 19)—After line 39 insert new subclauses as follows:

"(5a) Any interested party may, by application to the Land and Valuation Court, seek the determination of any question or dispute as to the effect or enforcement of a contract, agreement, assignment, mortgage, charge or other instrument affected by the provisions of subsection (5) of this section.

(5b) The Court may, upon the hearing of an application under subsection (5a) of this section make such orders as it considers necessary or expedient to give effect, consistently with the provisions of this Act, to the intendment of the contract, agreement, assignment, mortgage, charge or other instrument or to achieve a just settlement of any matters of dispute."

No. 22. Page 9 (clause 19)—After line 41 insert now subclause as follows:

"(6a) An application for the declaration of a private mine may be made under subsection (1) of this section by the person divested of his property in the minerals in respect of which the declaration is sought, a person who pursuant to the repealed Act held an authority to enter land for the purpose of mining for those minerals, or a person who, immediately before the commencement of this Act, held any interest in those minerals in pursuance of any contract, agreement, assignment, mortgage, charge or other instrument."

No. 23. Page 10, line 4 (clause 19)—After "established" insert "at any time before or after the commencement of this Act".

No. 24. Page 10 (clause 19)—After line 21 insert new subclauses as follows:

"(11) Where the property in the minerals in any land was, immediately before the commencement of this Act, vested in a person who was then the proprietor of an estate in fee simple in the land, the person who is, for the time being, the successor in title to that person shall, subject to subsection (12) of this section, be the sole legitimate claimant to royalty under subsection (7) of this section.

(12) A person may by instrument in writing lodged with the Registrar-General divest himself of any actual or potential right to claim royalty under subsection (7) of this section, in favour of any other person named in the instrument and thereupon that person or a person claiming under him shall be the sole legitimate claimant to royalty under subsection (7) of this section.

(13) A right to claim royalty under subsection (7) of this section shall not be transferred otherwise than in accordance with this section.

(14) The Registrar-General shall maintain a register of the instruments lodged with him under subsection (12) of this section.

(15) The register and any such instrument shall, upon payment of the prescribed fee, be available for inspection by any member of the public."

No. 25. Page 12 (clause 28)—After line 26 insert new subclause as follows:

"(1*a*) The Minister shall, at least twenty-eight days before he grants an exploration licence under this Part, cause notice to be published in the *Gazette* specifying the area over which he proposes to grant the licence."

No. 26. Page 14 (clause 30)—After line 8 insert new subclause as follows:

"(3) It shall be a condition of an exploration licence that the Minister may at any time require the holder of the licence to pay to any person an amount of compensation, stipulated by the Minister, to which that person is, in the opinion of the Minister, entitled in consequence of the conduct of mining operations in pursuance of the licence."

No. 27. Page 15 (clause 34)—After line 28 insert new subclause as follows:

"(1*a*) The Minister shall, at least twenty-eight days before he grants a mining lease under this Part, cause notice to be published in the *Gazette* specifying the area over which he proposes to grant the lease."

No. 28. Page 16 (clause 34)—After line 18 insert new subclause as follows:

"(6) It shall be a condition of a mining lease that the Minister may at any time require the holder of the lease to pay to any person an amount of compensation, stipulated by the Minister, to which that person is, in the opinion of the Minister, entitled in consequence of the conduct of mining operations in pursuance of the lease."

No. 29. Page 23 (clause 58)—After line 6 insert new subclause as follows:

"(1a) The form in which notice is given under subsection (1) of this section must contain a statement of the owner's rights of objection and compensation under this Act."

No. 30. Page 23, line 28 (clause 58)—Leave out "severe or unjustified".

No. 31. Page 25 (clause 60)—After line 14 insert new subclause as follows:

"(5) The powers conferred upon an inspector under this section are not exercisable in respect of land subject to a developmental programme under the regulations made pursuant to the Mines and Works Inspection Act, 1920-1970."

No. 32. Page 25 (clause 60)—After proposed new subclause (5) insert new subclause (6) as follows:

"(6) The powers conferred upon an inspector under this section are not, for a period of twelve months from the commencement of this Act, exercisable in respect of mining operations in a precious stones field."

No. 33. Page 25, line 17 (clause 61)—After "financial loss" insert "hardship and inconvenience".

No. 34. Page 25 (clause 61)—After line 18 insert new subclause as follows:

"(1a) In determining the compensation payable under this section, the following matters shall be considered:—

(*a*) any damage caused to the land by the mining operation;

(*b*) any loss of productivity or profits as a result of the mining operations; and

(*c*) any other relevant matters."

No. 35. Page 25 (clause 62)—After line 39 insert new subclauses as follows:

"(2a) If the holder of a mining tenement fails to comply with a requirement under this section, the Minister may by instrument in writing, prohibit mining operations in the area of the mining tenement.

(2b) If a person conducts mining operations in contravention of a prohibition under subsection (2a) of this section, he shall be guilty of an offence and liable to a penalty not exceeding one thousand dollars."

No. 36. Page 33 (clause 92)—After line 23 insert new paragraph as follows:

"(*a*1) provide for the maintenance and inspection of registers;".

No. 37. Page 34 (clause 92)—After line 20 insert new paragraph as follows:

(*ka*) regulate the expenditure of moneys from the extractive areas rehabilitation fund;".

213

*Amendments Nos. 1 to 3:*

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I move:

That the Legislative Council's amendments Nos. 1 to 3 be agreed to.

There are many amendments from another place, and most of them are machinery amendments that spell out some of the matters raised in the second reading debate both here and in another place. Amendment No. 1 is one such amendment and is designed to cover the transitional period, during which, prior to the proclamation of a private mine, a mining operator would otherwise be technically operating illegally. The amendment provides for a period of grace between the proclamation of the Act and the proclamation of a private mine during which mining operations may continue. Amendment No. 2 clarifies the Bill. It was previously intended to include this definition in the regulations, but members of another place have considered it necessary to insert the definition in the Bill, and the amendment is acceptable. Amendment No. 3 inserts a new definition of "precious stones" and provides greater flexibility, whereby precious stones may be declared by regulation. This has the advantage that, by amending the regulations, the definition can be varied in future as required.

Motion carried.

*Amendment No. 4:*

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

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

I understood that, as the Bill left this place previously, this provision was considered satisfactory, but members of another place have altered the distance of 150 m to 400 m. The existing provision is similar to the provision that has existed in the principal Act since 1941, and the only amendment intended was a conversion to the metric system. As the amendment would apply throughout the State, it would considerably limit mining operations in the more closely settled areas to the extent that little land would not be exempt. A later amendment will spell out the fact that the Pastoral Act certainly covers the case where 400 m applies. I believe that the amendment is unnecessary, especially when we consider that the present provision has existed for so long. I oppose the amendment.

The Hon. D. N. BROOKMAN: Although I was impressed by the reasons that the Minister previously gave for providing a distance of only 150 m in areas other than in pastoral country, on thinking it over I must admit that

there is fairly close settlement in considerable areas of the State. I know that, in some cases, it would be difficult to provide areas 400 m from houses. A mine can be a nuisance. I should not like to see a mine established in closely settled areas, such as those around Aldgate. Will the Minister consider a compromise?

The Hon. G. R. BROOMHILL: No. The statutory exemption currently operating, irrespective of distances of 400 m or 150 m, already contemplates gardens, chapels, schools, hospitals and so on. Therefore, the proposals in the amendment do not affect any area such as that. As the current provision has applied successfully for many years, I see no reason to alter it.

Mr. EVANS: I foresee problems if the distance is made greater than 150 m. Even council operations could be affected. In semi-settled areas there would be distinct problems.

Motion carried.

*Amendments Nos. 5 to 10:*

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

That the Legislative Council's amendments Nos. 5 to 10 be agreed to.

Amendment No. 5 inserts the word "mining" in clause 9. In some cases the Bill refers to operations without qualifying them as mining operations. Amendments Nos. 6 and 7 are consequential on amendment No. 5. Amendment No. 8 inserts a new subclause (4). Again, this is only a clarification. In clause 81, the Bill provides that this legislation does not derogate from any provision of the Pastoral Act. The amendment simply emphasizes this point. To clear up any doubt, the amendment has been inserted.

Motion carried.

*Amendment No. 11:*

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

That the Legislative Council's amendment No. 11 be amended by striking out "five" and inserting "two".

The original Bill provided for a time of two years within which an application in respect of a private mine could be lodged. The Legislative Council increased that period to five years. Because of later amendments, this limitation will actually become three years. A subsequent amendment provides that an application in respect of a private mine can date back 12 months from the date of operation. As I said in my second reading explanation, the Bill made generous provision in this respect in allowing a period of two years. As our acceptance of a later amendment will increase that term by a further 12 months, I cannot go beyond that and accept the proposal for a term of five years.

The Hon. D. N. BROOKMAN: Organizing a mine is an extremely complicated matter, much arrangement and organization being necessary. Even the Government takes much time to get a project under way. In these circumstances, I do not think five years is an unreasonable period.

Motion carried.

*Amendment No. 12:*

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

That the Legislative Council's amendment No. 12 be agreed to.

This amendment clarifies the clause and is a necessary consequence of the variation made by the Legislative Council's amendment No. 6.

Motion carried.

*Amendment No. 13:*

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

That the Legislative Council's amendment No. 13 be agreed to.

This amendment is consequential on an amendment we will be making later to the Legislative Council's amendment No. 15. However, the amendment is acceptable. A clerical correction is required and, accordingly, I ask that the words "subsection (1a) of" be deleted. The amendment is acceptable.

Motion carried.

*Amendments Nos. 14 to 21:*

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

That the Legislative Council's amendments Nos. 14 to 21 be agreed to.

Amendment No. 14 provides for a deletion to ensure the effectiveness of later provisions dealing with private mines, including the provision for a royalty to be paid to the Extractive Areas Rehabilitation Fund. The amendment is acceptable. Amendment No. 15 enacts new subclause (1a). This amendment qualifies the period of time within which mining operations have been conducted on the land in order to qualify for declaration as a private mine. This amendment is acceptable. New subclauses (1a), (1b), (1c) and (1d) all provide for various conditions under which the Minister may consider and deal with applications for a private mine. The matters may well be regarded as transitional problems, which are clarified by this amendment. Subclause (1d) provides for adjudication where necessary by the Land and Valuation Court. The amendment is acceptable.

The Legislative Council's amendments Nos. 16 to 19, inclusive, provide amendments to enable the Minister, as well as revoking a

proclamation of a private mine, to vary the proclamation. These amendments are acceptable. The Legislative Council's amendment No. 20 enacts new subclauses (4a) and (4b) in clause 19. These amendments protect the owner of the land against liability to pay the royalty on extractive minerals in cases where the actual mining operation on the land is conducted by another party. However, as it is necessary that the owner of the land be liable for the royalty, these clauses enable that liability to be indemnified and, if necessary, for the Court to consider the equity of the situation. The amendment is acceptable.

The Legislative Council's amendment No. 21 enacts new subclauses (5a) and (5b) in clause 19. These subclauses cover the transition problems that may arise in respect of applications for private mines where there are pre-existing agreements or contracts relating to the minerals on the land. They provide for the Court to determine any question or dispute arising from these prior arrangements. The amendment, which is primarily a clarification amendment, is acceptable.

Motion carried.

*Amendment No.* 22:

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

That new subclause (6a) be amended by striking out "a person who pursuant to the repealed Act held an authority to enter land for the purpose of mining for those minerals".

This amendment provides that an application for a private mine may be made not only by the person divested of his property in the minerals but also by other persons with whom there has been a prior agreement in respect of those minerals. The amendment improperly includes "a person who pursuant to the repealed Act held an authority to enter land for the purpose of mining for those minerals". The words in quotations should be deleted from the amendment, which otherwise is acceptable. In the case of the person mentioned in the words in quotations, he already has the right to peg a mineral claim under the existing Act, and this right is continued in the present Bill for 12 months. There is no reason, accordingly, why such a person should, in addition, have the right to apply for a private mine.

Motion carried.

