HOUSE OF ASSEMBLY

Thursday, April 6, 1972

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

ASSENT TO BILLS

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

Acts Republication Act Amendment,
Adelaide Festival Centre Trust Act Amendment,
Enfield General Cemetery Act Amendment,
Lottery and Gaming Act Amendment (Police),
Police Offences Act Amendment,
Public Assemblies.

PETITIONS: SEX SHOPS

Mrs. BYRNE presented a petition signed by 111 electors drawing attention to the recent appearance of sex shops in the community and expressing concern about the probable harmful impact of such shops on individuals and consequently on the community. The petitioners requested that Parliament would, if necessary, amend the law to put these sex shops out of business.

The Hon. G. R. BROOMHILL presented a similar petition signed by 27 persons.

Mr. GUNN presented a similar petition signed by 55 persons.

Mr. GOLDSWORTHY presented a similar petition signed by 44 persons.

Petitions received.

METROPOLITAN TAXI-CAB ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works): I have to report that the managers have been at the conference on the Bill and that no agreement has been reached. I regret that I am unable to speak on this matter at this stage and that my comments have to be reserved until the Bill is returned from another place (if it is returned), because I did have something to say.

Later:

The Legislative Council intimated that it did not further insist on its amendments.

The Hon. G. T. VIRGO (Minister of Roads and Transport): I should like to thank the Legislative Council for its realistic view of the situation.

COMMERCIAL AND PRIVATE AGENTS BILL

The Hon. L. J. KING (Attorney-General): I have to report that the managers have been at the conference on the Bill and that it was agreed that we should recommend to the respective Houses that the following schedule of amendments be adopted:

As to Amendment No. 2:

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

As to Amendment No. 5:

That the House of Assembly do not insist on its disagreement thereto.

As to Amendments Nos. 6 and 7:

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

Clause 7, page 5, lines 21 to 24—Leave out all words in these lines and insert paragraphs as follows:

(*b*) two shall be persons nominated by the Minister who are, in the opinion of the Minister, properly qualified for membership of the board;

(*c*) one shall be a person nominated by the Fire and Accident Underwriters Association of South Australia; and

(*d*) one shall be a person nominated by the Commissioner of Police.

After line 24—Insert subclause as follows:

(3) Where the Fire and Accident Underwriters Association of South Australia, or the Commissioner of Police, has been requested by the Minister by instrument in writing to nominate a person for appointment as a member of the board, and fails within one month, or such longer period as may be allowed by the Minister, to make a nomination in accordance with the request, the Minister may nominate a suitable person for appointment to the board in lieu of a nominee of the Fire and Accident Underwriters Association of South Australia, or the Commissioner of Police, as the case may require.

and that the House of Assembly agree thereto.

As to Amendment No. 8:

That the House of Assembly do not insist on its disagreement thereto.

As to Amendments Nos. 9 and 10:

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

As to Amendments Nos. 11 and 12:

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

As to Amendment No. 14:

That the House of Assembly do not further insist on its disagreement thereto.

As to Amendment No. 15:

That the House of Assembly do not further insist on its disagreement thereto.

As to Amendment No. 17:

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

As to Amendment No. 19:

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

Clause 48, page 19, line 31—Leave out "A" and insert "Subject to subsection (1a) of this section, a".

After line 35—Insert subclause as follows:

(1a) This section does not apply unless the process by which the proceedings are instituted has been served upon the defendant to those proceedings.

and that the House of Assembly agree thereto.

Later:

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

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

The conference took place this morning and I wish to thank my colleagues in this Chamber who were the managers on behalf of this House for the support they gave and the useful contributions they made to the discussions. The conference was useful and a novel experience for me, because it was held in broad daylight, something I had not previously experienced. As a result of that, or for some other reason, sensible and considerable progress was made from the beginning.

It became clear that four issues were before the conference arising from the disagreement between the Houses. The first related to the inclusion of insurance loss assessors in the Bill. The second related to clause 31, which makes it an offence for an agent to enter or remain unlawfully on premises in the circumstances prescribed in that clause. Thirdly, clause 32 was discussed; it prohibits an agent from carrying on business other than in the name in which he is licensed and the question was whether he should be able to carry on business under a registered business name other than that which is licensed. The fourth point concerned the composition of the board.

Another point discussed was whether it should be proper for an agent to continue as an agent while an undischarged bankrupt. In some ways these issues were bound up together and a packet-type compromise was arrived at between the two Houses. It was agreed that loss assessors should remain within the provisions of this Bill, and that is the recommendation. The conference discussed for some time the desirability of the ultimate enactment of a special Act to deal with loss assessors and, as a result, I indicated to the conference that I would recommend to Cabinet that action be initiated with the object ultimately of leading to the passing of an Act to deal with the licensing, regulations and status of loss assessors and, at the time when that passes, the provisions of this Bill will cease to apply to loss assessors. I will see that this matter is pursued and that we investigate how and within what period of time there should be a special Act dealing with loss assessors. Many factors are involved and it is unnecessary to go through all the discussions held at the conference. The recommendation of the conference to this Committee is that the loss assessors should remain within the provisions of this Bill and be subject to the licensing provisions of this Bill.

Another topic referred to clause 48, which relates to the conduct of loss assessors, and the conference agreed to the amendment that loss assessors may not carry on negotiations after proceedings have been instituted. The conference agreed that that should read "instituted and served", meaning either by a writ out of the Supreme Court or by a summons out of the Local Court. The conference agreed to the deletion of clause 31, which provides for the unlawful entry of agents, and which has already been discussed sufficiently in this place. This provision involves the balancing of two considerations: there is the problem that the clause does have the effect of placing some restrictions on the ability to obtain evidence, especially in regard to matrimonial offences, and against that, there is the question of the invasion of privacy involved in inquiry agents going on to premises without the permission of the occupant. After a full discussion and in view of the other decisions reached at the conference, the recommendation is that that clause be deleted.

The views of the Council as to business names were accepted by the conference and that is the recommendation. The Council accepted the Assembly's views on the status of undischarged bankrupt as a ground of discipline, and the conference reached agreement on the composition of the board. As to that, I think I need only refer members to the amendment, which sets out the new constitution of the board, increasing the membership from four to five and providing for a nominee of the Underwriters Association and also of the Commissioner of Police, if they should desire to

nominate a member to the board. The amendments are set out in detail in the document that members have, and I do not think I need say anything more now.

Mr. MILLHOUSE: In supporting the Attorney's request, I shall mention two matters. I have little doubt that the loss assessors will not be entirely pleased (perhaps not pleased at all) with the amendment that has been agreed to by managers at the conference. However, I hope that they will be reconciled to it by the thought that, in the future, separate legislation will be introduced to provide for their calling. Whether it will be introduced by the present Attorney or by a Government from the present Opposition side remains to be seen.

The Hon. L. J. King: I hope they won't have to wait that long!

Mr. MILLHOUSE: The present Attorney has only about 11 months to go. I am certain that, if the Government changes, the Government comprising present Opposition members will undertake the same obligation as the present Attorney has undertaken. I suggest to the Attorney, as I have done earlier, that it would have been wise, tactful and courteous of him to apprise the loss assessors of what was proposed in the Bill before the Bill was introduced, instead of leaving them to find out after the Bill had been introduced. If he had done that, much of the upset would have been avoided.

The other matter to which I refer is clause 31, which I opposed when the Bill was before us previously. As was said at the conference this morning, one had to make a balance between the right of privacy and the right that persons should have to be able to obtain evidence in the appropriate case. If the conference recommendation is accepted, we will have come down in favour of the right of persons to obtain evidence, and I think this is the proper side to come down on.

I do not for a moment deny the arguments to the contrary that have been put forward, but if the clause were left in the Bill it could do great injustice in cases where only justice should be done. In my view, the results of the conference are satisfactory. I hope that all those affected by the Bill will find it beneficial to them and that, in due course, other legislation will be introduced to deal with loss assessors.

Mr. EVANS: I accept that at some time in the future a separate Bill for loss assessors will be considered, but there are other pressures on the Parliamentary Counsel. We have the assessors under some control, which I believe to be undesirable. We know that little consideration will be given to the matter once they are under control, and they will have to continue to bring pressure to bear to achieve their object. It would have been just as simple to leave them out. Then we would have known that consideration would be given to introducing a Bill as soon as possible.

Now we have them in legislation that the Attorney agrees may not be the right thing. He said he is willing to have another Bill drawn. I support the member for Mitcham about people seeing the Bill beforehand. Parliament would serve all causes much better if Bills were made available to the public a month before they were introduced. I do not support the Attorney's suggestion about the conference.

Mr. SIMMONS: I support the adoption of the report, because there is too much value in the Bill for it to be thrown out. However, I regret that, to get the agreement of the Upper House, it is necessary to delete clause 31. The rights of privacy are more important than the ridiculous provisions in existing divorce laws.

The Hon. L. J. KING: First, I refer to the remark by the member for Fisher that I am now of the opinion that at this stage there ought to be a separate Act for loss assessors and that it would have been better to remove them from the present Bill. That is not the position. I am still strongly of the opinion that at least at the present stage the present appropriate vehicle for dealing with the regulation, status, and licensing of loss assessors is the present Bill, for reasons I have given previously.

I have, in deference to the views expressed by the other place, particularly by the managers at the conference, agreed to the proposition that I have put to the committee. I think that, ultimately, a special Act for loss assessors is probably the best way to deal with the matter. However, emphasis is on "ultimately" and I am not speaking of the present time. I should like to comment on the remarks of the member for Mitcham and the member for Fisher about the desirability of making available a draft of a Bill to be introduced. I think the member for Fisher suggested it be made available to the public and that the member for Mitcham referred to people affected (in this case, the loss assessors). I do not agree with this. A committee was set up to inquire into this matter and make recommendations. All interested parties

had the opportunity to make submissions there.

I consider that, when a Bill has been prepared, subject to special consideration in certain cases, the first body that should know of the Bill, other than Cabinet and the Parliamentary Party concerned, is Parliament itself. That is the practice in the Commonwealth Parliament and I believe it is the correct practice. I believe that there are circumstances in which a draft should be shown to other people and I believe it is important in technical legal Bills, which I think should be shown to the Law Society and to the judges in certain cases. There are other situations in which Bills, particularly technical Bills, should be shown to certain outside people but in general I think it is an undesirable practice. In the case of this Bill, various people were involved: commercial agents, commercial subagents, loss assessors, inquiry agents, and security guards.

The Hon. D. N. Brookman: Why do you say it is an undesirable practice? It would be already on notice and there would be plenty of time if the procedures of the House were adhered to.

The Hon. L. J. KING: The honourable member is raising an entirely different matter, and I have frequently expressed myself in agreement with him and others who have expressed this view. It is desirable that Bills remain on the Notice Paper in this House longer than they do.

The SPEAKER: I am allowing the Attorney-General on a point of explanation only, but as his statement is being submitted to the Committee on a point of explanation it is not open to general debate thereafter.

The Hon. L. J. KING: I believe that everyone, including the loss assessors, had an opportunity to look at this Bill. The loss assessors were good enough to come to see me in deputation about the Bill and I had the opportunity not only of considering the recommendations of the original committee but also of considering the recommendations of the loss assessors at their deputation, and the Bill was modified in at least one respect as a result of their submissions.

Motion carried.

MOTOR VEHICLES ACT AMENDMENT BILL (LICENCES)

The Hon. G. T. VIRGO (Minister of Roads and Transport): I have to report that the managers have been at the conference on the Bill and that it was agreed that we should recommend to the respective Houses that the Legislative Council do not further insist on its amendment but make in lieu thereof the following amendments:

Clause 14, page 6, after line 14—Insert subsection as follows:

> (1a) A licence endorsed with the classification "class 2" shall not be issued to a person under the age of seventeen years who did not hold a licence under this Act before the commencement of this subsection.

Line 15—Leave out "the classification 'class 2' "

and that the House of Assembly agree thereto.

Later:

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

Consideration in Committee of the recommendations of the conference.

The Hon. G. T. VIRGO (Minister of Roads and Transport): I move:

That the recommendations of the conference be agreed to.

The recommendations are contained in the duplicated sheet that has been circulated to members. As it left this place, the Bill provided that the minimum age for a class 2 or class 3 licence should be 18 years. The conference agreed that the age of 18 years was desirable for the class 3 licence, which relates to an articulated vehicle, and accordingly the conference did not waste much time on that matter. However, the managers of the Legislative Council were not happy with the limit of 18 years for a class 2 licence, which relates to a commercial vehicle over 35cwt., not including articulated vehicles. The Legislative Council desired that the limit should be 16 years, and the House of Assembly persisted in its request for 18 years. I might add that the line the House of Assembly took on this matter was completely in accordance with the formula laid down and agreed to by the Australian Transport Advisory Council, this formula having been implemented in most of the other States. However, I think a reasonable compromise was reached, when it was agreed that, for a class 2 licence, the minimum age should be 17 years. It does not go as far as I would have liked to go but it goes much further than the Legislative Council wished to go, and I believe that it is more than a reasonable compromise.

I wish to express my appreciation for the support given me by the managers from both sides of this place who adequately stated our case. At the same time I express my appreciation to the managers from the Legislative

Council who, I think, accepted that this Bill was a step in the direction of further road safety. I believe this paved the way for an amicable settlement.

Mr. COUMBE: The Minister has dealt faithfully with the proceedings of last evening's conference and I am pleased that he has expressed his appreciation as he has done. An important fact that comes out of the conference is that, in view of the recent carnage on our roads, it is important that all aspects of this type of legislation be reviewed, and that view was expressed at the conference. Before long, we will have to look deeply at many aspects of this type of legislation, not only concerning age but speed and other aspects.

Motion carried.

QUESTIONS

SEX SHOPS

Dr. EASTICK: Will the Attorney-General agree to release, for public inspection, the reports made by members of the police vice squad on their investigations into the conduct of sex shops recently opened in this State? The Attorney has been hedging on this matter since it was first introduced in this House. On Tuesday of this week he said that he was not concerned with the contents of the petitions presented to the House and that any action taken would be taken on the evidence.

Members interjecting:

The SPEAKER: Order!

Dr. EASTICK: It is stated in today's press that the Victorian and Western Australian Governments have acted against similar shops that have opened in those States since the Adelaide shops opened. I ask the Attorney-General to make this information available so that the people in this State who are concerned about this matter can look fairly and squarely at the evidence available.

The Hon. L. J. KING: Let me say at once that I have never said in this House or elsewhere that I was not concerned with the petitions lodged in this House. I am always concerned with expressions of opinion by any section of the public of South Australia about any matter of public interest. What I did say in this House was that any prosecutions must depend not on petitions or any counting of heads concerning approval or disapproval of sex shops but on evidence that may become available indicating breaches of the law. As I have previously indicated, the police have made observations and inquiries concerning the operation of these establishments, and these inquiries are continuing. Several conferences have been held between police officers and me and between police officers and Crown Law authorities. However, I cannot say at present what is the outcome of those discussions, but I can say that it would be wrong to publish reports made by police officers which are necessarily incomplete because much of the information has been conveyed verbally. In any event, it would be wrong to publish the information which was given by police officers to the responsible Minister and which, if action should ultimately eventuate, might form part of the evidence that would be required in any court action resulting from a decision of the Minister. So I am unable to make public the information given me by police officers for the purpose of obtaining advice concerning any further action they should take on the matter.

Mr. MILLHOUSE: I ask the Attorney-General whether the Government will consider introducing legislation similar to that announced in Victoria and Western Australia concerning sex shops. It is reported in this morning's paper (and I also heard a report on the Australian Broadcasting Commission news to the same effect) that both Victoria and Western Australia, one State having a Liberal Government and the other a Labor Government, intend to take action on this matter. It is reported that yesterday the Western Australian Premier said legislation would be introduced in the State Parliament as early as possible to close down a sex shop in James Street, Perth, and that Victoria's Mr. Hamer, who I think is Chief Secretary, said the Government was concerned about the trend that went far beyond the freedom of adults to choose their own reading and visual material. This matter has been raised in this House several times, primarily with the object of finding out whether the Government intends to take any action under present legislation. Now my question goes a step further, I suppose, as I am asking whether the Government intends to introduce legislation to stop what is going on in the shops at North Adelaide and Darlington—

The Hon. Hugh Hudson: Is Hamer going to ban the shops?

Mr. MILLHOUSE: —if the present legislation is not strong enough to do it, and I do not know whether that will be tested. In reply to the interjection by the honourable—

The SPEAKER: Order! Interjections are out of order. The honourable member is out of order. He is here to ask—

Mr. MILLHOUSE: Yes, in further explanation of my question.

The SPEAKER: Order! The honourable member said, "In answer to an interjection."

Mr. Millhouse: No, I said, "In further explanation of my question."

The SPEAKER: The honourable member said it was in answer to an interjection, and it was out of order.

Mr. Millhouse: No.

The SPEAKER: I now call on the Attorney-General.

The Hon. L. J. KING: I do not know anything of the details of the proposed legislation in either Western Australia or Victoria, other than what I have read in relatively brief press reports. However, I did notice that the Victorian Chief Secretary seemed to indicate, according to the press report, that his concern in the legislation was with aspects of display, advertising, and offence to members of the public, and these are aspects that have been occupying my mind and that of the Government very much regarding these establishments. I do not know whether the existing legislation is adequate to deal with these aspects. I do not believe that any real and sensible decision can be made until all the facts regarding the operation of these establishments are known: not only all the facts, but what facts are capable of being proved by admissible evidence in court. The precise question that the honourable member has asked was whether the Government would consider the possibility of such legislation.

Mr. Millhouse: Not the possibility.

The Hon. L. J. KING: My answer is that the Government will consider all possibilities regarding the situation created by the existence of these shops.

SCHOOL BOOKS

Mr. CLARK: I understand the Minister of Education has a reply to my recent question concerning the difficulty experienced in obtaining Matriculation physics text books. I appreciate the promptness with which the Minister has brought it down.

The Hon. HUGH HUDSON: We have a record for prompt replies. Even the Deputy Leader of whatever he is Deputy Leader of would get the same courteous treatment. The book to which the honourable member referred (*Physics—A Laboratory Oriented Approach* (*Theoretical*)) is one that is widely used in secondary schools—

Members interjecting:

The SPEAKER: Order! There are far too many interjections. The Minister has been asked a question and the House should hear his reply in silence.

The Hon. HUGH HUDSON: It was set as a text book by the instructor of an adult Matriculation physics class held at Elizabeth High School. It is in two sections and it is the first section, *A Study Guide*, which has been in short supply. The book is printed outside Australia and to meet the secondary school needs Rigbys Limited air-freighted in 2,500 copies before the needs of all adult classes were known. In the adult class at Elizabeth High School the instructor, who is also a senior science master on the school staff, has been providing printed notes to the adult students so they would not be inconvenienced. Inquiries made at Rigbys have revealed that that firm has just had a return of 200 books from a school which over-ordered, and it has promised to hold sufficient copies for the students in the adult class at Elizabeth High School. The students were informed last night by the local adult education officer that the book is available.

SCHOOL OVALS

Mrs. BYRNE: Has the Minister of Works a reply to my recent question regarding school ovals?

The Hon. J. D. CORCORAN: As I have already indicated to the honourable member, there is only one contractor in this State who is prepared to accept the responsibility for completely developing school ovals. The departmental specification requires the contractors to develop a satisfactory greensward and then to continue to water, cut and maintain the area for not less than three months to ensure a well established turf before the area is handed over to the school. Other landscape contractors have shown reluctance to tender for school playing fields as they are not prepared to accept responsibility for complete development. Most of the contractors are interested in contracting only for the seeding of playing areas. In the present circumstances it is not feasible for the department to enter into contracts for seeding only unless there are some alternative means, possibly by separate contracts or by day labour, of maintaining the area to the stage where a good turf is established. These matters are under consideration. However, until the various problems associated with the development of school ovals have been resolved the department has no alternative but to use the services of the one interested contractor.

STIRLING WEST SCHOOL

Mr. EVANS: Has the Minister of Education a reply to my recent question concerning the site for the Stirling West school?

The Hon. HUGH HUDSON: The site to which the honourable member referred is the Stirling West school site. This has recently been acquired after considerable investigation by the Supervising Surveyor of the Public Buildings Department. The site appears to be the only satisfactory one available in the area. However, in the light of the points raised by the honourable member, the whole matter will be re-examined and referred back to the Supervising Surveyor for further investigation.

LOCUSTS

Mr. CURREN: Has the Minister of Works received from the Minister of Agriculture further information about methods of controlling locusts?