*Amendment No.* 23:

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

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

This amendment is merely consequential.

Motion carried.

*Amendment No.* 24:

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

That the Legislative Council's amendment No. 24 be amended as follows:

(1) In new subclause (11) after "fee simple" to insert "that person if he remains the proprietor of an estate in fee simple in the land, or if not".

(2) In new subclause (12) to strike out "Registrar-General" and insert "Director of Mines".

(3) In new subclause (14) to strike out "Registrar-General" and insert "Director of Mines".

(4) To insert the following new subclauses:

(16) Where a person, upon application to the Land and Valuation Court, proves to the satisfaction of the court that he was, immediately before the commencement of this Act, in adverse possession of minerals, and that, on the balance of probabilities, he would, if this Act had not been enacted, have acquired an indefeasible title to the minerals, the court may order that the provisions of this section shall apply to that person in all respects as if he had been divested of property in those minerals by this Act, and thereupon the provisions of this section shall apply accordingly.

(17) The court may, in the course of proceedings under subsection (16) of this section make such orders as it thinks just to ensure, as far as reasonably practicable, that adequate notice of the application is received by persons who may have had, immediately before the commencement of this Act, a better enforceable right to the minerals than the applicant, and to ensure that the interests of any such persons are adequately protected.

New subclauses (11) to (15) inclusive are enacted to provide that the right to royalty which is granted under this Bill in lieu of ownership of minerals may be registered and dealt with in much the same way as was the right to minerals. The amendment provides that the Registrar-General shall maintain a register of these rights, which shall be searchable by the public. I am informed that the Registrar-General objects to the provisions of these amendments on the grounds that a right to royalty is not in fact an interest in the land and is therefore not registerable on a "Torrens title". The Government amendments provided that this registry should be kept by the Director of Mines, but another place has seen fit to insist that the registry be maintained by the Registrar-General. This is purely an administrative matter that is capable of sensible resolution, but it does appear that wherever the registry is kept it would of necessity be separate from the registry of land titles. With these provisos, the amendments are acceptable. The new subclauses are designed to give a person who was, at the commencement of the new Act, in the course of acquiring a title to minerals by reason of adverse possession, the right to claim the advantage of the provisions of clause

19. Thus where the Land and Valuation Court is satisfied that an applicant to the Court would, if the new Act had not been enacted, have proceeded by reason of adverse possession, to acquire a good title to minerals, the court may order that that person be treated in the same way as a person who did actually have a good title to minerals at the commencement of the Act.

Motion carried.

*Amendments Nos. 25 to 29:*

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

That the Legislative Council's amendments Nos. 25 to 29 be agreed to.

These amendments are minor, but they clarify points that the other place considered should be be spelled out.

Motion carried.

*Amendment No. 30:*

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

That the Legislative Council's amendment No. 30 after "unjustified" be amended by inserting "and insert 'substantial' ".

The words for deletion could by compromise be changed to "substantial". Another place moved to strike out "severe or unjustified". It could well be that the expressions of members in another place have merit and that we are being entirely restrictive in using the phrase "severe or unjustified". I agree that some improvement could be made.

Motion carried.

*Amendment No. 31:*

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

That the Legislative Council's amendment No. 31 be agreed to.

This amendment is acceptable. This new subclause is enacted to ensure that there will be no conflict between the directions given under clause 60 by an inspector and those given under the Mines and Works Inspection Act.

Motion carried.

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

*Amendment No. 32:*

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

That the Legislative Council's amendment No. 32 be disagreed to.

I oppose this new clause strongly. If we accepted it, the legislation would not apply to bulldozing operations for 12 months. The bulldozer operators in that area have had sufficient warning of the Government's intention and, in addition, as it will be at least three months before regulations can be drawn up, the operators will have that period in which to adjust themselves to the new position. However, if the bulldozer operators were not required for 12 months to comply with the tidying-up operations required by the Bill, some operators might decide that it was in their interests to bulldoze large areas to give them the largest possible return, and the final tidying-up operations necessary would be so much greater.

Mr. GUNN: I support the amendment, and I do not agree with the Minister. The bulldozer operators at Coober Pedy and Andamooka have outlaid large sums of money, in some cases as much as $30,000 or $40,000, on equipment and they must meet substantial interest payments. Their future could be jeopardized. Although the Minister has said that bulldozer operators will be affected, the Bill gives him power to declare any equipment, so his argument is not realistic. The Government, particularly the Premier and the Minister, have confused the opal miners. In one statement, the Premier said that he did not recognize the Opal Miners Association and in another statement he said that he did.

The Hon. D. N. BROOKMAN: The Minister has made clear that he is allowing three months grace, because it will take that time to prepare the regulations. Will the Minister compromise between 12 months and three months by providing a period of six months?

The Hon. G. R. BROOMHILL: I regret that I cannot accede to the suggestion made by the member for Alexandra. The measure has been before Parliament for a long time, and I believe that three months is a reasonable period to allow.

Mr. GUNN: The Minister's attitude is unfortunate. At this time of the year many opal miners leave Coober Pedy, because the heat and dust make it impossible to operate bulldozers.

The Hon. G. R. Broomhill: What does that prove?

Mr. GUNN: The Minister does not know much about opal mining.

The Hon. L. J. King: We're inviting you to tell us.

Mr. GUNN: The Minister has no regard for the people in the opal industry and his attitude is typical of that of members opposite, who want to smash the opal industry. If the Minister accepted the amendment, many of the fears of the opal miners would be allayed.

The CHAIRMAN: The question is that the motion be agreed to. Those in favour say "Aye"; against say "No". The Noes have it. In case there is any confusion in the minds of members, the Minister has moved that amendment No. 32 be disagreed to.

The Hon. G. R. BROOMHILL: I understood that you were moving that the amendment of the Legislative Council be agreed to.

The CHAIRMAN: In case there is any confusion, I will put the motion as it was moved by the Minister.

The Hon. D. N. BROOKMAN: On a point of order, Mr. Chairman: you have already put the motion and given a decision.

The CHAIRMAN: Order! Apparently there is confusion in the minds of some members. I had put the question but had not declared the vote.

Mr. MILLHOUSE: You did declare the vote, Mr. Chairman. You declared that the Noes had it; I heard you say so.

The CHAIRMAN: I will put it as the Minister has moved it—that amendment No. 32 be disagreed to.

Mr. MILLHOUSE: On a point of order, Mr. Chairman. You put the vote and declared it. I ask whether you are putting it again and, if you are, under what provision you can do that. The Committee has already decided the question.

The CHAIRMAN: I will put the question on the same basis as I have put it on many other occasions where members may have been confused about the vote being considered by the Committee: I have done it previously. To avoid confusion in the minds of members, I will put the question as it was moved. I have done it before and I am doing it again. The question is—

Mr. MILLHOUSE: Mr. Chairman, I take a point of order. You put the question; there were no Ayes, but there were several Noes, and you declared the motion in the negative. There was not one voice for the Ayes, so no-one could have called for a division. You had declared the result, and the question was lost. I know of nothing at all to show that there has been any confusion in the minds—

Mr. Payne: I was confused, and I am not ashamed to admit it. Legislation should not be passed in this way. What about sitting down?

Mr. MILLHOUSE: I must, Sir, respectfully ask you to confirm the question which you have properly put to this Committee and which has been properly voted on.

The CHAIRMAN: I will accede to the honourable member's request. The matter can then be proceeded with at a later stage. The honourable Minister.

*Amendments Nos.* 33 *to* 37:

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

That the Legislative Council's amendments Nos. 33 to 37 be agreed to.

Amendment No. 33 is designed to ensure that when compensation is being considered matters other than direct financial loss will be taken into account. This amendment, which is of minor consequence, is acceptable. Amendment No. 34 seeks to insert a new subclause, which spells out in more detail the matters which a court shall take into account when determining compensation. Although in my view the court was already competent to consider this matter, members of another place considered that this situation should be clarified. I accept the amendment. Amendment No. 35 seeks to insert two new subclauses, which give the Minister power to ensure that an operator lodges a bond against his liabilities for compensation and, in the event of his failure to lodge a bond, the necessary power to prevent the continuation of the mining operations and/or to prosecute. The amendment is acceptable. Amendment No. 36 provides for regulations to cover the setting up of registers within the Mines Department. This amendment, which is consequential, is acceptable. Amendment No. 37 provides for regulations covering the extractive areas rehabilitation fund and is an acceptable amendment.

Motion carried.

The Hon. G. R. BROOMHILL moved:

That the Legislative Council's amendment No. 32 be reconsidered.

The Hon. D. N. BROOKMAN: I oppose the motion. This matter was debated at some length, and everyone who claimed to be listening knew what was going on. One or two people claimed that they did not know what was going on. The member for Mitchell did not know what was going on.

Mr. Gunn: That's quite understandable.

The CHAIRMAN: Order! Personalities will not come into the matter.

The Hon. D. N. BROOKMAN: He claimed that he was confused. With respect to the member for Mitchell, I do not think he has made any statements, except by interjection, in relation to this Bill, and I do not see why the Committee should have to reconsider a matter for the convenience of private members who say they are confused or for the convenience of the Minister, who may have in some way misunderstood what was happening. We debated this matter at some length, and the member for Eyre pointed out that there would be a great injustice to some of his constituents.

The CHAIRMAN: Order! The honourable member must link his remarks to the motion.

I will not allow an open discussion on the merits of the provision.

The Hon. D. N. BROOKMAN: The Committee made a decision and, without advancing any argument, the Minister has moved a motion to have the matter reconsidered. As the Bill has been fully considered, we should reject this motion.

Mr. MILLHOUSE: I support the member for Alexandra. I do not think it matters much about the state of mind of the member for Mitchell; when the question was put and negatived, two Ministers were sitting on the front bench, one of whom is in charge of the Bill. That Minister should have given the lead to his members how to call, but he said nothing. The Minister has not said that he made a mistake, so one must assume that he did not want to vote in favour of that motion. Now, without giving any reasons, he has moved that the matter be reconsidered. I have looked at Standing Orders Nos. 313 and 316, but they seem to refer to votes in Committee on clauses. Generally, where a matter is to be reconsidered, something new must have happened to justify that course; otherwise, there would be no end to debates, as any member who was dissatisfied with a vote could move to have the matter reconsidered. I ask you, Mr. Chairman, under what Standing Order there is power to move that an amendment be reconsidered.

Mr. McRAE: I was present throughout these events. Although I am a lawyer, I was totally confused. The phrase "Philadelphia lawyer" is often used, and it would take a Philadelphia lawyer to understand some of the procedures of this place. Frankly, I do not understand what happened, and I am a lawyer of equal stature to the member for Mitcham. I was confused and, as the Minister said, the question could have related to one of two matters. I see no basis, under the Standing Orders referred to by the member for Mitcham, for preventing this course of action.

Mr. Millhouse: I don't know what the relevant Standing Order is.

Mr. McRAE: I support the motion.

Mr. RODDA: I support the member for Alexandra. I hope the Minister will tell us why he wants this amendment reconsidered. Doubtless he will use the weight of numbers to get his way. The Opposition must be given a reason for this motion.

Mr. GUNN: The Committee made a decision, and the Minister has given no reasons in support of this motion. He stood up and, like a parrot, read a few lines. He is treating the Committee with contempt. It will be interesting to see what happens now. The machine will be put in motion—

*Members interjecting*:

The CHAIRMAN: Order! Only one honourable member is permitted to speak at a time, and the honourable member for Eyre is speaking at present.

Mr. GUNN: I hope the Committee will reject the motion.

Mr. PAYNE: By interjection I said that I was confused. Members opposite seem to believe that it is a crime to admit openly that one is confused or has made a mistake. It is my job to do the best I can to see that legislation is fully considered, so that I may properly exercise my vote on behalf of my constituents.

Mr. Becker: Then why—

Mr. PAYNE: It does not matter how much braying the member for Hanson does: we know that is how he got into this place, and he has done nothing but bray ever since.