The Hon. J. D. CORCORAN: I do not know whether this group of locusts was from Charleville or Broken Hill, but I understand that one group, five miles wide, took four hours to pass a given point! My colleague states that the use of aircraft for spraying locusts has been seriously considered, but this method is really effective only where locusts are in heavy swarms on the ground or are concentrated in inaccessible and rough country. Sufficiently dense infestations in the general area of the Murray River were sprayed from the ground, but in some areas the infestations were, and still are, not heavy enough to enable effective ground or aerial spraying. Should heavy swarms collect in the area of concern to the honourable member the position will be reviewed at once to determine the most efficient control method (either ground or aerial spraying).

ROAD SAFETY

Mr. RODDA: In view of the high rate of mortality on the roads last weekend will the Minister of Roads and Transport ask his officers to investigate the condition of roadsides in the South-East? Phalaris grass, because of the nature of the terrain and the very fertile soil, is the main cause of bad visibility, particularly on corners. I know that the Minister's department does cut grass that obscures the view, but this grass grows from early spring until late autumn, when visibility at road intersections is obscured and it is difficult to see approaching vehicles. I believe this is one of the things that should be looked at and I shall be pleased if the Minister will ask his engineers to investigate the position to see whether something cannot be done about it.

The Hon. G. T. VIRGO: I shall be happy to include this matter in the rather long list of matters to be reviewed in regard to road safety. As far as I am aware only one fatality occurred in the South-East last weekend, and I regret to say that it appears the cause of that fatality was a semi-trailer that was being driven on the wrong side of the road. However, I do not want to prejudge the matter or to have what I have said taken as a statement of fact, because certain legal proceedings could well ensue. The matter referred to by the honourable member probably did not contribute in any way to that accident. However, we do not intend to restrict our activities merely to the causes of those accidents that occurred over the weekend: we will consider the whole ambit, but I stress the need to give effect to the legislation introduced by the Government rather than allow it to be sabotaged by certain members of the Opposition.

Mr. CARNIE: In view of the appalling road toll which has received justified coverage in the press and which is of concern to all people in the State, I ask the Minister of Roads and Transport whether he will support the move that I made in this regard when I introduced a Bill to provide for compulsory inquests into all road fatalities throughout the State. The Minister having expressed concern at the road toll, here is positive action that can be taken today when the vote on that Bill is taken.

The Hon. G. T. VIRGO: One could pardon the member for Flinders for doing a little bit of lobbying for political purposes and referring to the road toll for that purpose, but personally I deplore that attitude. The Bill concerned is on the Notice Paper, and I do not think it is in order even to have asked this question, but certainly the reply is "No".

LIBERAL MOVEMENT

Mr. WRIGHT: Can the Minister of Education say whether the Leader of the Liberal Movement or his Deputy (whoever that may be) has, since the formation of the movement, made the Minister aware of its policy on education?

The Hon. HUGH HUDSON: I must confess to being as puzzled as the honourable member about the Liberal Movement's policy on matters concerning education. No statement of any description has been made by

the Leader of the movement or by the member for Mitcham, who I presume is the Deputy (although how he can continue to be Deputy to both the Leader of the Opposition and the member for Gouger is a little difficult to understand).

Mr. Mathwin: Is this a Ministerial statement?

The Hon. HUGH HUDSON: The only thing we have had so far from the Liberal Movement—

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

The SPEAKER: Order! I ask honourable members to cease talking. I did not hear the question asked by the member for Adelaide, as there was too much talking. Had I heard the question, I might have disallowed it. Honourable members on both sides of the Chamber are expected to co-operate with the Chair in order that proper decorum may be maintained in the House. I will rule the question out of order and ask the Minister to refrain from replying.

POINTS DEMERIT SCHEME

Mr. McANANEY: Has the Minister of Roads and Transport—

Members interjecting:

The SPEAKER: Order! When a member rises to ask a question, it is difficult to hear what is being said, and to determine whether or not a question is in order, when there are so many interjections. I am going to insist that silence be maintained when an honourable member has the call. The honourable member for Heysen.

Mr. McANANEY: Thank you for that consideration, Mr. Speaker. Has the Minister of Roads and Transport a reply to my recent question about statistics in connection with the points demerit system?

The Hon. G. T. VIRGO: Up to the present, 86 licences have been suspended as a result of the operation of the points demerit system.

Mr. PAYNE: Has the Minister a reply to my recent question about a possible scheme for the expiation of demerit points?

The Hon. G. T. VIRGO: Although the Pak Poy report referred to the expiation of some demerit points by attendance at a defence driving course, the committee did not recommend action be taken along these lines. However, the suggestion will be further considered when the road safety instruction centre has been opened to the public and is operational.

DRY CREEK SEWERAGE

Mr. JENNINGS: Will the Minister of Works ascertain what is the programme for the extension of the sewerage works at Dry Creek, including details of the streets to be served and the date by which the project is expected to be completed? I asked a question about this matter on October 26 last, and part of the reply was as follows:

> The water table is still very high in the Dry Creek area, and it is proposed not to resume work until the ground has dried out reasonably. Present planning is that work will recommence on the scheme in February, 1972 . . .

A valued constituent of mine has written to me, saying that she has been inquiring of various authorities (she is apparently not satisfied with the progress being made), but as a result of these inquiries, as often happens in such cases, she has been receiving a series of conflicting replies. Therefore, I think that the best thing to do is ask the Minister to give me a proper and responsible reply that I can forward to her.

The Hon. J. D. CORCORAN: I shall be happy to do that. I do not know whence the irresponsible replies are emanating, although I take it that the honourable member is referring to the department.

Mr. Jennings: Certainly not!

The Hon. J. D. CORCORAN: I hope not. I shall be happy to do as the honourable member suggests. I take it that work has not resumed as indicated in the previous reply in October. This is probably because there is tremendous pressure on the departmental work force, and this pressure comes from subdividers who meet the full cost of work undertaken in connection with subdivisions. However, I will certainly take up the matter and notify the honourable member by letter as soon as possible.

MORPHETT VALE SEWERAGE

Mr. HOPGOOD: Has the Minister of Works a reply to my recent question about sewerage in a certain section of Morphett Vale?

The Hon. J. D. CORCORAN: A small area at Morphett Vale has a common effluent system which discharges into a stabilization pond in Jordan Drive. This scheme is under the control of the district council and was constructed before there were any sewers in the area. Following complaints by residents and a request from the council, a scheme was prepared whereby sewer extensions could be made to enable the effluent to be discharged into the sewerage system and the stabilization pond

taken out of service. Work on the scheme is now in progress and is expected to be completed this week, when the effluent will be diverted to the sewerage system.

SEAT BELTS

Mr. GUNN: Will the Minister of Roads and Transport consider excluding from the category of people who have to obtain a doctor's permit for exemption under the seat belt provisions of the Road Traffic Act those people who suffer from a permanent disability? I have been approached by a taxi-driver who was charged by the police with failing to wear a seat belt. He had had a permit but was not aware (nor was his doctor) that the permit had to be renewed every three months, and that this was the case even though he must visit the doctor regularly. My constituent's injuries were received as a result of war service.

The Hon. G. T. VIRGO: I hope that the honourable member has the name of this taxi-driver; if he has, I shall be happy if he will refer it to me so that I can give this person the true information that the honourable member has obviously failed to give him. The Act currently provides for an exemption dealing with the very type of case to which the honourable member has referred.

Mr. Gunn: The police don't know this.

The SPEAKER: Order!

The Hon. G. T. VIRGO: I am not concerned with what the police may or may not know. I do not write the police down as being persons who are not aware of the law, as apparently the member for Eyre does. I think the police are competent in the knowledge of the law, but I suggest that the member for Eyre has little knowledge of the relevant legislation. Rather than trust the honourable member with the responsibility of passing on information, if he gives me the name and address of the taxi-driver concerned I shall certainly be delighted to tell the taxi-driver what are his rights under the Act, and I am certain he will not have any difficulty whatsoever.

PUBLIC BUILDINGS DEPARTMENT

Mr. COUMBE: In reply to an earlier question of mine about the organization of the Public Buildings Department, especially the Works Division, which was the subject of an investigation by a firm of consultants, the Minister of Works may recall that he told me that certain action was to take place in reorganizing this division. Can the Minister now say whether the recommendations have been implemented and, if they have, what effect this has had on the efficiency of the division? In asking this question I point out that I make no reflection whatever on the very competent officers in this division.

The Hon. J. D. CORCORAN: I thought that I had given the honourable member a detailed report about the recommendations and the steps taken to implement those recommendations. If I did not, I certainly had a report in my bag for some time.

Mr. Coumbe: The recommendations were being implemented.

The Hon. J. D. CORCORAN: They have been given effect to now. The first and most important step taken was the appointment of a person to oversee the whole of the Minor Works Division and accurately to define minor works. We had the situation where the Design Section of the Public Buildings Department was handling minor works on the one hand and, on the other hand, dealing with major Government buildings. This arrangement was not working satisfactorily; in fact, it was a rather ludicrous situation. I think that, when I replied to the honourable member previously, I said it would possibly take two or three years before the full impact of this reorganization was felt, because we had to do a computer run on the amount of work outstanding, the number of applications for work, and so on, and get it registered. In fact, this had not been done in the past. There had been no method of finding out just how much work had been requested throughout the State. This had to be reorganized as well, and this work was commenced on June 1 last year. Therefore, the important steps have taken place already. Following the completion of those steps, we shall be better able to set up the regions so that we can decentralize the efforts of the Minor Works Division.

As I said previously, the present situation is that, where we have an officer of the department in a country area, the position is almost that of an inefficient post office because everything has to be referred back to Adelaide for approval, and so on. Any minor adjustments to certain work have to be referred back, whereas we plan to decentralize this procedure to provide in a region an officer who will operate in a way similar to that in which regional engineers of the Engineering and Water Supply Department operate. A certain vote of money will be allocated to the regional office, which will work on that basis. I hope that in 18 months there will be a move in that direction, and then the full effect of

the reorganization will be felt by those who use the services of the Minor Works Division of the Public Buildings Department. I will check with the Director of the department to see whether or not further steps can be taken to bring this about, and I will find out what is likely to be the outcome. I will write to the honourable member if it is necessary to enlarge on what I have said.

HAIR CONSULTANTS

Mr. LANGLEY: Has the Minister of Labour and Industry a reply to my recent question about what action the Government intends to take with regard to hair consultants and their methods? Several members realize that it could be beneficial if the methods of these people were a guaranteed success.

The Hon. D. H. McKEE: As I promised I referred the honourable member's question to the Minister of Health for investigation. The honourable member will realize that the Minister of Health has a problem similar to that of the honourable member. Having discussed the question with my colleague, I have been assured by him that he will not undergo any transplants or any other form of treatment on his head. He suggests that bald-headed people should not be concerned about being bald, because 1972 is now considered to be the year of the skin. Therefore, anyone sporting a bald head is right up with the fashion. I understand that the matter has been raised in Victoria, where an investigation is currently taking place. When I receive a detailed report from my colleague, I will inform the honourable member immediately.

ABORIGINAL AFFAIRS MEETING

Mr. ALLEN: Has the Minister of Aboriginal Affairs a reply to my recent question about a meeting sponsored by his department to which I was not invited?

The Hon. L. J. KING: The meeting with Andjamutna elders referred to by the honourable member was held as a result of a question asked by Mr. Keneally in the House on September 1, 1971, about the possibility of resuming areas in South Australia which are sacred by tribal law. The department's district officer at Port Augusta was directed to contact Mr. Keneally and arrange a discussion with the tribal elders for the purpose of studying the possibility of preserving sites and to assist them with their current specific problems. The meeting was held in the department's Port Augusta office during the evening of March 13. Because Mr. Keneally's question had initiated the matter, he was invited to chair the meeting. Fourteen elders attended: from Port Augusta (3), Quorn (3), Hawker (2), Copley (1), and Nepabunna and local stations (5). Because of its nature and size the meeting was not regarded as a public meeting. The only people invited to attend were the tribal elders. The departmental officers concerned did not think that the occasion called for invitations to members of Parliament, and I agree.

NURSE TRAINING

Mr. KENEALLY: Will the Attorney-General ask the Chief Secretary to investigate the possibility of permitting the Port Augusta Hospital to co-ordinate with the Whyalla Hospital with regard to nurse training? Currently the nurses at Port Augusta go to Port Pirie for further training. It has been suggested to me that, because of the number of specialized staff available at Whyalla Hospital and because of the wider facilities there, it would be much more advantageous for nurses at Port Augusta to complete their training at Whyalla.

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

POLICE STATION CLOSURES

Mr. BECKER: Has the Attorney-General obtained from the Chief Secretary a reply to my recent question about the closure of police stations?

The Hon. L. J. KING: My colleague states that the staffing of police stations in all areas of the State is based on work loads which are regularly assessed as part of a work-study programme. In the case of many one-man stations in country areas, the amount of work required of the resident constable has been found insufficient to justify maintaining the facility. However, in determining the need to maintain a station with a small work load, consideration is also given to the degree of isolation appertaining in each case and the availability and provision of adequate alternative policing services. In cases where it has been necessary to effect closure, frequent police visits are made to the area concerned by members from stations in adjacent towns. In some cases the staff at such stations has been increased to give greater overall coverage together with combining the police districts concerned. Visits to various localities are not restricted solely to occasions when a specific duty requires to be performed, but also occur at various times of day or night as part of routine protection to residents. In emergencies, members of the force are immediately

available by telephone at the cost of a local call. The overall objective is toward mobility of policing, with centralization of staff control, with a view to providing active coverage over a wider span of hours. In the past two years, seven police stations, each staffed by one man, have been closed. Three of these have been in the Mid-North, with one of the most recent being Auburn, situated 13 miles from Clare. The circumstances applicable in that case are identical to the general situation outlined.

ELECTRICAL EQUIPMENT

Mrs. BYRNE: Has the Minister of Works a reply to my recent question concerning the use of earth leakage core balance relays?

The Hon. J. D. CORCORAN: The Electricity Trust is familiar with the earth leakage core balance relay as mentioned by the honourable member on March 22, 1972. There are several Australian made and imported models available which consumers may purchase for installation. The use of earth leakage core balance relays in consumers' installations has been examined by a technical committee of the Electricity Supply Association of Australia comprising representatives from the trust and other Australian electricity supply authorities. The device has some advantages in reducing the risk of electric shock in situations, such as construction sites and other temporary installations, or where portable tools and flexible cords are not checked regularly to ensure that the earthing connection is intact. However, other methods of obtaining additional protection against shock in these circumstances are also available, such as the use of double-insulated appliances, extra low voltage, for example 32-volt equipment, isolating transformers and earth connection monitoring devices. Depending upon the circumstances, these methods may have economical or practical advantages over core balance relays. In the case of permanent installations and fixed appliances, the advantages of the device are not so great. The disadvantages are as follows: first, the relatively high cost. A unit for a typical domestic installation would cost approximately $80 installed. Secondly, although the operating principle is simple, the device itself is relatively complex and must be tested regularly and frequently to ensure that it remains operative. Thirdly, the high sensitivity can be a disadvantage because normal leakage currents associated with certain types of equipment, especially equipment with heating elements or with radio suppressors, can cause the unit to operate unnecessarily. Finally, the unit will not detect faults involving short circuits between current-carrying conductors and, for this purpose, fuses or over-current circuit breakers must still be used. It is reasonable to expect that salesmen for this device could tend to highlight its importance and possibly discount the safety value of normal electricity installations. The Electricity Supply Association of Australia considers that there is no objection to consumers installing earth leakage core balance relays as a supplement to the normal forms of protection, but the association has recommended against any compulsion in their use.

SCHOOL TRANSPORT

Dr. EASTICK: Has the Minister of Education a reply to my recent question concerning school transport and the possible overloading of privately owned school buses?

The Hon. HUGH HUDSON: Privately owned buses operating on contract and subsidized bus services are required by law to have a safety certificate, which is issued by a police officer, the Government Garage, or a local licensing authority. When these buses have adult seating, the child seating capacity is based on adult seating plus 50 per cent for primary school children, and adult seating plus 33⅓ per cent for secondary school children. This means that three primary children can be seated on a two-adult passenger seat and, in the case of secondary students, some seats will be occupied by three children and others by two. Some contractors operate ex-departmental school buses which nowadays have child seating. These buses are built to accommodate 67, 43, 30 and 16 children respectively, although the number accommodated could be slightly less than these numbers if the passengers include a high percentage of secondary school students. The loading of the bus must be arranged with an intermingling of smaller and larger children, which will enable the children to sit three to a seat in most cases. When there is an unusually high proportion of older secondary students, it might be necessary for a few children to stand for short distances on routes. Some students prefer to stand so as to be near their friends rather than have to sit some distance away. However, drivers should endeavour to have all children seated, if possible. In the St. Kilda, Port Wakefield Road to Salisbury area, the department and a contractor are operating ex-M.T.T. buses. Owing to the number of children requiring

transport, the size of these buses and the relatively short distances that children travel in the buses, the capacity of the buses includes 40 standees. Large buses operating in the metropolitan area on licensed bus services are allowed to carry up to 80 passengers. However, as most school buses travel longer distances, loadings are restricted. Where overcrowding does occur, the department provides relief by using additional buses or duplicating a section of the route.

UNION AMALGAMATION

Mr. BROWN: Will the Minister of Labour and Industry inform the Commonwealth Minister for Labour and National Service that this State Government views with concern the possible interference by the Commonwealth Government in the affairs of the Sheet Metal Workers Union, the Amalgamated Engineering Union, and the Boilermakers and Blacksmiths Society in their proposed amalgamation proceedings? I wish to inform the Minister that the industrial society of our country needs such amalgamations if proper understanding between employer and employee is to be obtained. It is obvious that any unnecessary interference with such union amalgamations can and will lead ultimately to massive industrial unrest, which is surely not desired by either the Commonwealth Government or the State Government.

The SPEAKER: The question is not a subject matter before the House at present.

Members interjecting:

The Hon. G. T. VIRGO: I rise on a point of order. The member for Whyalla asked the Minister of Labour and Industry a question on a matter of public importance and the Minister has not been called on to reply.

The SPEAKER: I have ruled the question out of order because it is not the subject matter of a Bill before this House.

The Hon. G. T. Virgo: It is a matter of public interest.

Mr. BROWN: I rise on a point of order. You, Mr. Speaker, have ruled me out of order on the basis that my question is not a matter of public interest. I know as a fact, however, that there have been mass lunch-hour meetings of members of the three unions concerned. Surely that indicates that this matter must be of interest to the people of this State. I ask you, Mr. Speaker, to reconsider your decision to rule my question out of order.

Mr. MILLHOUSE: I, too, rise on a point of order. I support the honourable member for Whyalla.

The SPEAKER: Order! Only one point of order can be taken at a time. Because there was too much mumbling going on in the Chamber, I did not catch the honourable member's question clearly when he was asking it. It is difficult to hear what honourable members are saying when they are asking their questions. In view of the explanation by the honourable member for Whyalla that it is a matter of industrial concern and a matter concerning the State, I will allow the question.

The Hon. D. H. McKEE: In reply to the honourable member, I understand that for many years the Commonwealth Industrial Registrar has had the power, under regulations under the Conciliation and Arbitration Act, to grant financial assistance to a union member who applies to a court to require the union of which he is a member to observe its rules. It seems that the Commonwealth Government intends to amend the regulations to transfer the discretionary power from the Industrial Registrar to the Attorney-General, which I would consider to be most unusual, and I am sure the member for Mitcham would agree with me. I may also add at this stage that there is no such provision in the Industrial Code in this State, and I am sure that a Labor Government would never take such action. I am not speaking for members of the Opposition, because they wear the same guernsey as do their colleagues in Canberra and, no doubt, would support the action taken by the Commonwealth Government. I think that action is very unwise, because no Government should interfere with union affairs. I consider it most unwise, although it is not unusual for a Liberal Government, supported by the Democratic Labor Party coalition, to try to stir up industrial unrest before a Commonwealth election, and particularly unwise to do such a thing, supported by political pressure from another Party—

Mr. MILLHOUSE: I take a point of order.

The SPEAKER: What is the point of order?

Mr. MILLHOUSE: My point of order is that the Minister is merely out to abuse members of my Party, both in this place and in Canberra.

The Hon. G. T. Virgo: Which Party? Find out what Party you're in.

Mr. MILLHOUSE: I supported the member for Whyalla in his question, against your

ruling, and I supported the Minister of Roads and Transport, but I did not support those gentlemen so that they could abuse my Party.

The SPEAKER: What is the honourable member's point of order?

Mr. MILLHOUSE: The point of order is that the reply that the Minister is giving is not relevant to the question asked. His reply is simply designed and deliberately designed—

The SPEAKER: Order!

Mr. MILLHOUSE: —to stir up political trouble.

The SPEAKER: Order!

The Hon. G. T. Virgo: Like the movement.

The SPEAKER: I did not hear the question clearly in the first place. If it concerned a matter of public affairs, I would permit it.