Mr. GUNN: On a point of order, Mr. Chairman. The member for Mitchell has reflected on the member for Hanson in an unparliamentary manner, and I ask that he withdraw his remark.

The CHAIRMAN: The member for Hanson can raise his own objection.

Mr. PAYNE: Because I was unable to sort out the question and was unable to record my vote, I thank the Minister for moving that the amendment be reconsidered.

The Hon. D. N. BROOKMAN: I sympathize with the member for Mitchell in his dilemma, because I have been confused many times in this Chamber. It is probably a lesson to him and to others who might have been confused that they should listen more attentively. I can see no Standing Order that will support the Minister's motion. If the Minister moves a motion under any Standing Order, he should advance reasons for doing so. The Committee came to its decision after protracted debate. The member for Mitchell and the member for Playford supported what you, Mr. Chairman, had said, that to avoid confusion you intended to put the question again. We resolved that by deciding that the question was not to be put again at the time. I see no reason for acceding to the Minister's request that the amendment be reconsidered.

The Hon. G. R. BROOMHILL: After debate concluded and the vote had been taken, I was under a misapprehension about how to vote. Accordingly, when the vote was taken, some members on both sides were confused. A division was not called for. No

doubt the member for Mitcham will recall that this sort of thing has happened often before. On every occasion I can recall, the Chairman, following the procedure adopted by every other Parliament of which I am aware, has put the vote again without anyone objecting. I was shocked to find that some members were not prepared to adopt what has been a common practice. I have taken the only step open to me.

Mr. McANANEY: The Minister has supported Standing Orders to the letter rather than what has been common practice. Standing Order 313 states:

Whenever it is moved that the Bill be reported the reconsideration of any clause or schedule which has not been amended by the Committee may be moved.

We are dealing with a schedule of amendments that have been amended, so the Minister is departing from common practice.

Mr. MILLHOUSE: Mr. Chairman, I asked you under what Standing Order you were acting, but you did not reply, and the Minister has not suggested under what Standing Order he is acting. I have studied Standing Orders, hoping that you, Mr. Chairman, would refer to whichever Standing Order gives you the power to accept the motion. I referred to Standing Orders 313 and 316, but they cover procedure in Committee when considering clauses of a Bill. Obviously, those Standing Orders are relevant to a recommittal of a Bill after it has been through Committee. I can find no Standing Order that gives power to reconsider an amendment which has been moved in another place and which has come to us for consideration. I have studied Erskine May, but I can find nothing in the volume to cover this matter: all the references to reconsideration and recommittal in the latest edition of Erskine May deal with the recommittal of a Bill while going through Committee originally. If necessary, I will take a point of order. We do not have power to do this without a suspension of Standing Orders although the Government has the numbers and, if it wants to suspend Standing Orders, it can do so. However, there has been no suspension and the point I take is that, under our Standing Orders, there is no power to reconsider or to move for reconsideration or recommittal in these circumstances. I ask whether you will give the Standing Order under which you have acted and, if you require me to do so, I take a point of order to allow you to do that.

The CHAIRMAN: Does the honourable member take a point of order?

Mr. MILLHOUSE: Yes.

The CHAIRMAN: I rule that the motion moved by the Minister is in order.

Mr. MILLHOUSE: Can you, Sir, point to the Standing Order that allows you to do this?

The CHAIRMAN: As Chairman of Committees, I am not obliged to point to the Standing Order under which I give a ruling.

Mr. MILLHOUSE: If you will not (and I take it you will not) give some authority for your ruling, Sir, because I believe that we are governed in our procedures by the Standing Orders of this House, I must move to disagree to your ruling. I will not disagree if you are prepared to give your authority.

The CHAIRMAN: Does the honourable member for Mitcham disagree to the Chairman's ruling?

Mr. MILLHOUSE: Yes, Sir.

Mr. McANANEY: I second the motion.

*The Speaker having resumed the Chair:*

The CHAIRMAN: I have to report that, when the honourable Minister of Environment and Conservation moved for the reconsideration of the Legislative Council's amendment No. 32, I ruled that the motion was in order. The honourable member for Mitcham has disagreed to my ruling.

The SPEAKER: I uphold the ruling of the Chairman of Committees as being in conformity with the practice of the House.

Mr. MILLHOUSE: Mr. Speaker, I am surprised—

The SPEAKER: The honourable member can only speak—

Mr. MILLHOUSE: Therefore, I must move to disagree to your upholding of the ruling given by the Chairman of Committees.

The SPEAKER: The honourable member must put the motion in writing.

Mr. MILLHOUSE: Very well.

The SPEAKER: The honourable member for Mitcham has moved to disagree to the Speaker's upholding of the ruling of the Chairman of Committees that the motion to reconsider an amendment of the Legislative Council is in order, on the ground that there is no provision in Standing Orders for this to be done.

Mr. MILLHOUSE (Mitcham): This matter started off with something which, although important, perhaps was not of the gravest importance. However, to use the jargon of the day, it has escalated and, in my view, this is now a very serious matter indeed. It is literally whether we are governed by Standing Orders in the conduct of this House and in Committee, or whether Standing Orders can be

disregarded when they do not suit the convenience of a majority of members in this place. I can find nothing in Standing Orders that allows the reconsideration of a matter on which a vote has properly been taken.

I asked the Chairman of Committees, as I ask you now, Sir, to point to anything in the Standing Orders of this House or in the practices either of this House or of the House of Commons, by which we are guided when our own Standing Orders are silent, to justify this course of action. I started by asking for such authority, and I have been given none. The Chairman of Committees would give me none and you, when you upheld him a moment ago, gave me none. This is the seriousness of the matter: are we to be governed by Standing Orders, as I understood we were (and all of us: it does not matter on which side we happen to be) or are we not? Are Standing Orders to be ignored when it happens to suit honourable members, or are they not?

It is bad enough to have a suspension of Standing Orders time after time, but at least that is provided for in the Standing Orders. Simply to ignore them and say, "This is in conformity with the custom and practice of the House," or whatever you said, is, in my respectful submission, a wrong thing to do. I do not remember this ever having happening before. I cannot remember any occasion on which a question has been put and negatived when there has been a reconsideration. Certainly, if any honourable member had called "Yes" in this case, that honourable member could have asked for a division, and there would have been a count of members and the matter would have been concluded. However, not one member called "Yes" when the question was put and, therefore, no-one could ask for a division.

I have never known this to happen before, but simply to say, "We are going to reconsider the amendment simply because it suits us," is utterly unsatisfactory, as well as contrary to both the spirit and letter of our Standing Orders. If you can point to a Standing Order or a practice of this House or of the House of Commons to justify this action, I am obviously wrong, but I can find no Standing Order that governs our procedure at this moment, nor can I find anything in Erskine May's work that governs it. Therefore, I submit that there is no power to reconsider in these circumstances and that the motion is therefore out of order.

The Hon. D. N. BROOKMAN (Alexandra): This was a small matter that could have been cleared up easily some time ago by a display of ordinary courtesy. The Minister of Environment and Conservation has claimed that, when my Party was in Government, this sort of thing happened and whatever the Government wanted was granted without objection. However, the Minister cannot remind me of a specific instance. Indeed, I do not know of an instance to match this one. I do not know of an instance to match the situation that occurs when the Chairman, because someone claims to have been confused, tries to bluff the Committee into accepting a second vote on the issue. For some minutes the Chairman tried to get the Committee to accept a second vote on the same question.

The Hon. L. J. KING: I rise on a point or order, Mr. Speaker. The motion before this House, as I understand it, is to disagree to your ruling relating to the ruling given by the Chairman of Committees. The member for Alexandra is now treating us to observations that are a clear reflection on the conduct of the Chairman of Committees at that time and have absolutely no relevance to the question before the Chair.

*Members interjecting*:

The SPEAKER: Order!

The Hon. L. J. KING: Thank you, Mr. Speaker, for your courtesy in enabling me to be heard. The reflection that the member for Alexandra is making now upon the conduct of the Chairman of Committees has no relevance at all to the question of whether the Chairman's ruling was correct or whether your ruling was correct, and I take the point of order that his remarks are completely out of order, as well as being grossly discourteous to the Chairman of Committees.

The SPEAKER: The member for Alexandra must confine his remarks to the motion before the Chair, and any reflection on the Chairman of Committees must be on a substantive motion.

The Hon. D. N. BROOKMAN: The Attorney-General is a good lawyer: in fact, he appeared before me once.

The Hon. L. J. King: I convinced the other four members but not you.

The SPEAKER: Order! We are not discussing the qualifications of the honourable the Attorney-General: we are discussing the Speaker's ruling, and the honourable member must confine his remarks to the motion.

The Hon. D. N. BROOKMAN: The Attorney-General has thrown a heavy smokescreen over the whole issue by getting you to agree to his wishes—

The SPEAKER: Order! The honourable member must confine his remarks to the motion before the Chair, and not continue along those lines.

Mr. McRAE: I take a point of order. The last remarks of the member for Alexandra were clearly a reflection on you, Sir, and he should be called on to withdraw them.

The SPEAKER: The honourable member for Alexandra must confine his remarks to the motion before the Chair.

The Hon. D. N. BROOKMAN: The matter before the Chair involves disagreement to your ruling, but your ruling was that the Chairman of Committees was correct in allowing a motion to reconsider the Legislative Council's amendment. It seems to me that, to make any sense of this at all, one must be able to discuss the circumstances that led up to your having to make that ruling. How on earth can we argue the matter, if all we can do is argue about your own ruling and not point out that the Chairman of Committees tried to bluff the Chamber into having a second vote?

The SPEAKER: Order!

Mr. McRAE: Mr. Speaker, I take a point of order. Again, the member for Alexandra has reflected on the Chairman. Latterly, he reflected on you, and now he has repeated the previous allegation and the reflection that he made on the Chairman. I suggest that he be called on to withdraw that remark or take the consequences.

The SPEAKER: The honourable member for Alexandra cannot debate something that has been decided on, and he cannot reflect on the Chairman of Committees. I ask the honourable member to confine his remarks to the motion before the Chair.

The Hon. D. N. BROOKMAN: I can only say that your ruling would not have been necessary had the Minister shown sufficient courtesy and frankness to take the Chamber into his confidence and explain the position in the first place. Instead of doing this, he hoped that events would take their course, and he allowed the Opposition, in effect, to be browbeaten over this matter, which is of some importance not in regard to the subject matter itself but in regard to the precedent being set. The member for Mitcham was perfectly in order in moving the motion. There is no problem in getting this Chamber to work if the co-operation of the Opposition is sought. I have been in this House for many years, and, when Sir Thomas Playford was in charge of the Government, he often received the co-operation of the Opposition.

Mr. Clark: He had a different Opposition, though.

The Hon. D. N. BROOKMAN: He often received that co-operation because, first, he was personable and did not try to get away with things. He discussed with the Opposition what he wanted to do.

The Hon. D. H. McKEE: On a point of order, Mr. Speaker. I cannot see how Sir Thomas Playford is relevant to this matter.

*Members interjecting*:

The SPEAKER: I warn honourable members on the Government side that when the Speaker is on his feet they must maintain silence. The Minister has raised a point of order and he is entitled to be heard. I again ask the honourable member for Alexandra to confine his remarks to the motion before the Chair.

The Hon. D. N. BROOKMAN: I do not wish to raise any further matters, although I am disappointed that I am not allowed to enlarge a little more on the matters to which I have already referred. However, I think there is a moral here: if a Minister tries to bluff his way through, he will get through much more slowly than if he displays ordinary good manners and takes the Opposition into his confidence.

The Hon. L. J. KING (Attorney-General): The last remark of the member for Alexandra was a fairly remarkable sort of observation because, as I recall, the course of events when the vote was taken—

The Hon. D. N. BROOKMAN: I take a point of order, Mr. Speaker. Surely you are not going to allow the Attorney-General to refer to the vote if you just stopped me from doing so.

The SPEAKER: Order! I cannot uphold the point of order.

*Members interjecting*:

The SPEAKER: Order! The Attorney-General has not reflected on the Chairman of Committees, and that was the matter to which I took exception.