Mr. Millhouse: That's right, and I supported that.

The SPEAKER: Order! I am not concerned about what the honourable member for Mitcham does, except that he must maintain order in this Chamber. Ministers are given the right to reply to questions, and I would ask the Minister to confine his reply to the question asked by the member for Whyalla. Does the Minister desire to continue?

The Hon. D. H. McKEE: I had almost finished.

Mr. McANANEY: I rise on a point of order. I object to the remark of the Minister of Labour and Industry that it was the usual policy of Liberal Governments to stir up industrial strife before an election. It is unjust, untruthful, and despicable to use such words.

The SPEAKER: Order! I cannot uphold the point of order. If the honourable member wants to make an explanation about the situation, he should do it under the appropriate Standing Order. The honourable Minister must confine his reply strictly to the question asked.

Mr. McANANEY: I move:

That the Speaker's ruling be disagreed to.

I shall submit my motion in writing.

The SPEAKER: The honourable member for Heysen has handed me the following statement:

That the Minister of Labour and Industry made a statement in the House that it was the usual practice of Liberal Governments to stir up industrial strife before elections so that it would be of assistance to them at election time and that members of my side of the House support this. I find this personally offensive and I disagree to your ruling that the Minister should not be asked to withdraw the remark.

Members will recall that the honourable member for Heysen raised a point of order when he got up, and I ruled that the Minister was replying to the question asked by the member for Whyalla. If the honourable member for Heysen desired to take this point he should have done so immediately.

Mr. McAnaney: I did. I raised a point of order.

The SPEAKER: On the statement supplied by the honourable member, and on my recollection of the events, the honourable member for Heysen made a statement on a point of order.

Mr. MILLHOUSE: With the greatest respect, the honourable member took a point of order. You ruled against him and he is now moving disagreement.

Members interjecting:

The SPEAKER: Order! Order!

Mr. MILLHOUSE: You are debating—

The SPEAKER: The member for Mitcham wants to learn to conduct himself properly. The statement I have made clearly conforms to what the honourable member for Heysen wrote down and handed to me, and if he wanted the remarks to be withdrawn he should not have taken a point of order: he should have asked for the remarks to be withdrawn when the incident occurred. I am afraid I cannot accept it in this form and in accordance with the facts in this House.

Mr. COUMBE: Do I understand from what you have just ruled that you are not accepting the motion to disagree to your ruling?

The SPEAKER: I have made clear that I ruled that the Minister's reply was relevant to the question that was asked. It had nothing to do with this at that point of time and the honourable member for Heysen should have raised this when it occurred. He disagreed to my ruling on the relevance of the Minister's reply, not on whether the Minister should withdraw. That is here in writing.

Mr. McAnaney: You evidently did not hear what I said. I raised a point of order.

The SPEAKER: Order! I cannot rule on something I did not hear. On the honourable member's own submission, he has written this down and it has been handed to me. That is what I am acting on.

The Hon. D. N. BROOKMAN: On a point of order. The member for Heysen has moved disagreement to your ruling and he has written down the reasons and sent them to you. At this point it is for you to call on the

member for Heysen to move his motion of disagreement and to give his reasons. It is not, if I may put it this way, for you to reply to the member for Heysen before he has had the chance to debate his motion.

The SPEAKER: The honourable member's motion relates to a ruling which I did not give in this Chamber.

Mr. MILLHOUSE: I must take a point of order. This matter was serious enough at the beginning, but it is now becoming more serious because it appears that you are refusing to accept a motion to disagree to your ruling, which is the motion the member for Heysen is moving. With very great respect to you, I submit that it is not for you to start debating the motion which has been handed up to you: that is for members in this place. As presiding officer, you are here to preside. You are not here to refuse or to accept points that are taken: that is for the House to do. This is a much more serious matter even than the matter originally raised by the member for Heysen, and I suggest, with great respect, that you allow the debate to proceed, that you allow members on the floor of the House to decide the question, and that you do not try to decide it yourself.

The SPEAKER: I have ruled that the motion is out of order as it is. I have to conduct the business of the House in accordance with Standing Orders and I am ruling that way.

Mr. MILLHOUSE (Mitcham): In that case I must move:

That the Speaker's ruling be disagreed to.

The SPEAKER: Will the honourable member please submit his motion in writing?

Mr. MILLHOUSE: Yes.

The SPEAKER: The honourable member for Mitcham has moved to disagree to my ruling that the motion of the honourable member for Heysen is out of order.

Mr. MILLHOUSE: I gave the reasons for this a few minutes ago when I asked you not to rule as you have done. The Minister of Labour and Industry was replying to a question which you originally ruled out of order and in the course of that reply he made remarks that were objected to by members on this side including the member for Heysen. When you refused to uphold the honourable member's point of order he moved to disagree to your ruling.

As I understand the practice of this House, there is no specific form in which a motion to disagree to the ruling of the Chair is to be put, and the member for Heysen has chosen to put it in the form in which he handed it up to you. In whatever form, however, it was a motion to disagree to your ruling and it was not for you at that stage, I suggest, to start debating it and to say whether or not you would accept that motion. Under Standing Orders, as I understand them, the motion should be accepted and it is then for the House to decide whether or not the motion should be carried or negatived: otherwise we have no rights in this place if you are to be the arbiter as to what motions of dissent to your rulings are to be accepted. As I said earlier, the matter was serious enough at the beginning, but it is a very serious matter if you are going to take it on yourself to decide when we may dissent from your ruling and in what form we may do so. That is the whole point here, and I ask you now to reconsider the hasty decision you have made.

Mr. McANANEY (Heysen): I support what the member for Mitcham has said. I have already complained about the acoustics in this House, and they have not got any better. You did not hear what I said, Mr. Speaker. I said:

I rise on a point of order. I object to the remark made by the Minister of Labour and Industry.

You apparently did not hear this but, if you accepted my explanation, this could be cleared up. If a member rises and makes this sort of request, and you rule on an entirely different matter, surely the Attorney-General would support my view on this matter and agree that you misunderstood what was said, or did not hear what was said, and ruled on another matter. I am disagreeing to your ruling in this respect.

Mr. Rodda: You aren't; Robin is.

The SPEAKER: Order! Honourable members cannot refer to other members by name.

Mr. McANANEY: If I am to be ignored, I would be better doing something else. However, I believe that I play some part in this House, especially when it comes to considering what is honest, fair and just for everyone concerned. Indeed, I have already left the House once because of this principle. I believe that we are entitled to expect fair treatment, Sir, and if you did not hear what I said you should give another ruling and give me a fair chance to represent my constituents in this place.

The Hon. J. D. CORCORAN (Minister of Works): I briefly wish to explain my understanding of the situation. When the member for Heysen moved that your ruling be disagreed to, Mr. Speaker, and was then asked to put it in writing and bring it to you, you read it; and it seems to me that he had moved disagreement to a ruling you never gave. You explained this to the House quite properly, and I was perfectly satisfied that that was the case. You did not do that to be disrespectful to the rights and privileges of the member for Heysen or of any other member. You made the point quite correctly that you could not allow disagreement to a ruling you never gave. The member for Mitcham—

Mr. McAnaney: I never said it.

The Hon. J. D. CORCORAN: The member for Heysen has said that there has been difficulty in hearing what was said. I believe that, if the honourable member objected to the words used by the Minister of Labour and Industry, he had the opportunity to ask the Speaker to request the Minister to withdraw.

Mr. McAnaney: That's what I did.

The Hon. J. D. CORCORAN: The Speaker did not hear that and never gave a ruling on it. That is the point the Speaker is making. The member for Mitcham then castigated you, Sir, because you would not permit a debate to take place on the issue. In fact, you were explaining to the House that you could not accept a motion to disagree to a ruling you never gave, and you were perfectly correct in doing that.

The Hon. D. N. BROOKMAN (Alexandra): This incident arose out of a childish and unprovoked attack by a childish and unprovoked Minister.

The Hon. D. H. McKEE: On a point of order, Mr. Speaker, I take exception to the words "childish and irresponsible Minister", and I ask the member for Alexandra to withdraw that remark unreservedly.

The SPEAKER: Exception has been taken by the Minister of Labour and Industry to the remark by the member for Alexandra describing the Minister as childish and irresponsible. Is the honourable member for Alexandra prepared to withdraw?

The Hon. D. N. BROOKMAN: I am happy to withdraw the words "by a childish and unprovoked Minister". I withdraw those words unreservedly. My statement still is that the situation arose out of a childish and unprovoked attack on the Opposition by the Minister, and that childish and unprovoked attack was prepared by the Minister, because he was reading from notes at the time. It was probably arranged by the Minister that a member of his Party ask the question concerned and when a member of the Opposition objected reasonably you, Mr. Speaker, did not support his objection. That Opposition member then moved to disagree to your ruling. Standing Order 163 provides:

> If any objection is taken to the ruling or decision of the Speaker, such objection must be taken at once and not otherwise;

The Hon. G. T. Virgo: Was it taken at once?

The Hon. D. N. BROOKMAN: Yes. The Standing Order continues:

> and having been stated in writing, Motion shall be made, which, if seconded, shall be proposed to the House.

Mr. Speaker, you did not propose that question to the House and you did not permit the House to discuss it. When the honourable member brought up a copy of his motion to disagree to your ruling, you yourself stood up and debated it and did not give the honourable member an opportunity to move it. In those circumstances, there was no alternative but to take the action that was taken by the member for Mitcham and to disagree to your ruling regarding the motion of the member for Heysen. I say respectfully that no Speaker can refuse to allow debate on a motion to disagree to his own ruling: he has to allow the House to debate it, and Standing Order 163 states it clearly. I am sorry that the incident happened at all but, as I say, it arose out of childishness, and I should have thought that no Minister of any Government would be proud of the way in which the situation arose; in fact, he ought to be ashamed. The unprovoked insult was made, an objection was taken, you overruled it, and you are not now allowing that objection to be debated. The member for Mitcham has therefore had to move disagreement in order to give us a chance to debate the motion of the member for Heysen.

The SPEAKER: The question before the Chair is the motion moved by the member for Mitcham to disagree to the Speaker's ruling on the motion of the member for Heysen. Does the member for Mitcham desire to reply?