The Hon. L. J. KING: I repeat that the last remark of the member for Alexandra was remarkable, because he accused the Minister of Environment and Conservation of discourtesy, claiming that the Minister had tried to get away with something. However, as I recall the course of events when the vote was taken and it appeared that the vote had been resolved in a way that was contrary to the Minister's expectations, he pointed out that he was under a misapprehension and that there had been confusion, and for that reason he

sought to have the amendment reconsidered. It seems to me that the argument of the member for Mitcham defeats itself. He says that there is no Standing Order that covers this position. If that is so, it surely follows that this House and its Committees have control of their own business. Surely it is an inherent power in this House and in the Committees of this House to control their own procedures and business.

Mr. Millhouse: Within Standing Orders.

*Members interjecting*:

The SPEAKER: Members of the Opposition must control themselves in accordance with Standing Orders. Interjections are out of order.

The Hon. L. J. KING: If it is true, as the member for Mitcham claims, that there is a hiatus in Standing Orders and no provision to cover this type of eventuality, it follows that the House and the Committee, which was sitting at the time, should have power to control their own procedures and their deliberations. A motion was moved to reconsider the amendment in Committee, and the Chairman of Committees ruled that motion to be in order. You, Mr. Speaker, have ruled that the Chairman's ruling was correct. I submit that your ruling is therefore correct, and I urge the House to uphold your ruling.

Mr. McANANEY (Heysen): That is the weakest argument I have ever heard. How a man can become a Queen's Counsel and put up such a weak argument, saying that if it is not covered by Standing Orders we can make our own rules, is beyond me. Standing Orders which specifically set out how certain matters should be recommitted, refers to a clause or schedule that has not been amended. We are dealing with a schedule. You, Sir, have not produced any reason or evidence that any Standing Order allows this to be reconsidered. I say emphatically that if a Government member, or you, Sir, suggested a Standing Order that permitted this to be reconsidered I would vote against the motion of the member for Mitcham. If you can do this, I will guarantee to vote that way. You said you could not produce any evidence of a Standing Order, and you said it was the practice of the House. Since you have been Speaker, the practice of this House has been to stick to the letter of Standing Orders. Indeed, the practice of the House that has existed for many years (or for all the years I have been here) you have upset and said, "No, we cannot follow the practice of the House, as we have to obey the strict letter of Standing Orders," and you have made decisions to that effect.

Now, you start talking about the practice of the House. You have to support that by some evidence of a practice in this House that allows this, whereas you have not been able to do it so far. I plead with you to quote a Standing Order that allows this to be reconsidered, or some practice of this House that permits it, rather than to say merely that this is a practice of the House. I do not know of any similar practice that has occurred in the past. It is well known that you have not made your decisions based on practices of the House: you have stuck to the strict letter of Standing Orders. I therefore beseech and implore you to stick strictly to Standing Orders in this case rather than to a practice of the House.

The Hon. L. J. King: Which Standing Order do you suggest?

Mr. McANANEY: The honourable little—I was going to use a word I considered him to be, but I will not.

The SPEAKER: The honourable member must refer to members by their district.

Mr. McANANEY: I did not refer to him: I was going to say what I thought of him. Certain Standing Orders are necessary in this House, and I am upset because, at this stage, the use of Standing Orders is decreasing. We should obey either Standing Orders or a practice of the House, but I maintain that your decision this time is not within the powers of Standing Orders and does not come within the practices of this House as they have been carried out since I have been a member.

Mr. McRAE (Playford): As one of the quarter of members present when the whole thing began, I restrict my remarks according to your direction, Sir, that the submissions put to you by the member for Mitcham are incorrect. The honourable member claimed that he had considered Erskine May for his authority, but he admitted that there was nothing in Standing Orders that supported his argument. Yet he completely overlooked the clear reference in Erskine May's work, to be found at page 207 of the seventeenth edition, which deals with the clear effect of rulings from the Chair. I do not claim to have any but a very small and limited experience of the proceedings of this House, but I have observed that both you and the Chairman of Committees in two relevant warnings have referred to a practice that has been used in this House and in the Committees of this House. If that be the case (and I cannot substantiate that it was), it seems to me from the arguments of those who were in the Chair and the two Ministers who have

spoken that there is a clear support to be found in Erskine May for their proposition. I oppose the motion: I find it not only illfounded and reprehensible but also somewhat hypocritical in so far as the member for Mitcham referred to Erskine May.

Mr. GOLDSWORTHY (Kavel): I support the motion. There seems to be confusion as to what has been the past practice in the House. I think that in a case like this, where there is a division of opinion, the point cannot be proved. The Speaker has said that past practices allow the recommittal of an amendment in these circumstances, and others have said that they do not, but I do not think that is important in this discussion. Many times from the Chair you have invoked Standing Orders against members of this House, but you have been able to support your ruling by quoting a Standing Order. The fact that we have disagreed to your ruling and have been unhappy with it is beside the point. You have been able to point to a Standing Order that supported your ruling. We will not go into the ramifications of what that has led to in the past, but you have been able to invoke a Standing Order. In this case the Minister cannot invoke a Standing Order to support his case for recommittal. The member for Playford made the point that there is a reference in Erskine May's work supporting his point of view, but he did not quote it.

In these circumstances the usual practice of the House would have been to carry on normally, that is, to proceed to the next clause. If we carry the argument of the Attorney-General to its logical conclusion, the House could make any rules it likes as it goes along, and that would be a nonsensical situation. If a member said after the third reading, "I am sorry but I was confused and we should move to recommit the Bill", what a nonsensical position the House would be in. Yet this is the only argument advanced by the Government. I believe that normal practice must be followed, and any variation must be supported by Standing Orders. However, that is not the case obtaining in this instance. Many times doubts have existed in the minds of members about certain measures before the House. I think that every member at some time has had doubts about a measure on the second reading, on the third reading, or in Committee, and I am sure that all members do not know everything about a measure when the vote is taken. Confusion has often occurred, and sometimes I have not been sure exactly what the measure has been about. If we accept the Attorney-General's arguments, we could recommit a clause merely because some members had not done their homework.

As the member for Mitcham has pointed out, another course is open to the Government if it wishes the clause to be reconsidered. The member for Alexandra said that this matter started as a minor issue, but I think it is a fairly important question of principle whether we follow a set of rules in this House, bend them, alter them, or make them suit the will of the majority. I cannot subscribe to that point of view. The Government has the way to recommit the measure through the normal channels but, if the Government makes up Standing Orders as it goes along, the future of this place as a democratic House is in jeopardy. I earnestly support the motion to disagree to your ruling, Sir. I am saying nothing personal against the Chairman of Committees, because I think he has done an excellent job. This is the first time that disagreement to his ruling has been moved, but in this case it is a matter of principle.

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

That the question be now put.

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

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

Noes (20)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse (teller), Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Majority of 4 for the Ayes.

Motion thus carried.

The House divided on Mr. Millhouse's motion to disagree to the Chairman's ruling:

Ayes (20)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse (teller), Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

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

Majority of 4 for the Noes.

Motion thus negatived.

In Committee.

The CHAIRMAN: The question before the Chair is "That the Legislative Council's amendment No. 32 be reconsidered."

Mr. FERGUSON: I oppose the motion, because I believe it has arisen as a direct result of a lack of interest being taken in proceedings before the Committee. Some members have said that they were confused. I can understand how members could be confused about some Bills and about the explanations given by Ministers, but I do not think there is any excuse for a member's being confused about proceedings in Committee. One reason that we have Committee proceedings is so that we can question Ministers about any matters on which we may be confused. No member should be confused about any vote taken in Committee, for there is ample provision for members at least to ask what the vote is about.

Motion carried.

*Amendment No. 32 reconsidered:*

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

That the Legislative Council's amendment No. 32 be disagreed to.

I have already canvassed fully the reasons for this motion.

Mr. GUNN: The Minister has once again put up only a smokescreen. Obviously he has adopted the attitude that, as he has the numbers, he will bulldoze these motions through, not considering the wishes of the people who will be affected, and I refer to my constituents in Andamooka and Coober Pedy. Not only bulldozer operators will be affected, as the Minister has the power, under this provision, to declare any piece of machinery. The Minister should give a proper explanation.

The Committee divided on the motion:

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

Noes—(19)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn (teller), Hall, Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin and Venning.

Majority of 4 for the Ayes.

Motion thus carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 4 and 32 was adopted:

Because the amendments weaken the structure of the proposals in the Bill.

## HIRE-PURCHASE AGREEMENTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 17. Page 3147.)

Mr. MILLHOUSE (Mitcham): I support the Bill.

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

## SECONDHAND MOTOR VEHICLES BILL

Returned from the Legislative Council with amendments.

## STAMP DUTIES ACT AMENDMENT ACT, 1971, AMENDING BILL

Returned from the Legislative Council without amendment.

## CONSTITUTION ACT AMENDMENT BILL (MEMBERS)

Adjourned debate on second reading.

(Continued from November 17. Page 3146.)

Mr. MILLHOUSE (Mitcham): I support the Bill, although the reasons for the haste in introducing it and the insistence of the Government in getting it through so quickly do not fill me with enthusiasm. I speak only for myself, but I certainly do not intend to transfer any of my insurances to the State Government Insurance Commission in January. I am perfectly happy with the brokers and the private insurance companies which have always handled my business.

The Hon. L. J. King: Are you a good risk?

Mr. MILLHOUSE: I hope I am a good risk, but that is one of the things which we never know and for which we can only hope. I regret that, in the consideration of the qualifications of members of Parliament, we are not abandoning sections 49, 50 and 51 of the Constitution Act and adopting the much simpler legislative procedures which were introduced in the United Kingdom in 1957 in the House of Commons Disqualification Act of that year. Section 9 of that Act says all that needs to be said and, while it could not have been reproduced exactly in our Constitution Act, I believe that the principle on which it was drawn could well be adopted here, and I hope that in due course it will be adopted. Section 9 of that Act simply provides:

A person shall not be disqualified from membership of the House of Commons by reason of his having any pension from the Crown or

by reason of any such contract, agreement or commission for or on account of the Public Service as is described in the House of Commons Disqualification (Declaration of Law) Act, 1931.

Erskine May deals with the matter on pages 41 and 42. I commend the comments on those pages to the Government and its officers because, rather than adopting that simple method of setting out the matters that disqualify a person from membership of this place, we are simply adding to what is already a long list of exceptions in section 51 of the Constitution Act. By this method we are certainly not covering every conceivable situation that could arise. I can remember, as will members who have had long service in this House, when the clocks here were changed over from mechanical clocks to the electric slave clocks that we now have (which I always thought was a complete waste of money). I was fond of the mechanical clocks we had here, and I was anxious to buy one of the clocks that were discarded. When I went into the matter, I found that I could not buy one because I could have been disqualified from being a member of this place. While some members could have encouraged me in this enterprise, I was forewarned in a long letter from the then Attorney-General setting out the risks I took in the matter—perhaps the present Attorney-General could look into the matter.

The Hon. D. A. Dunstan: I was not in it.

Mr. MILLHOUSE: It was long before the member for Norwood's time as Attorney. The present Attorney could look up the letter that the Hon. Mr. Rowe wrote to me. It is absurd that there should be any doubt about such a matter, and we are not curing it in this Bill. Another matter also troubles me, although I believe it is well covered by section 51 (*g*). The Social Welfare Department runs a good emergency housekeeper service. From time to time I have availed myself of that, and I have always had in the back of my mind a slight doubt about it, although I think that it is covered in section 51 (*g*).

There is no reason on earth why any member of Parliament should feel any inhibition about using the service, apart from the way in which these sections of the Act are drawn: I understand that one other honourable member was contemplating using the emergency housekeeper service recently. Strangely enough sections 49 and 51 were not in the original Constitution of this State. On this point, the original Constitution provided:

If any member of the said Parliament shall accept any office of profit or pension from the Crown, during pleasure, excepting those offices which are hereinafter required to be held by members on the said Parliament, his seat shall be thereupon and is hereby declared to be vacant.

It was not until about 1869 or 1870 that, for reasons that I have not tried to fathom, the South Australian Parliament went back into the 18th century and enacted what was, in substance, the Act of 1782 of the United Kingdom Parliament, and honourable members will see, if they look at the marginal note to section 49 of the Constitution, that it states as follows:

19, 1869-70, Cf. U.K., 22, Geo. 3, c.45, s. 1.

We went back to that and reproduced that section of the 1782 Act in the law of South Australia. Some honourable members may know that the Act of 1782 was passed because His Majesty George III, it was suspected by members of Parliament, was likely to suborn some of their number with gifts to get support for measures that were being put through Parliament, and the Act was passed for that reason, yet in—

Mr. Clark: It was the recognized practice before this time.

Mr. MILLHOUSE: Yes, but that is why the Act was passed in 1782. The member for Elizabeth may remember the motion moved to the effect that the power of the Crown has increased, is increasing, and ought to be diminished. That preceded the enactment of that provision, yet we still have it in the law of South Australia, even though it has been repealed for 14 years in the United Kingdom.

I do not need to go any further into it than that. I think that these three sections ought to be replaced and re-enacted substantially in the form in which they appear in the 1957 United Kingdom Act; in other words, so that there is a blanket and we do not go on adding exception on exception, because sooner or later someone will be caught in circumstances in which there is absolutely no reason, except the technical one, why there should be any doubt about his seat.

The Bill deals, as I have hinted earlier, with several matters. It will allow those members of Parliament who want to to deal with the Totalisator Agency Board. I must say that I have not done so yet, and I have not been inhibited by this consideration. The Bill also deals with the Lotteries Commission, and I am in the same situation there. I have mentioned the State Government Insurance Commission. I have not had any requirement regarding the Superannuation Fund.

One matter which perhaps has come up from time to time and on which some members have been caused some worry relates to the South Australian Housing Trust. I know that in the past some honourable members on both sides have had trust houses or flats, and there has been grave doubt about whether this is permissible under the provisions of the Constitution Act as they stand now. This doubt will be removed.

Whether it is right and proper, quite apart from our membership of this place, that members, at the salary we are paid, should need to avail themselves of the trust's facilities is another point. So we go on to deal with the State Bank and the Savings Bank of South Australia in respect of loans, and also to deal with certain aids to primary producers, the question of mining or quarrying activity, loans under the Homes Act, and, of course, the insurance which covers us all now in cases of accidental injury. These matters are good in themselves and, therefore, I do not oppose the Bill, but I again express regret that it has been drawn on this scheme rather than as a wholesale repeal of these particular sections and a re-enactment.

Mr. EVANS (Fisher): This Bill deals with certain areas of activity that, perhaps, members of Parliament have participated in in the past, with some doubt in their mind. During the last Parliament, the matter of lottery tickets was raised and the then Attorney-General (the present Deputy Leader of the Opposition) gave an opinion that possibly it was illegal for members of Parliament to accept any prize that they won in a lottery. I do not think it was illegal for them to participate, but it was illegal for them to take a prize. I am not sure, but I think that was the ruling.

I support the provision in the Bill that allows members of Parliament to participate in the seven or eight areas mentioned. One area concerns me, and I take the opportunity to mention the matter this evening. It has concerned me for some years. I believe that it would be wrong for a member of Parliament to rent a Housing Trust house at the low rentals mostly charged for trust houses, to the detriment of other people in the community who are receiving a much lower salary and cannot obtain houses. In the case of flats, I understand that the rental, considering the capital investment, is higher than the rental of a Housing Trust house, and I have no objection to members of Parliament renting flats from the trust at the present rentals. However, at the present rentals for trust houses, I believe one would have a right to object.

I am not saying that a member should not be entitled to rent a house from the trust, particularly country members who need a city residence when their family is in the city. However, I believe that the rental should be higher than is charged at present. I should like to use a comparison. There are cases now of average citizens renting Housing Trust houses at low rental when the wife and husband together earn more than $12,000 a year.

Mr. Clark: You tell me where you can get one at a low rental.

Mr. EVANS: I know a couple who are earning more than the figure that I have mentioned and are renting a house at $14 a week. I consider that that type of house should be made available to the people in our community who are on low salaries and in dire need of such houses at these rentals. I think this is an area in which we can try to improve the situation. I hope that no member of Parliament ever uses the opportunity to take a low-rental house to the detriment of a person in the community. I raise no objection to members of Parliament taking flats. However, I believe that our country members, if they wish, should be able to rent a house or flat in the city at a reasonable rental, considering all factors. I support the Bill.

Mrs. BYRNE (Tea Tree Gully): I think it is absurd that members of Parliament should be precluded from dealing with the Government and its instrumentalities similarly to the way in which any other member of the public deals with them. It is ridiculous that a member of Parliament who has a winning bet on the Totalizator Agency Board cannot collect a dividend, and that a member cannot collect a prize in a lottery conducted by the Lotteries Commission. It is equally ridiculous that a member of Parliament cannot make contracts or agreements with the State Government Insurance Commission. Members of Parliament should be able to make such contracts or agreements and, if they have reason to make a claim, they should be able to collect payment, as any other member of the public would collect it. I was surprised to note that the South Australian Housing Trust was not previously on the list of exemptions regarding the sale, purchase or letting of land, and that this applied also to loans obtained from the State Bank and Savings Bank of South Australia.

Some members could have had agreements with the State Bank or Savings Bank before being elected to Parliament. A member might

have been living previously in a Housing Trust house, and I can see no reason why he should not continue to do so. I do not agree with what the member for Fisher said in this respect, because some members might have been occupying Housing Trust houses before being elected to Parliament. If the honourable member's remarks were carried to their logical conclusion, the member concerned would have to leave such a house. Altogether, eight exemptions are to be added to the list of exemptions. The member for Mitcham said that he wanted to purchase a clock many years ago but received a long letter from the then Attorney-General stating why he could not do so. That was an absurd situation.

The exemptions would not permit me or any other member to enter into a contract with the Highways Department. The North-East Road, which my house property faces, is being widened, and the Highways Department wishes to acquire part of my property and adjoining properties for road-widening purposes. Although I have agreed that part of my frontage should be so acquired, I find that, whereas other members of the public, who have signed a contract with the Highways Department, receive a certain sum from the department for the land it acquires, the part of my property in question has had to be purchased by the local council, and then purchased from the council by the Highways Department. This was in order to preclude me, as a member of Parliament, from receiving money direct from the Highways Department.

Although I thought at the time that this was quite absurd and cumbersome, I daresay it safeguarded me, so that no-one could say (I am not suggesting he would say it) that I received much more than I should have received. We must have some safeguards, and I suppose that corruption could occur. However, I think that this Bill, which removes the areas from which we were previously precluded, is a step in the right direction. I support the Bill.

Mr. McANANEY (Heysen): I had an experience similar to that of the member for Tea Tree Gully. I was a trustee in connection with a house on Henley Beach Road which had to be bought by the local council rather than by the Highways Department. It seems ridiculous that one must use a back-door method to achieve the same result. I agree that Housing Trust houses should not be available to people on a reasonable income. Although we are paid only the basic wage, we receive overtime for our long hours spent in weekend work, and this all adds up to a tidy sum. The Housing Trust has an interest rate advantage over other organizations in the community which build houses under their own enterprise and use their own financial resources, and I do not believe that people on a considerable income should be permitted to buy these houses at a rate of interest lower than that available to someone on a smaller income. For that reason, I hardly think it is necessary to include the Housing Trust in the exemptions, although a newly-elected member of Parliament might be forced into an unfortunate situation if he had to leave a Housing Trust house that he had previously been occupying. Housing Trust houses should be available only for those people in difficult circumstances who really need assistance and who can be expected to be good tenants. These are the only people who should have the opportunity to obtain better terms than those available to people on incomes such as those received by politicians and othrs. I thank you, Mr. Speaker, for the opportunity to say these things, even though I have probably been speaking outside the strict confines of the Bill. Members may recall that I have been restricted on previous occasions when speaking in this House.

Mr. GUNN (Eyre): I have much pleasure in supporting the Bill. The Attorney-General smiles, but I point out to him that part of the measure relates to royalties and commission paid by or on behalf of the Government in respect of mining or quarrying activities on land. Before becoming a member of this place, I had to cancel a Government contract; otherwise, portion of the family property in which I have a share would have been acquired. The Highways Department was generous enough to make the ordinary payment of royalties, although it was a meagre sum. On becoming a member of this place, with the assistance of the member for Mitcham I had to get out of the contract in which I was involved. I was concerned not about my own loss but about the possible loss that other members of my family might incur. I am well aware of the reason why these provisions were originally included in the Act. We do not want to see here the sort of thing that happens in other places. I support what the members for Heysen and Tea Tree Gully have said. I do not see why members of Parliament should be precluded from having contracts or agreements with the Housing Trust for sale, purchase or letting of land, or from taking part

in lotteries, as do other members of the public.

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

## LICENSING ACT AMENDMENT BILL

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

Adjourned debate on second reading.

(Continued from November 18. Page 3212.)

Mr. MILLHOUSE (Mitcham): I support the Bill, but I want to say something about the way in which it has been introduced and about the matters, among the many which require attention, that have been considered urgent by the Government. The present Licensing Act was passed by this Parliament in 1967. Naturally, in an Act of this complexity there were bound to be many anomalies, and they showed up quickly. One of our promises before the 1968 elections was that we would examine the Licensing Act with a view to correcting these anomalies. In 1968, I introduced a comprehensive amendment to the Act which eventually, after much huffing and puffing, we had passed. Since then the anomalies have continued to appear, although the Government has not until now taken any action with regard to them. Although it has amended the Act as to age and so on, the anomalies that have occurred have not been remedied in two years. As a result of comments made by Government members, Opposition members have expected to see introduced a comprehensive amending Bill. Only the week before notice was given of the present Bill, I asked the Attorney-General what he intended to do. He said that no Bill would be introduced before next March.

However, within a day or two he changed his mind with the result that we now have a Bill containing provisions in relation to four matters only. With regard to some of those, I do not argue at all, but I wonder why they have been considered especially urgent when there are yet other matters which to me seem just as urgent. On one of those matters, I intend to take some action in due course. I believe that section 22 (its marginal note is "Retail storekeeper's licence") requires amendment. I know that representations have been made about this to the Attorney-General; certainly the decision of the Full Court on this matter is known to him. He knows the circumstances of the case at Belair in which money for what would be a most attractive undertaking is at present locked up. The Attorney has not seen fit to include in this Bill any provision to cover that case. My grave fear is that, having pushed through these four matters in the present Bill, the Attorney will not introduce a general revision Bill this session. Mr. Liebetrau and his associates will have to wait until at least the next session of Parliament before there is any chance of—

The Hon. J. D. Corcoran: Rubbish!

Mr. MILLHOUSE: I do not know why the Minister says that.

The Hon. J. D. Corcoran: Because what you're saying is rubbish.

Mr. MILLHOUSE: I was saying that these people will have to wait until at least next session before there is any chance of further amendments to the Act.

The Hon. J. D. Corcoran: Rubbish!

Mr. MILLHOUSE: The Minister persists with his interjection.

The SPEAKER: Order! Interjections are out of order.

Mr. MILLHOUSE: There is certainly no undertaking in the Attorney's second reading explanation that there will be a general revision Bill. The explanation states:

> I should point out to members that the Government has under consideration a more general revision of the Licensing Act. However, because of limitation of time it has not proved possible to introduce any but the most urgent amendment at this stage.

There is certainly no undertaking there that we will get another Bill this session. If the Attorney gives an assurance that there is to be another Bill this session, I will be in part mollified, but that assurance has yet to come forward. Therefore, I do not know why the Minister of Works should see fit to say "Rubbish". The matter to which I have referred is equally as urgent as the matters in the Bill.