Mr. MILLHOUSE (Mitcham): I hope I am in order in replying and thus closing the debate. The member for Alexandra has referred to Standing Order 163, which imposes a duty on you, Mr. Speaker, to put the motion, whether or not you approve of it. The Standing Order states

that "motion shall be made which, if seconded, shall be proposed to the House", and that is the Standing Order which you are violating by refusing to accept the motion of the member for Heysen. I understand you to say that that motion has been moved by mistake. Next time you might say, "That's wrong; I don't agree with it. I won't put that to the House, because my ruling is obviously right." That is the logical extension of what you are doing in violating this Standing Order. You have a duty as Speaker to accept the motion and to leave it to members to decide, whether you personally think it is right or wrong and whether or not you personally believe that a member is mistaken or has not heard the relevant remarks made before he moved the motion. That is the principle we are debating here, and it is a serious principle indeed. If you are to be the sole arbiter, by ruling motions out of order in contravention of Standing Orders, the rights of private members of this House will have been even further eroded than they have been since you first became Speaker—and that is saying something!

The House divided on the motion:

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

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

Majority of 7 for the Noes.

Motion thus negatived.

SITTINGS AND BUSINESS

Mr. EVANS: Can the Minister of Works say on what date it is intended that Parliament will meet for the next session?

The Hon. J. D. CORCORAN: No decision has been made on that matter.

The SPEAKER: Call on the business of the day.

Mr. RODDA: Mr. Speaker—

The Hon. G. T. Virgo: Haven't you got your instructions right?

Mr. Millhouse: That's a most insulting remark.

The SPEAKER: Order!

Mr. Millhouse: I resent it very much.

The SPEAKER: Order! The honourable member for Mitcham must stop talking when I am trying to maintain order in this House. I warn honourable members on both sides that it is about time they took a grip on themselves, and acted like men and responsible members of Parliament.

Mr. Coumbe: Are you disobeying the Speaker's calls?

The SPEAKER: Order! The honourable member for Torrens is out of order in interjecting when he is not in his correct place.

INDUSTRIAL SAFETY

The Hon. D. H. McKEE (Minister of Labour and Industry) brought up the report of the Select Committee on Occupational Safety and Welfare in Industry and Commerce, together with minutes of proceedings and evidence.

Report received and ordered to be printed.

MOUNT LOFTY RANGE WATERSHED REGULATIONS

Mr. GOLDSWORTHY (Kavel): I move:

That the regulations in respect of constitution of the Mount Lofty Range watershed, and the by-laws to prevent pollution of watersheds and rivers, made under the Waterworks Act, 1932-1971, on December 9, 1971, and laid on the table of this House on February 29, 1972, be disallowed.

I move this motion, because I consider that the by-laws and regulations are far too sweeping in their application. Although one cannot argue with the basic philosophy behind these by-laws and regulations, in my view the regulations and by-laws that have been made to apply to watershed zone 2 would be appropriate for watershed zone 1. Activities in watershed zone 1 are, in terms of these by-laws, fairly well completely restricted. I will draw attention to one of these by-laws, as follows:

54 (*a*) No person shall erect, construct, enlarge or establish a cowshed or cowyard, a poultry shed or poultry yard or a stable or stockyard on any land within watershed zone 1.

There does not seem to be any appeal or redress for primary producers or anyone else engaged in other producing activities in zone 1. I live in an area that has been affected by these regulations. The regulations declare a large swathe of the Adelaide Hills as being classified in zone 1 and surrounding this area is land classified as zone 2. Many operations carried out on properties located within zone 1 are totally prohibited, but they would in no way contribute to the pollution of an existing reservoir or any proposed reservoir.

I cite the Paracombe road area, because it is an area with which I am familiar. This land has been classified in zone 1, because the land falls down to the Torrens Gorge, and I highlight this example because it exemplifies a position where the regulations apply which I believe to be unnecessary. I am complaining about the blanket nature of this regulation, which covers watershed zone 1. No activity in this area would in any way contribute to the pollution of the reservoirs and watersheds of this State.

Concerning watershed zone 2, the regulations are pretty well the same, except that landholders, before they can begin any operations, must obtain Ministerial approval. This condition should, I believe, apply to zone 1, as there are many individual cases that should be treated on their merits. I have discussed this matter with several landholders and I cannot see how it was possible for whoever promulgated these by-laws to blank out a whole area on the map and say it is zone 1 without treating each case on its merits.

Mr. Coumbe: Are there any grounds for appeal?

Mr. GOLDSWORTHY: Not in the regulations I have seen. How a whole area can be blanked out and activity be completely restricted without any consideration of individual cases, I do not understand. There are many areas in zone 1 where zone 2 regulations would be adequate to cover any possibility of pollution. I refer again to the area on the southern side of one section of the Paracombe road, because from this area there is no drainage into an existing reservoir, nor is there likely to be any in the future. I believe the regulations to be completely restrictive in respect of zone 1, because landholders are not allowed to engage in any of the activities that are possible in zone 2 with Ministerial approval. The restrictions prescribed for zone 2 would be more suitable for zone 1 where, under the regulations, landholders have no right of appeal or redress. If a landholder in zone 1 has a case where it can be shown that in no way does he contribute to the pollution of any existing or proposed reservoir, he should have the right to put his case, but that right does not exist in the regulations.

Mr. EVANS (Fisher): I support the motion. I know that the Engineering and Water Supply Department is concerned about the pollution of reservoirs and must take action to protect them. However, the member for Kavel has pointed out that there is no right of appeal and that cases should be considered on their individual merits. I refer to a case of hardship where an employee of a city firm received a severe electric shock some years ago and was partially disabled. That person used all his workmen's compensation money to buy land and establish a piggery but, for him to continue to live at today's standards, he must increase its size by 50 per cent. However, that is not allowed and he has no right of appeal, yet he no longer has a viable property: his workmen's compensation payment is gone and he has no other assets. There is no provision for this case to be considered and judged on its merits, and he has no chance of being told whether he should build an aeration dam or install septic systems to ensure that no polluted material enters the reservoir. Some right of appeal should exist.

The problem in moving against these regulations is that, if the motion is carried, the good regulations are thrown out. On the other hand, if it is defeated, the bad regulations will operate. I know that the Minister is concerned about the individual, because he has shown that concern in the past, and he must realize the hardship that would be met by many because there is no room for special compensation in this type of case. Straight-out compensation is provided for the value of the land and the improvements on it, and no compensation is provided for the person such as I have mentioned who has made sacrifices and tried to make it on his own and overcome a handicap and who will be thrown out in the wilderness for the second time in his life. That person at least should have the opportunity of making representations for his case to be judged separately to see whether he can stay and, if he ever wishes to move out in the future, appropriate action could be taken then. I cannot but support the motion.

Mrs. BYRNE (Tea Tree Gully): The Subordinate Legislation Committee considered this matter and most of the members of that committee decided that the regulations were in accordance with the general objects of the legislation pursuant to which they are made. These regulations and by-laws were introduced concurrently with the object of achieving the purposes of the Waterworks Act Amendment Act, 1971. When this Act was before the House the Minister of Works explained that the existing legislation gave general powers to restrain persons on watersheds or rivers from polluting water supplies. He pointed out that the legislation was remedial rather than preventative and was inadequate to stand the

pressures of today's development, as the enforcement of remedial legislation inevitably means hardship for the individual owner or occupier of land on which a source of water pollution has been established, and this impairs the co-operation and goodwill of the community which is essential to effective pollution control.

It was also explained that the most difficult water pollution problem facing the Engineering and Water Supply Department exists on the watersheds of the metropolitan reservoirs which provide approximately half of our reticulated water supplies. These watersheds are unique in that they are particularly vulnerable compared with those in other States. Unlike the situation interstate our watersheds are largely inhabited, they come within less than 10 miles of the inner city (comparative figures for the other States are Sydney 40 miles, Melbourne 45 miles, Perth 20 miles and Brisbane 80 miles) and are extremely accessible. They are also particularly attractive for rural living. Another factor which must be realized is that because of our less favourable rainfall the watersheds are relatively larger in comparison to their effective yield and this accentuates any potential pollutional effect. The regulations now being considered have been made under section 9a of the Waterworks Act, 1932-1971, and define the watersheds in which the powers of the Act and consequential regulations will be exercised. They also, in accordance with the provisions of the Act, define which of the land within the watersheds will be classified as a watershed zone 1 and which will be classified as a watershed zone 2. The member for Kavel has stated that he considers that some of the areas that are in zone 1 should not be included, but no evidence was placed before the committee to support that statement.

The regulations also deal with such matters as disposal of animal carcasses, the siting and operation of piggeries, poultry farms, dairies and stockyards, the control of quarrying and sandwashing to limit physical water quality impairment, and other necessary measures. The zoning of the watershed into two categories permits these measures to be made selectively, thus obviating the need to restrict, or to restrict to the same degree, activities in areas where this is not so necessary. Before these regulations were gazetted on December 9, 1971, and tabled on February 29 last, wide publicity was given to the matter and I understand that a précis of what was intended was given to certain organizations. Yet, no evidence was placed before the committee. A letter was sent to me personally, not as Chairman of the Subordinate Legislation Committee, by the Tea Tree Gully council, and I placed that letter before the committee, although I was not required to do so. It was to the effect that new provisions should be made in the Waterworks Act for compensation to existing landowners who are using their properties for the purpose of their livelihood, for loss of earnings and loss of saleability of the land as a result of the various restrictions provided for in the subordinate legislation. The council also felt that, whereas the by-laws referred to provide for certain notices to be issued by the Minister to carry out alterations or improvements to buildings within the zones, provision should be made for a right of appeal to an independent tribunal or person, so that the level of hardship which may result under these provisions may be minimized.

The matters in the letter were considered, but the proposals were deemed to be beyond the scope of the committee's powers, and the council's recommendations were sent to the Minister of Works. The member for Kavel said that there should be a right of appeal regarding areas defined in zone 1, but this matter was not placed before the committee, although the right of appeal regarding hardship was referred to in correcpondence from the Tea Tree Gully council. I oppose the motion.

Mr. McANANEY (Heysen): This motion concerns much of the area I represent. Although we appreciate the need for some control in that area, the powers given in this regulation are too great. I have argued with the Minister previously, when the 20-acre subdivision provision came in, saying that cases should be considered on their individual merits, and that there should be flexibility in the administration of the powers given.

I know that this is difficult, because we may say that there is an advantage to one person and not to the other. However, I can produce many cases of hardship. In one case, there was no possibility of any pollution occurring and the people involved had been living in the Hills for many years. I am against anyone going up there, subdividing land and making excessive profits, but where people have been living there and where it can be shown that no pollution will occur if certain procedures are carried out, this regulation can operate far too rigidly and create injustices.