I know that the Attorney will not mind my saying that news of the first provision in the Bill has been circulating in the legal profession for almost six months. This provision is to appoint formally, as it were, a Deputy Chairman of the Licensing Court: it is a rise in status. At present the Deputy Chairman is the special magistrate (Mr. John Marshall). We gather Mr. Marshall is going to greener pastures. The status of the Deputy President is raised, not to that of a judge but to a position like Mahommed's coffin, somewhere between that of judge and special magistrate, giving him about $15,000 a year—

The Hon. J. D. Corcoran: He will be a "super" magistrate.

Mr. MILLHOUSE: We already have supervising magistrates, senior magistrates, and others, but this officer will be Deputy Chairman of the Licensing Court. However, the retiring age for the Judge of the Licensing Court remains at 65 years. Already every other judge in this State retires at 70, except for His Honour Sir Kingsley Paine who has a life appointment and who, happily, is still with us. I would have thought that the Government could take this opportunity to raise the age of retirement for the President as well as the Deputy President to 70 years of age, but the Government has not seen fit to do so.

The next provision relates to a licence for the Festival of Arts. This provision can be relied on by the Government to give the Bill its urgency, because no member would like to deny the festival organizers a licence. However, the licence for the festival centre contained in the new subsection (2c) of section 18 is not urgent because it will be some time before the theatre is completed and can operate. Clause 4 provides for wine saloons to be turned into restaurants. The language of the Attorney in his speech was quaint when he said:

The transformation of some of the old wine saloons into pleasant eating establishments is a development that all members have, I am sure, observed with great pleasure.

I have not observed it at all, but perhaps other members have and I certainly do not oppose this provision. I point out that the new subsection 23 (1) gives the Licensing Court an absolute discretion with no guidance as to the conditions under which an order should be made. New subsection (1a) provides:

. . . substantial food—

this is a phrase which has crept in and which is now subject to judicial interpretation—

would be available on the licensed premises for consumption of persons who might resort thereto and that the licensed premises, and the service provided by the licensee are of such a high standard that it is proper to extend the hours. . . .

How one can draw from that the standard of service the hours that should be allowed for that service to be available, I do not know, because those two things are not on the same plane at all. However, that is what we are inviting the Licensing Court to do. If it thinks that the standard of service is high enough. it can extend the hours during which that service is to be available. This is, in effect, an absolute discretion for the court to exercise with no guidance whatever.

I am not happy about allowing these places to be open on Good Friday. I have no real objection to their being open on Sundays and Christmas Day because, as the Attorney-General would agree with me, they are feast days, but Good Friday is the most solemn day of the year. The Premier, who is a fellow synodsman of mine, can scowl if he likes, but I should think that he would agree with me that Good Friday is the most solemn day of the year, and I do not believe that these places should be open on Good Friday. However, that is the sort of argument I have lost before, and I do not suppose that I would be more successful now, so I content myself with making the protest.

The other matter is the power of a company to hold a licence. I understand that a concern is waiting for this amendment to be passed so that it can be granted a licence and start operating; I think it is a pizza bar. I appreciate that, but I point out that it really is not in a significantly different situation from the concern at Belair to which I have referred. I see nothing wrong with the way the provision allowing a company to hold more than one licence has been drawn, but I do not take any point on that. Although I support the Bill, I query the choice of the urgent matters the Government has included in the Bill, because I believe that there are other matters equally as urgent which could have and should have been included when the Bill was drawn.

Mr. EVANS (Fisher): I support the Bill, but I have one area of concern. Until recent months an organization, club or community group that wished to run a cabaret in a community hall could obtain a permit for $3 from the Licensing Court and could stipulate on the ticket that patrons at the cabaret could supply their own liquor. This has been an accepted practice, and no doubts about it have been raised by the court. However, one or two approaches have been made to me by club officials who are concerned that suggestions have been made that this practice may not continue. Whether this practice has been continued outside the provisions of the Act in the past or whether the court intended to recommend to the Government that the practice not continue in future, I am not sure, but it is of great concern to many sporting clubs because a cabaret is a way of creating fellowship within the club and, to some degree, a way to raise

funds. It has been said that perhaps it would be wiser for the club to ask the publican to obtain a booth licence and for the publican to sell liquor at the function.

In the main, however, this means work for the club officials, who always give their services freely. It places an extra burden on them and on their families, and I believe it is unnecessary. If patrons are willing to support a club (in most cases, it is only the financial members) and to bring their own liquor without placing a burden of work and supervision on officials, that practice should be allowed to continue. I do not think the Bill will affect this practice but this is an opportunity for the Attorney-General to say whether in his opinion or in his opinion of the Government, this practice should continue, because its discontinuance will create considerable hardship for sporting clubs. Many sporting clubs attract no more than 100 or 120 patrons to a cabaret in a community hall.

The measure to allow a company to hold more than one licence is being pushed through now to remedy a past anomaly. Perhaps some people have obtained licences illegally or outside the provisions of the Act. At present, a company (and this company has been referred to by the member for Mitcham) has considerable money tied up waiting for this legislation to be passed so that it can obtain a licence. I support the remarks made by the member for Mitcham regarding the application for a licence at Belair for a wine cellar. art gallery, and tourist attraction. The company has invested considerable money in planning, in applying to the court for a licence, and in fighting the hotels association, which always objects to an outside body trying to get into the field honestly with the intention of conducting a business of a kind entirely different from that of a hotel. I believe that the suggestion made by the member for Mitcham that we have such a provision included in the Act later is commendable. I support the company, because I believe that such a group as this has as much right as the pizza bar that is asking for the legislation to be speeded up to help it in its business enterprise.

I believe that there is just as much evidence to support the Belair venture as there is to support the pizza venture. For the Belair venture only one licence will be required. Hitherto, I have been disturbed that most of our hotels have fallen into the hands of perhaps a few companies, and this is also happening in other fields such as petrol reselling and new vehicle franchise. This frightens me somewhat because I believe that the smaller man has been forced out of the hotel field as a result of the duplication of licences. It appears that this practice has been allowed in the past, even outside the area of the Act that allowed it to operate. Now the position will be cleared up so that it can happen more freely in the future. I support the Bill, but I hope that this practice does not go to the extreme where perhaps only two companies will own all the hotels in South Australia in, say, 30 years time.

I point out to the Attorney-General, because he has suggested that no other Bill will be introduced to amend the Act this session, that clubs are concerned that they have not by direct notice been told that they will not be permitted to obtain licences to conduct cabarets in community halls for patrons who bring their own liquor, but it has been indirectly suggested that this is a wrong practice. I make the point that this type of licence be continued in future to help the small sporting clubs that are struggling in our community.

Mr. BECKER (Hanson): I am pleased that the Government has been able to introduce this measure. Although only a few days remain before we adjourn, I sincerely hope that it receives a speedy passage through both Houses. On November 4, I asked the Attorney-General a question about an application made on behalf of Pizza Palace Restaurant, which has been operating a restaurant on Anzac Highway and has recently opened on North East Road, Klemzig. I am a little disturbed, because a report in the *Sunday Mail* of March 27 last states:

Loophole in Licensing Act threat to companies. A loophole in the Licensing Act which could create major problems for the South Australian liquor trade is likely to be plugged by the Government. If it is not, it could force some liquor producers to close branches and subsidiary companies and this would severely restrict their sales outlets.

It is now November 23 and we are considering these alterations. The report continues:

The loophole, discovered during a recent application hearing by the Licensing Court, makes it illegal for companies to hold more than one licence or for their subsidiaries to hold licences. Many wine producers and breweries hold multiple licences, and this has been the case for about 30 years.

It is interesting to note the companies that hold multiple licences, and some of these companies and the relevant particulars are as follows:

Angove Proprietary Limited:
Distiller's storekeeper's licence—Lyrup.
Distiller's storekeeper's licence—Renmark.
Distiller's storekeeper's licence—Tea Tree Gully.

Barossa Co-operative Winery Limited:
Distiller's storekeeper's licence—Nuriootpa.
Distiller's storekeeper's licence—Richmond.
Douglas A. Tolley Proprietary Limited:
Wholesale storekeeper's licence—Hope Valley.
Vigneron's licence—same address.
Southern Vales Co-operative Winery Limited:
Distiller's storekeeper's licence—Happy Valley.
Distiller's storekeeper's licence—McLaren Vale.
Penfolds Wines Proprietary Limited:
Wholesale storekeeper's licence—Adelaide.
Wholesale storekeeper's licence—Magill.
Wholesale storekeeper's licence—Nuriootpa.
Wholesale storekeeper's licence—Auldana.
F. Ralph & Company Proprietary Limited:
Wholesale storekeeper's licence—283 Gouger Street, Adelaide.
Retail storekeeper's licence—same address.
B. Seppelt & Sons Proprietary Limited:
Vigneron's licence.
Distiller's storekeeper's licence—Adelaide.
Distiller's storekeeper's licence—Seppeltsfield.
Distiller's storekeeper's licence—Tanunda.
S. Smith & Son Proprietary Limited:
Distiller's storekeeper's licence—Angaston (Yalumba).
Distiller's storekeeper's licence—Angaston (Nuriootpa Road).
Distiller's storekeeper's licence—Qualco.
Thomas Hardy & Sons Limited:
Distiller's storekeeper's licence—Dorrien.
Distiller's storekeeper's licence—McLaren Vale.
Distiller's storekeeper's licence—Cyrilton.
Distiller's storekeeper's licence—Mile End.
Tolley Scott & Tolley Limited:
Distiller's storekeeper's licence—Angas Park.
Distiller's storekeeper's licence—Stepney.

The SPEAKER: The honourable member must speak to the Bill.

Mr. BECKER: I am, Mr. Speaker. I am dealing with companies that have more than one licence. A clause in the Bill makes this legal, whereas it has not been legal previously. The list continues:

Vintage Cellars Proprietary Limited:
Retail storekeeper's licence—283 Gouger Street, Adelaide.
Retail storekeeper's licence—44 Wakefield Street, Adelaide.
Retail storekeeper's licence—391A Brighton Road, Hove.
The South Australian Brewing Company Limited:
Brewer's Australian ale licence—Hindley Street, Adelaide.
Brewer's Australian ale licence—Southwark.

We are removing this anomaly, and I hope that this is done before the adjournment. I expressed concern on November 4 mainly on behalf of the registered proprietors of Pizza Palace Restaurant, who had applied to the Licensing Court. An interim judgment was delivered on March 11, 1971, and this is where the whole matter arose. The Government has acted to rectify the position in respect of the holding of more than one licence, but it is regrettable that it has taken so long to do so, particularly as the report to which I have referred appeared in the *Sunday Mail* of March 27.

In the case of Pizza Palace Restaurant, a new company has been established in South Australia, providing a new concept in food. This company has spent between $150,000 and $160,000 to build a branch establishment here, and we should help by giving it a licence. I see nothing wrong with doing that, because it is common sense to help an organization in this way. If any other organization wanted to do likewise, the Government should be willing to help it.

We will have a festival centre to encourage tourists, and we must have retaurants that will provide good food and supply good wine with that food. Our licensing laws are probably the best in Australia, although the administration of them is open to question, and this is a matter of much criticism and comment. I hope that the administration is simplified when future amendments to the Act are made.

It is pleasing to note that the Licensing Act will be extended so that a special licence can be granted during the Festival of Arts. I hope that this type of licence will be extended only to restaurants and that we will not have the opening of front bars in hotels. If we leave the provision on the basis of the sale of wine with food, we shall have nothing to worry about. The Minister has mentioned the transformation of some wine saloons, and I welcome this. We know the old wine shops or plonk saloons, and they have been transformed into pleasant establishments. I have in mind the facilities at Charlie Brown's and Billy Bunter's. For those people who go to Glenelg, there is the Silver City Restaurant, serving the people of my district and also the people of the District of Glenelg.

The SPEAKER: The honourable member is not allowed to advertise in the course of debate. He must speak to the Bill.

Mr. BECKER: Licences will not be granted unless the premises and services are of a high standard. It is important to bear in mind that, if we can promote tourism, at the same time helping those engaged in the wine industry by providing that licensed premises are to be of a high standard, we are doing the the community a service. I support the Bill.

Mr. GUNN (Eyre): I, too, support the Bill. The Attorney-General refers to an extension

of trading hours in regard to restaurant premises. A constituent of mine in Andamooka recently applied to the court to open his premises beyond the normal trading hours, and he required permission to do this on only one night a year so that the proceeds of the service and entertainment provided could go to the new school in the area which was running short of funds. However, even though he went about it correctly, he was informed on the Thursday before the Saturday on which he wished to open for longer hours that his application had been refused. Having inquired on his behalf, I was informed that the police had not objected, and I eventually ascertained from the Licensing Court that a telephone conversation had taken place between an officer of the court and an unnamed person at Andamooka.

Nothing had been put in writing and my constituent, who had spent much money on bringing an entertainer from Adelaide specifically for the occasion, was denied the right to open his premises for extended hours. I hope that such a refusal will not occur again in future. Although my constituent instructed his solicitor to appear in court on the Friday, the solicitor appeared in court but was informed that the judge who handled these matters was in Port Lincoln and that the magistrate who might have handled the matter was not available. Therefore, no other course was left open to my constituent, and this was most unfair; it amounted, in fact, to discrimination. Nowhere in the court file was there a record of any objection to his application, and what transpired was based purely on hearsay. This sort of thing should not be tolerated, and I hope it will not occur again in future.

Dr. EASTICK (Light): I support the Bill, but I regret the haste with which it has been introduced. I do not deny Pizza Palace Restaurant and other organizations the benefits that they may receive under this measure, and I do not deny whatever benefits the Festival of Arts organizers may gain but, on behalf of the many manufacturers and wholesalers whom I represent, I protest that their representations to the Minister, who said that those representations would be considered, are not embodied in the Bill. Those representations began between 12 and 18 months ago and on March 30, at the end of the last session of Parliament, I asked the Attorney-General (at pages 4458-9 of *Hansard*) a question about the Licensing Act. The Attorney-General indicated in his reply that the matter concerning bottle supplies from the wineries and other matters were being considered.

Mr. Jennings: If the honourable Deputy Leader of the Opposition had not waisted so much time, it would have been through hours ago.

The DEPUTY SPEAKER: Order!

Dr. EASTICK: Thank you, Mr. Deputy Speaker. In conclusion, I again protest on behalf of the constituents to whom I have referred.

The Hon. L. J. KING (Attorney-General): In reply, first, to the member for Mitcham, I point out that it is well known that many wine saloons over a long period were not held in high repute and that their standard of service often was not good. Bearing in mind that neither the environment nor standard of the premises was good, Parliament in 1967 continued the restriction of hours of service provided in those premises, and that service was restricted to 6 o'clock, whereas the hours of service of other licensed premises were extended to 10 o'clock. The legislation at that time also provided for extended facilities in the case of premises where substantial food was provided.

It seems reasonable to me that, in a situation contemplated by new subsection (1a) of section 23, both factors must be present. It is not sufficient that the standard of service be high: it is necessary also that substantial food be provided. Where the court sees that both these conditions are satisfied, it is empowered to extend the hours of the wine saloon so as to enable it to serve liquor on the same basis as that of a hotel and also to serve liquor with meals on the same basis as that of a hotel.

The member for Fisher raised a point regarding consumption permits for cabaret functions or other types of function conducted in halls where liquor was served. The Act provides that a consumption permit may be granted in those circumstances, and there is certainly nothing in the Bill that would affect that. I have no knowledge of the matters the honourable member has raised. He has suggested that the Licensing Court has indicated that it may be unwilling to grant such permits in the future, but I know nothing of that. However, I shall have inquiries made, although the grant of permits of that kind is a matter for the court.

So far as the general revision of the Licensing Act is concerned, I can give the honourable member for Mitcham the assurances he desires, that a Bill will be introduced in the present session of Parliament: it will be introduced as soon as the House reconvenes after the adjournment. At that time, extensive

amendments to the Licensing Act will be introduced. This Bill has been introduced simply to cover certain matters which are urgent and which must be got through before the adjournment. For that reason the Government does not propose to accede to motions for instruction for amendments outside the ambit of this Bill. When the general licensing revision Bill is introduced there will be ample opportunity for all members to move whatever amendments they desire and for those amendments to be considered. The Government has refrained from including in this Bill anything but urgent amendments that must be dealt with before the House rises. It would be unfair to accede to requests for debate on amendments going outside the scope of the Bill, because once this was done members would want to move many amendments considered urgent. However, it has proved to be impracticable to include these in this Bill.

The honourable member for Light has seen fit to protest on behalf of his constituents against the fact that the Government has been unable to get a general Licensing Act Amendment Bill before the House in the time available. I can only say to the honourable member that the business that has been transacted by the House during the present session has been enormous. The House has been kept extremely busy. True, more business could have been put through the House had not much of the time of the House been occupied by the honourable member for Light and his colleagues in a way that has not been profitable—

*Members interjecting*:

The SPEAKER: Order!

The Hon. L. J. KING: If the time that has been spent in futile questions, irrelevant matter—

*Members interjecting*:

The Hon. L. J. KING: —points of order that have never any substance in them at all, or the sort of performance that we saw this evening—

*Members interjecting*:

The Hon. L. J. KING: —had not been spent, the member for Light might well have been able to go back to his constituents—

Mr. MILLHOUSE: I take a point of order, Mr. Speaker.

The Hon. D. A. Dunstan: You know he has every justification.

*Members interjecting*:

The SPEAKER: Order! The honourable member for Mitcham wishes to take a point of order, and it is imperative that I hear what he has to say. If honourable members would conduct themselves as elected representatives instead of schoolchildren we might be able to hear what is going on. The honourable member for Mitcham.

Mr. MILLHOUSE: The Attorney-General is replying to a second reading debate on the Licensing Act Amendment Bill, yet he is canvassing matters that took place in this House when the House and the Committee of this House were considering other measures. In other words, he is canvassing matters which have been decided in this House and which are entirely irrelevant to the Bill, as well as being completely offensive to members on this side. I therefore take the point of order that the Attorney is out of order.

The SPEAKER: When the honourable member got to his feet, I was just about to rise. I appreciate the honourable member's having raised this point of order, as it has given me the opportunity of making my voice heard above the noise of the disorderly conduct of honourable members in the Chamber. Regrettably, I did not hear what the honourable Attorney-General was saying and, for that reason, I cannot sustain the point of order. However, I appreciate the help the honourable member has given me in keeping order in the House.

The Hon. L. J. KING: I was simply endeavouring—

*Members interjecting*:

The SPEAKER: Order! Honourable members will not make this a Sunday-school picnic. I have called for order, and order there must be. Interjections and silly laughter must cease. The honourable Attorney-General has the floor. He is replying to the debate and must be heard in silence.

The Hon. L. J. KING: I was simply endeavouring to give some assistance to the member for Light so that he might take some answer back to his constituents about why the Government had been unable to reach the general licensing Bill before the break. I hope that I have provided him with sufficient assistance, and that he will take to his constituents what I have told him.

Bill read a second time.

Mr. MILLHOUSE (Mitcham) 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 to amend section 22 of the principal Act relating to retail storekeepers' licences.

The House divided on the motion:

Ayes (19)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Ferguson, Goldsworthy, Gunn, Hall, Mathwin,

McAnaney, Millhouse (teller), Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (25)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, McKee, McRae, Payne, Ryan, Simmons, Slater, Wells, and Wright.

Pair—Aye—Mr. Evans. No—Mr. Virgo.

Majority of 6 for the Noes.

Motion thus negatived.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Amendment of Judges' Pensions Act, 1971."

Mr. GOLDSWORTHY: As clause 2 was put so quickly, I did not have a chance to put my query on that clause. In view of the precedent set earlier this evening, Mr. Chairman, could clause 2 be recommitted, because I have a query on that clause?

The CHAIRMAN: The Committee is dealing with clause 6.

Clause passed.

Clause 2—"Constitution of Court"—reconsidered.

Mr. GOLDSWORTHY: This clause provides that the Chairman shall be paid a salary of $16,500 a year and the Deputy Chairman shall be paid a salary of $15,000 a year. It also provides by subclause (9) that it shall be lawful for the Chairman or Deputy Chairman to hold any part-time employment and to receive any such additional remuneration in respect of that appointment as the Governor may determine. If these are full-time positions, subclause (9) appears to be superfluous.

The Hon. L. J. KING (Attorney-General): The position of Chairman of the court, which is held by the judge, and that of Deputy Chairman are both full-time positions, but I think the provision was inserted in the 1967 Act because the man who was then to be appointed Chairman of the court and who is still Chairman of the court held a position or perhaps two positions as Chairman of the police appeals tribunal or the police salaries tribunal. Anyway, it was a tribunal connected with the Public Service which he held and which he desired to continue, and it was considered that he ought to be allowed to continue. The position occupied only a small part of his time and. for this reason, this provision was inserted in the Bill.

Mr. Millhouse: He also has conducted inquiries under the Local Government Act.

The Hon. L. J. KING: Yes. The provision was inserted to enable the Chairman of the court to discharge functions of that kind which were of a minor nature, which occupied only a small part of his time and which were not inconsistent with the proper discharge of his functions.

Clause passed.

Title passed.

Bill read a third time and passed.

## APPRENTICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 16. Page 3032).

Mr. COUMBE (Torrens): Although this is only a short Bill, it is nevertheless important. What it purports to do is make available facilities in the interim period between the full-time day-time training of apprentices and the present period when certain facilities are not available for this purpose. I think it was in 1966 that the Government introduced a Bill to provide that all apprentices should in future be trained in day time, that is, in the employer's time. Until then, apprentices did part of their training during the employer's time and part during their own time at night. I recall pointing out when the Bill was introduced that it would be some years before the State would be able to provide both the classrooms and the number of teachers necessary to undertake this work.

Since the 1966 measure we have seen that progressively certain technical colleges have been able to accommodate apprentices during day-time training, particularly in the country because of the establishment in various parts of the country of colleges that have been established largely as the result of Commonwealth Government funds. I think that due recognition should be given to that point. In the metropolitan area, especially at Panorama and at Kintore Avenue, it has been found that, in the next two or three years, it will be impossible to train all apprentices in the day time (that is, in the employer's time), as the 1966 Act intended. It has been put to me on several occasions that we should move to alter the provisions regarding day-time training. I have taken the view that, the Act having been passed, nothing can be done; in other words, once scrambled the egg cannot be unscrambled. The intention of Parliament at that time was to provide progressively for day-time training for apprentices. This matter should be examined realistically in the light of that view and, more particularly, as the old five-year term of apprenticeship has in many cases been reduced to four years.

As I recall the 1966 amendments to the principal Act, it was specifically spelt out that apprentices in their first and second years were to spend a certain number of hours doing day-time training, which time was reduced in their third year. So that honourable members can understand this matter more clearly, I will elaborate on the position as I understand it. Under the old system prior to 1966, during the mandatory first, second and third years of apprenticeship (I wholeheartedly agree that, if they so desire, students should take extra years, and I understand that most employers are pleased to have their employees take advantage of this opportunity), a total of eight hours a fortnight had to be spent on day-time training, and two hours a week had to be spent on training during the evenings. That gave a total attendance in the three years of mandatory attendance at a technical college of 720 hours, made up of 480 hours of day-time training and 240 hours of evening training.

The proposal in this Bill, which will apply until full day-time training can be introduced, is as follows: during the first, second and third years of apprenticeship a total of 12 hours each fortnight (that is, one full day of eight hours and one half day of four hours) will be spent on day-time training. A total of 720 hours will therefore be spent in this respect in three years. Eventually, under full day-time training, the first-year and second-year apprentices will do eight hours day-time training each week, and, in the third year of apprenticeship, a total of eight hours each fortnight or four hours a week will be so spent. This is spelt out in the 1966 amendment.

The Bill departs from this practice. It does not specifically state the number of hours to be so spent; that matter is left to regulations. The total period of which I have been speaking in this latter respect will be 800 hours. In effect, instead of spelling out the specific number of hours that the apprentices will spend in technical colleges throughout the various parts of the State, this aspect will be provided for by regulations. I have no great objection to this procedure, although it could possibly be criticized.