The regulations regarding zone 1 are so rigid that a person can be prevented from

doing almost anything. Unless it can be shown that a pollution problem is being created, the cases should be considered.

The Hon. J. D. CORCORAN (Minister of Works): I oppose the motion, and I think the member for Kavel appreciates why I do that. I realize his problem and that of the members for Fisher and Heysen: those members represent people who are affected by these regulations, and I suppose they are constantly under pressure to raise these matters. It is their right to do so, and I think it is proper that they should do that. The member for Kavel disagrees with the sweeping nature of the by-law regarding zone 1. He has no argument about zone 2, but he thinks that the by-law regarding zone 1 is unreasonable in certain areas and should be reviewed.

I tell him that the by-laws that have been introduced at this stage are a holding measure only (and he would appreciate the need for that) until the investigations being undertaken are complete, when we can see whether what has been done is necessary or whether we may have to go further. I think all members appreciate that we are unique in Australia in having inhabited watersheds supplying our metropolitan area. If people had had foresight years ago, we would not have that problem now. The watersheds would be like other watersheds throughout Australia, in that they would not be inhabited. This action, stringent as it may be, must necessarily be taken. If it was not, the Government could be criticized.

The member for Torrens knows that most of the work that has led to this sort of thing was done when he was Minister in charge of this department, and I should like his comments on some of the things that have been said. The member for Fisher is constantly communicating with me about difficulties imposed on people as a result of this by-law. Although the member for Heysen has said that it may be better to have more flexibility, I think he, as well as other members, appreciates how difficult any such policy is to maintain, but it is even more difficult to maintain a policy that is satisfactory and one that we have set out to achieve if there is discretion in the Minister. I emphasize that this by-law is to hold the situation until we find out whether the position is reasonable or unreasonable, and I assure members that the matters they have raised in this debate will be examined and considered by officers of the department.

Motion negatived.

FISHERIES REGULATIONS

Mr. BECKER (Hanson): I move:

That the Fisheries (General) Regulations, 1971, under the Fisheries Act, 1971, made on November 30, 1971, and laid on the table of this House on February 29, 1972, be disallowed.

I have received the following letter from a constituent:

There are many of us in this general area who are very dissatisfied with restrictive and from our point of view unjustified legislation being brought down by the Government. I have personally held a licence for more than 20 years and yet an inspector of the Fisheries Department tells me that I probably won't be granted a B class or part-time licence because I have been working in a full-time occupation and have had no returns to lodge with the department over the last three years. The way my work is at the moment it is highly probable that I may have to return to fishing as a livelihood and yet here is a body telling me that this avenue may be closed to me. Also they wish to know the value of earnings from fishing. Surely they must be overstepping themselves here for this must surely be strictly a matter between the fisherman concerned and the Taxation Department. As a returned serviceman who fought for a free way of life, I find this most repugnant. Surely it was one of the very things we fought against. A man must have the right to choose his way of life without being restricted by a lot of senseless and unnecessary dictatorial legislation. I cannot personally see also how the Government can justify the tremendous leap in licence fees, boat and gear registration fees, etc.

That is typical of the comments I have received from amateur fishermen throughout the metropolitan area. Some amateur fishermen sent letters to the Minister asking him to consider the introduction of a C clas licence, with appropriate restrictions, for weekend anglers and the Minister replied as follows:

The Director has informed me that if licences were issued to weekend fishermen to sell their catches 13,000 additional licences would have to be granted, and this would bring about a similar situation to that which existed under the previous legislation when effective policing of the regulations became impracticable. However, weekend fishermen who have the experience, equipment and resources necessary to fish efficiently and profitably may make application to the Director of Fisheries for a B class licence. In fact the Department of Fisheries is currently processing 1,000 applications from part-time fishermen, and it is expected that many will qualify for licences. Under the provisions of the Fisheries Act, 1917-1939, fishing licences were required to be held by all persons who wished to take and sell fish as well as those who fished with commercial gear but did not necessarily wish to sell their catch. Therefore there was no way of determining whether a person was fishing for recreation or whether he was making his living or obtaining part of his income from part-time fishing. However, some two years

ago notices were posted at all fish-buying depots advising that all persons selling fish were required to provide monthly returns of fish caught. If persons did not send returns to the Fisheries Department it was assumed that they were fishing for recreation and they were sent amateur gear registration forms.

It is important to note that the Minister said that two years ago notices were posted at all fish-buying depots advising that all persons selling fish were required to provide monthly returns of fish caught. I have been told that these notices were either not displayed or, if they were, that they were not displayed so that the fishermen could see them. Therefore, there was considerable confusion among amateur fishermen because they were not aware that they had to send to the department statistics of the fish they sold. Mr. Olsen (Director of Fisheries and Fauna) attended a public meeting in the South-East in December. On December 20, 1971, the following article appeared in a local newspaper:

Many questioners showed disapproval of the size and detail of the application form which they were required to submit for registration to obtain A class licences.

In the regulations there are no specimens of the A or B class licence form, although specimen forms are usually included in regulations. Mr. Olsen is also reported as saying that the information submitted to the Bureau of Census and Statistics was inviolate from the Taxation Department. He added, "The fact that there has been so much rumbling from down here must have alerted the Taxation Department that there is something being hidden." I realize that I am only quoting from a newspaper article, but I think it is unfortunate that the Director of Fisheries and Fauna should have made such a statement. The most important part of the application for a fishing licence is that we must have an assurance that applications are strictly confidential. I asked a question recently about this and the Minister of Works gave the following reply from the Minister of Agriculture:

I am assured that the information supplied to the Fisheries and Fauna Conservation Department on licence application forms is treated in the strictest confidence and is not disclosed to persons or organizations outside the department without the prior consent of the supplier.

However, I know of an amateur fisherman who has a full-time job and he has had a fishing licence for many years After he had applied for a B class fishing licence, a photostat copy of his application was sent to his employer and he is now in danger of losing his job. If he does, I assure the House that the matter will be raised in this House to such good effect that I will have a few other jobs in that department.

Mr. Jennings: Shame!

Mr. BECKER: The honourable member may well say "Shame!" but I think it is a disgrace when people supply Government departments with financial information and it is not treated in confidence. This is one of the great problems in respect of the builders' legislation. I have received a letter from the South Australian Field and Game Association. Dated March 13, 1972, it states:

Section 11,
Restrictions on the use of gear on the River Murray proper.
Subsection (2).

Any person who is not the holder of a current fishing licence shall not use any device except a rod and line, a hand line, a shrimp trap or shrimp net in any part of the River Murray proper in respect of which a permit has been granted pursuant to Managed Fisheries Regulations, 1971.

Subsection (6).

No person shall troll for fish in any part of the River Murray proper in respect of which a permit has been granted to a fisherman pursuant to Managed Fisheries Regulations, 1961.

The copies of the "proposed" proclamation supplied to us by the Minister for comment made no mention of these two contentious provisions and we were therefore not afforded the opportunity to submit arguments on these two points in our submission dated November 18, 1971.

Mr. Reg Curren, M.P., assures us that this was an oversight, but the majority of our members consider that the omission of two such contentious points from the proposals was deliberate, especially when copies of a press release to newspapers a few days afterwards included both of these provisions. (These press releases were later recalled when Mr. C. R. Story, M.L.C., delayed the passage of the Bill through the Upper House.)

The 1967 list of public fishing reserves on the Murray shows that, of approximately 351 miles of river between Wellington and the New South Wales border, approximately 288 miles are commercial reaches and 63 miles are public reserves. (There have been some amendments since that time but we are unable to obtain an up to date list which was requested from the Fisheries and Fauna Conservation Department.) The majority of fishermen holding commercial reaches are part-time fishermen only. The Minister has stated that reaches not being worked properly will be taken back and made into public fishing reserves. This may take a long time and, in the meantime, thousands of amateur fishermen are being restricted for much of their fishing to a small section of the river while a few fishermen hold large sections of the river as private fishing waters.

The letter also refers to restrictions on the use of yabby nets in commercial reaches and to

the ban on trolling on a commercial reach. The letter refers to certain other matters, including registration fees, and it continues:

> Why is there a registration fee of 50 cents on craypots and drop nets, three of each totalling $3, when only three of any can be used at any one time? An amateur fisherman is charged for six drop nets and/or craypots but legally can only use three of them at any one time.

Time does not permit me to go through all these matters, but I assure the House that the association and its members are concerned about these regulations. The amateur fisherman is being subjected to a regulation which he does not like and which has been forced on him suddenly. Indeed, people in the community generally are becoming a little sick and tired of all the regulations that have been introduced. I point out that sports stores, which had stocks of nets, etc., were adversely affected by these regulations, yet all the Minister could say was "Bad luck". I am not opposed to protecting the interests of professional fishermen for, having had experience in the bank at Port Pirie and Port Lincoln, I appreciate the difficult times that they experience and also the difficulty in finding suitable areas to fish.

Here, I point out that little work, if any, is being carried out in the way of surveys concerning known fishing areas. Finally, I can only say that never have regulations been brought down that have adversely affected so many people (in this case, 13,000 people).

Mr. CARNIE (Flinders): I support the motion, and I am concerned about two aspects of these regulations. The first aspect, which was well covered by the member for Hanson, relates to the issuing of B class licences.

The Hon. J. D. Corcoran: Are you referring to licences issued under the regulations or under the Act?

Mr. CARNIE: I will come to that. At the time of debating the Act last year, I expressed concern that the powers given to the Director under that legislation were far too wide, and there is certainly evidence to show that licences are not being issued as freely as they might be. During that debate, the Minister said:

> I do not think the honourable member need worry about this matter; I am certain it will be all right.

Another aspect, which was not covered by the member for Hanson, relates to the situation concerning fish dealers, whose activities for many years have depended on obtaining supplies from amateur fishermen and who fear that they will lose their source of supply because so many have been put out of the industry. The second matter that concerns me relates to paragraph 31 of the regulations which provides:

> Notwithstanding the provisions of paragraph 12, the Director shall not grant or renew an application for a permit to take abalone unless he is satisfied, by production of a medical certificate or otherwise, that the applicant is medically fit to dive.

Divers can experience two main problems: they can suffer either from the bends or from ruptured eardrums, and these conditions are usually caused by the sudden ascent to the surface, by loss of air or, indeed, by foolishness. However, a medical examination will not eliminate these problems. Divers may also contract upper-respiratory infections, etc., which a medical examination conducted once a year may not reveal.

The Hon. J. D. Corcoran: Show me where any of these regulations relate to a medical examination!