It must be remembered in this day and age that technical colleges in many country centres are providing full day-time training. A few years ago these colleges (many of which were provided completely by Commonwealth finance) were not available, but now apprentices can undertake this training, which is a good thing. I hope that in future outstanding students will be able to spend extra years at the college with the consent of the Apprenticeship Commission, the Minister of Education (who is responsible for the technical training of the apprentice) and their employers. Indeed, it is in the interests of the latter that an outstanding student should be given this opportunity.

The House is, therefore, dealing with a transitional period. I said in 1966 that it would take a few years for these facilities to be provided and for the personnel therefor to be obtained, which opinion has since been borne out. I am sure that both Ministers (because this is a joint responsibility) would acknowledge this. I am fortified in my view because, as I understand it, the Apprenticeship Commission, comprising both employer and employee organization representatives, have agreed to it. Indeed, employer and employee organizations outside the commission have indicated their support for the measure.

In his second reading explanation, the Minister spoke about other subjects. I refer particularly to the block release system. For the benefit of those honourable members who have not done their homework on or studied this matter of block release, I should like to refer to this aspect, which I have studied considerably both overseas and through the lead given by the Commonwealth Government some years ago. I believe it is an excellent system, whereby an apprentice, particularly in country areas, can be released from his employment and sent to an appropriate technical college for a certain period during which he can undertake intensive courses of both practical and theoretical instruction. Although it might cause them some temporary inconvenience, I think most employers will agree that this type of instruction is ultimately to their benefit as well as to that of the apprentice.

This means that eventually the system of correspondence courses will be phased out. Much experimentation has been taking place on this matter of block release. This system has been undertaken with excellent results in Whyalla, where there is not only an excellent technical college but also a branch of the Institute of Technology, where students can continue further if they so desire and undertake advanced studies in their calling, trade or profession. It is worth recalling that that college was established in Whyalla because of the fine gesture of Broken Hill Proprietary Company Limited and the Electricity Trust of South Australia.

Apart from saying that the Bill makes certain consequential and statute law revision amendments, I wish to comment generally on the matter of apprenticeships. For many years in this State and, indeed, throughout Australia, apprenticeships for both males and females have been for a period of five years. Many times, including when I was Minister of Labour and Industry, I posed the question about how some declared trades could really justify the requirement of a five-year apprenticeship. For instance, how can a five-year apprenticeship be justified for men's hairdressing? The position may be different for a women's hairdresser, regardless of whether she makes wigs, but that is another matter. On the other hand, some technical trades possibly require an apprenticeship of more than five years.

An apprentice coming out of his indentures would derive benefit from doing a further course in such trades. In this regard I think of such fields as electrical work (including electronics) and some of the fitting and turning trades, which are becoming more and more sophisticated as the years go by. It is interesting to note that, in recent years, there has been quite a change in the entry qualifications for apprenticeship indentures. It was traditional that a lad leaving school at the age of 14 years would go straight into an apprenticeship. We have a school leaving age of 15 years now, and this changes the position somewhat. Lads or girls entering apprenticeship now have had at least some years of secondary school education, and credits have been given in that respect. I think it is heartening to consider the higher qualifications that young people entering into indentures have achieved.

I refer honourable members to several interesting documents dealing with this. They are the 1970 annual report of the Division of Technical Education of the Education Department of South Australia, presented by the Director of Technical Education (Mr. Rooney), the latest annual report, dated December 31 last, of the Labour and Industry Department, and the statement of technical college enrolments, which I think is provided by the Education Department. All these are illuminating on this subject, but one facet of this question of entry qualifications is extremely interesting and shows that the educational qualifications of those going into courses are becoming higher year by year.

Whereas previously lads left school after grade 7 at primary school, more and more lads and girls are entering apprenticeship at the Leaving level and, occasionally, at the Matriculation level. The relevant percentages are set out in Mr. Rooney's report. One matter that concerns me is that there has not been a sufficiently significant increase in the number of apprentices being indentured each year in this State. The population and the work force are increasing annually, and we look to the apprentices for the tradesmen of the future, Statistics show that the number of apprentices has not increased significantly in recent years.

I recall, when I was Minister of Labour and Industry, sending a brochure to employers, asking them to consider indenturing more apprentices. However, it seems from the latest report by the department that his has not been achieved. Page 43 of the report sets out that the number of apprenticeships commenced in 1966 was 2,451. In 1967 the figure dropped considerably to 2,279. In 1968 it increased to 2,429 and, in 1969, to 2,632. The preliminary figure for 1970 is 2,375. The Minister's second reading explanation refers to the total number of apprentices but does not give the enrolments for any year.

I have previously made a plea to employers and I now make a public plea to parents to encourage young boys and girls to undertake indentures. A reference to the documents I have mentioned shows readily the various trades to which young people are indentured, and the figures for males and females can be dissected. Some parents are a little misguided. Whilst they want to do the best they can for their children, they should give more consideration to indenturing them at the appropriate age. They would give the child a trade that he or she would have for the rest of his or her life. Even if they leave the trade, they can always go back to it. Girls who marry can always go back to their trade.

I am afraid that there is a little snobbery here, in that many people want to get their children into a white-collar job. If people stop and think for a moment, they will realize the important qualification that their children can get by entering indentures. Many parents more or less force their children into courses at a university or the Institute of Technology for which they are not suited, when the children are far better suited to apprentices, with value to themselves and ultimate benefit to both parties. I say this advisedly, having had the rather unique experience of serving an apprenticeship, being an employer of apprentices and having been a Minister in charge of the Apprenticeship Commission. I do not think

anyone can go further than that: it is the full circle.

I think everything possible should be done to encourage more people to enter apprenticeship indentures in South Australia. After all, apprentices are the tradesmen of the future, and if South Australia is to advance as an industrial State we must have the basic structure of the various classes of tradesman. We can obtain some tradesmen from other States but, basically, industry depends on a fundamental core of tradesmen of various kinds, and is built around this hard core. We have no difficulty in obtaining unskilled labour or mates to help a tradesman, but we rely on the fully trained and equipped journeyman. Unless we have a greater increase in the number of apprentices who will go through their course and become journeymen or journeywomen, we will not be able to fulfil what we hope we can fulfil in South Australia in industrial expansion.

It is interesting to realize (as you, Mr. Speaker, would appreciate, because of your connection with industry) that many apprentices, after they have served their time for some years, are being promoted by their companies to junior executive positions, possibly to the drawing office or in another section. I have seen many of these men who have trained as apprentices come up through the ranks and become senior executives in companies. I believe that this is an excellent idea and one that should be fostered: that is, the chap who has served his time at the bench being appointed to a top position with his company. Although we need some graduates in industry, we must also have people who have practical down-to-earth ability and who have been well trained in order to carry out this work. These people will have been trained in the basic art of their craft and have gone through the mill and learned from the rough and tumble of life in their various trades.

It is interesting to reflect on how apprenticeships have changed. I have been told how, during the time of my grandfather, when he employed apprentices nearly 100 years ago and long before the present Industrial Code and the Apprentices Act were in force, parents were obliged to pay my grandfather or other employers for the privilege of having their sons trained as apprentices. This situation has been completely reversed today, and I do not cavil about that: I think it is right. If I may be so bold as to say (and this is not a reflection on my learned professional friends), in this respect the calling of an apprentice is an ancient and honourable institution. I refer to a booklet put out by the Institute of Personnel Management, printed in England, and published in 1970, entitled *Is Apprenticeship Outdated?* This booklet, which traces the history of apprenticeship, states that it is not outdated, and suggests improvements that could be made.

I was pleased to read recently that the Commonwealth Government had moved to make certain improvements in this direction. If we look back we find that, when Queen Elizabeth I was on the throne in the first great Elizabethan era, Parliament enacted the Statute of Artificers. An artificer is the highest classification of tradesman. I remember holding that classification in the Army, and a sergeant-major artificer was the highest tradesman. This Act, introduced in Great Britain in 1563, undertook the national control of apprentices, and it meant that every craftsman had to learn his trade for seven years. The booklet states:

> Until a man grow into 23 years it was said, "He for the most part, though not always, is wild, without judgment and not of sufficient experience to govern himself."

I do not know how that compares with the age of majority as we know it today. Only after reaching the age of 24 years could he marry, set up in business, or offer himself for hire as a journeyman. Apprenticeship, as it was conceived in those days, involved a definite personal relationship between master and apprentice, and the master had a clear social responsibility for his apprentices. Normally, they would live in his house and eat with his family. We do not have to go back to Dickensian novels to read about that type of situation. Whatever our opinion of the close personal control exercised by the master over the behaviour of the apprentices, it should be remembered that it involved a heavy degree of personal responsibility by the master for the well-being and total development of his apprentices. We know from history that the Industrial Revolution in Great Britain resulted in new trades being introduced and in apprenticeships flourishing.

I have met many managers of concerns in South Australia and in other parts of Australia who have proudly boasted to me that they served their apprenticeship in Great Britain in a car-manufacturing or engineering firm. They have told me how valuable that training was, and many of those men went on later to the equivalent of colleges of advanced education or even to universities for training in their adult years. However, it was their basic training as apprentices that enabled them to continue the training.

This is a simple Bill. I do not wish to devote more time to it. Suffice to say that it provides a transitional period of apprentice training until day-time training eventually comes to South Australia. At present, the Government cannot provide the physical resources in buildings and lecture rooms or the teachers to enable these apprentices to be trained in daylight. Possibly it will be some time before we arrive at that position. However, this is a step in the right direction.

We have departed from the 1966 legislation, which specifically provided that in the first two years of apprenticeship certain hours should be worked and in the third year of apprenticeship a shorter period should be worked. We have departed from that and vested powers in the Apprenticeship Commission. Inquiries I have made show that the commission, representing employers and employees, has agreed to this. Further, the employer organizations and the employee organizations have supported the Bill. I, too, support the Bill and sincerely hope that country apprentices, who are denied some of the opportunities enjoyed by apprentices in the metropolitan area and in the larger towns, will be fairly treated. I hope that the block system will work successfully and that we shall be able to phase out the present correspondence courses, which are not perhaps as satisfactory as they should be. In the upshot both the employer and the apprentice himself will benefit, and the State will ultimately benefit because we will have more apprentices who will be better trained. I repeat that both employers and parents should take heed of the opportunities available for apprenticeships in this State and that more and more youths and girls should be encouraged to take up apprenticeships. I support the Bill.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

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

*That this Bill be now read a third time.*

I am most grateful to the member for Torrens for his consideration of this Bill. I know that he has a very great interest in the welfare of apprentices and a very great knowledge of the administration of the principal Act. As he said, he has been an apprentice himself, he has employed apprentices, and he has also administered the principal Act. So, his remarks are the remarks of a man who I know is sincere and knowledgeable. I know that apprentices throughout the State will be grateful for his support of the Bill.

Bill read a third time and passed.

## CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

## METROPOLITAN MILK SUPPLY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 17. Page 3147.)

The Hon. D. N. BROOKMAN (Alexandra): I support the Bill. New section 12 (2) provides:

> The terms and conditions of employment of the Chairman and other members of the board shall, subject to this Act, be as from time to time determined by the Minister and without limiting the generality of the foregoing . . .

The provision then states what the Minister may do in connection with long service leave and sick leave. Can the Minister state the reason for the first part of the provision? The reason was not given in his second reading explanation. Section 12 of the principal Act provides that the Chairman and other members of the board shall receive such salary and travelling and other allowances as are approved by the Governor. Apart from the point I have raised, I see no objection to the Bill, and I support it.

The Hon. J. D. CORCORAN (Minister of Works): The part of the provision to which the honourable member has referred has never been specified before but has always been implied. It is now specified for the first time, but I assure the honourable member that there is no ulterior motive.

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

## ADJOURNMENT

At 12.20 a.m. the House adjourned until Wednesday, November 24, at 2 p.m.