The DEPUTY SPEAKER: I draw the attention of the member for Flinders to the fact that the motion before the Chair deals with regulations under the Fisheries Act and that the House is not debating the Fisheries Act itself. The debate is confined to the regulations tabled in the House.

Mr. CARNIE: Thank you, Mr. Deputy Speaker. I apologize to the Minister, and I will not continue along those lines. However, the regulations that we are debating are causing concern to many amateur fishermen or to people who have previously been amateur fishermen.

Mr. RODDA (Victoria): I support the motion, and I wish to say something about the amateur fisherman, whose opportunity to boost his finances has been minimized. Many people do not encroach on anything that the Act seeks to preserve, but operate not far off-shore. They do not even come within the category of those who can be licensed. Some recognition should be given to these people who are restricted by the regulations from doing what they did in the past. This is not the last we will hear of this matter. As I understand that other matters must be dealt with, I will restrict myself to putting on record what I have said on behalf of people whom I represent and who have more than a passing interest in the fishing industry.

The Hon. J. D. CORCORAN (Minister of Works): I cannot accept the motion. I should appreciate hearing at least one member say why he opposes the regulations we are supposed

to be debating. No member who has spoken has referred to them.

Mr. Becker: You haven't given us much time.

The Hon. J. D. CORCORAN: The honourable member had time to make one point about the regulations, as did the members for Flinders and Victoria, but they have spoken about the Fisheries Act without referring to the regulations at all. Therefore, there is nothing to answer, and that is all I have to say about the matter.

Mrs. BYRNE (Tea Tree Gully): I oppose the motion. As the Minister has said, most of what has been said so far has been about the Fisheries Act, and this is not before the House. Such matters were not before the Subordinate Legislation Committee when the regulations were considered. Although these regulations had wide publicity before they were gazetted and placed before the House, the committee took evidence from only two organizations: the Council of Underwater Activities, which held the view that skin divers should not be compelled to pay a registration fee on a spear gun of any type (as this matter has not been referred to, I will say no more about it), and also the South Australian Field and Game Association, whose objections, most of which were to the proclamation, have been referred to by the member for Hanson. Further, the committee received only one letter from a private person. From the evidence came the recommendation of the committee that no action be taken and suggestions regarding yabbies, trawling on the Murray River, the definition of "drop net", and lobster fishing. Lobster fishing has been specially referred to, and this is also covered in the committee's suggestion to the Minister. The matter of B class licences is not before the House, as it is concerned with the Fisheries Act. Clause 31, which relates to the condition of divers, is also not before the House, because this matter is dealt with not in the general regulations but in the Managed Fisheries Regulations.

Motion negatived.

WEEDS REGULATIONS

Mrs. BYRNE (Tea Tree Gully): I move:

That the regulations under the Weeds Act, 1956-1969, in respect of African daisy, made on January 27, 1972, and laid on the table of this House on February 29, 1972, be disallowed.

The amendment to the regulation of January 13, 1966, involves the transfer of *senecio pterophorus* (African daisy) from the second schedule to the third schedule. Plants described in the second schedule are declared to be noxious weeds throughout the whole State, while those in the third schedule are declared noxious for defined areas of the State. Under the Weeds Act, noxious weeds must be destroyed or controlled, and the costs incurred are charged to the owner or occupier of the infested land. The Weeds Act has always been interpreted as an agricultural Act, and one of the main considerations in having a plant scheduled is that it has the ability to reduce net farm income.

The transfer of the plant from the second schedule to the third schedule would remove the obligation on landholders in the central Hills area of the East Torrens, Stirling, Burnside, and Mitcham districts to destroy or control the plant. This would mean that councils and landholders would be expected to control the plant voluntarily. Evidence was given to the effect that African daisy, because of its efficient seed distribution mechanism, is now increasing, in spite of efforts to control it. Therefore, under voluntary control, in no time it will be much more widespread. Already plants have been found in the South-East, and it could spread into the high rainfall areas of Australia, including the Eastern States. Future generations would not thank us for that. The eventual cost of eradicating the weed would become a greater burden to landholders and to the State than it is now.

Moreover, this transfer from one schedule to the other would impose an unfair burden on ratepayers in, for example, the area of the Onkaparinga council, as they would have to destroy or control the weed, whereas landholders in adjacent properties, for example, in the East Torrens area, would only have to control the weed voluntarily. After fully considering all the evidence placed before them, and recognizing that the enforcement of control measures on private land would create a financial hardship to some landholders and that some areas where infestation has occurred and will continue to occur are inaccessible, most members of the Subordinate Legislation Committee recommended that the regulations be disallowed.

Mr. GOLDSWORTHY (Kavel): One problem that has arisen since the regulations were promulgated is that people on one side of a council boundary have been compelled to remove the weed, while it is voluntary for those on the other side of the boundary to do so. In the southern parts of the District of Kavel, the Woods and Forests Department has plantings of pines, and this weed is getting

a tremendous grip on newly planted areas, which are acting as a source of seed that is affecting neighbouring farms. The Gumeracha council has acted responsibly in trying to eradicate the weed, whereas in adjoining areas the weed grows profusely on land held by the Crown. I have taken a deputation to the Minister of Agriculture and had an encouraging hearing. I support the motion especially with regard to the ludicrous position existing along council boundaries.

Mr. McANANEY (Heysen): I, too, support the motion. I as going to move it myself but, seeing that the Subordinate Legislation Committee has come to this wise decision, it is only proper that the member for Tea Tree Gully should have the privilege and honour of moving to disallow these regulations, which were completely ridiculous from the start. It has been said that the Weeds Act is only an agricultural Act, but there is no mention of this matter in the Act: it is merely an interpretation by the senior weeds officer of the department. The two councils that asked for and agreed to the regulations were the two councils that had neglected their obligations under the Weeds Act. However, now that he has the power, it is up to the Minister (and I am not blaming him because it was allowed to happen before) to ensure that these two councils observe the provisions of the Act so that such a situation is not created again. I concede that there may be areas where weeds would be difficult to get at but, in conjunction with the other Act to which I earlier referred, I hope this problem can be solved. Where the weed is out in the open (for example, at Mount Osmond, where the seeds can blow everywhere), it is the obligation of the Minister to see that these areas are dealt with properly by the councils.

Mr. EVANS (Fisher): I support the motion. African daisy will be a much more serious problem in the future than most of us realize. It is already in the Grampians and it is unfortunate that these regulations were introduced and took effect from the date on which they were laid on the table of this House because, from that time onwards, many people believed that they no longer had to worry about removing the daisy from their properties. Consequently, the seeds have now developed and matured and we have another infestation in the Adelaide Hills as a result of these regulations, even though we are now disallowing them. I refer to prosecutions undertaken by councils concerning African daisy, and members know that some of these prosecutions have been discontinued. I believe we will have to go to South Africa, the native habitat of the plant, to observe the natural restraints on the growth of the daisy in those areas, as it has not become the menace there that it has in this State. We have many noxious weeds in the Adelaide Hills, but the daisy takes the bun.

Motion carried.

DIRECTOR-GENERAL OF TRANSPORT

Adjourned debate on the motion of Mr. Hall:

That in the opinion of this House the Government should immediately upgrade the conditions pertaining to the engagement of a Director-General of Transport to effect his early appointment and urgently set up a Council of Transport to assist him in formulating detailed plans to enable the public to have a clear understanding of future transport development,

which the Minister of Roads and Transport had moved to amend by leaving out all words after "That" and inserting the following words:

this House commends the Government's action in creating the position of Director-General of Transport and its declared intention to make an early appointment to that office and supports the Government's decision to establish a Transport and Development Branch under his control.

(Continued from November 3. Page 2727.)

The House divided on the amendment:

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

Noes (16)—Messrs, Allen, Becker, Brookman, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Gunn, Mathwin, McAnaney, Millhouse, Rodda, Tonkin, and Wardle.

Majority of 9 for the Ayes.

Amendment thus carried; motion as amended carried.

KARMEL REPORT

Order of the Day, Other Business, No. 2: Mr. Gunn to move:

That in the opinion of this House the Government should put into operation the recommendations of the Karmel Committee of Inquiry into Education contained in paragraph 17.78 under the heading "The Education Department and the Public Buildings Department", as follows:

(*a*) Funds for school buildings and the maintenance and modification of buildings should be allocated direct to the Minister of Education.
(*b*) A Division of Buildings and Plant should be established within the Education Department to take responsibility for the construction and maintenance of buildings and the purchase and maintenance of plant, and for planning to meet future requirements for land, buildings and plant.
(*c*) An architects branch should be established within the Division of Buildings and Plant, the function of which would be to advise the department on architectural matters generally and to act as the department's agent in dealings with the Public Buildings Department or with private architects.

Mr. GUNN (Eyre) moved:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

PRISONS REGULATIONS

Order of the Day, Other Business, No. 3: Mr. Gunn to move:

That the regulations under the Prisons Act, 1936-1969, in respect of prisoners' haircuts and shaves, made on August 26, 1971, and laid on the table of this House on August 31, 1971, be disallowed.

Mr. GUNN (Eyre) moved:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

CORONERS ACT AMENDMENT BILL

(Second reading debate adjourned on November 3. Page 2731.)

Second reading negatived.

INDUSTRIAL CODE AMENDMENT BILL (HOURS)

(Second reading debate adjourned on November 3. Page 2734.)

The House divided on the second reading:

Ayes (16)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Gunn, Mathwin, McAnaney, Millhouse, Rodda, Tonkin, and Wardle.

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

Majority of 9 for the Noes.

Second reading thus negatived.

INDUSTRIAL CODE AMENDMENT BILL (BALLOTS)

(Second reading adjourned on October 27. Page 2549.)

The House divided on the second reading:

Ayes (16)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Gunn, Mathwin, McAnaney, Millhouse, Rodda, Tonkin, and Wardle.

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

Majority of 9 for the Noes.

Second reading thus negatived.

SCHOOL TRANSPORT

Adjourned debate on the motion of Mr. Goldsworthy:

That in the opinion of this House the Government should bear the full cost of transporting handicapped children, recommended by the Psychology Branch of the Education Department, to schools with special classes, when these children are unable to use public transport because of their disability,

which the Minister of Education had moved to amend by leaving out all words after "children" first occurring and inserting "to and from school when the necessary finance can be made available,".

(Continued from September 22. Page 1592.)

The House divided on the amendment:

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

Noes (16)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy (teller), Gunn, Mathwin, McAnaney, Millhouse, Rodda, Tonkin, and Wardle.

Majority of 9 for the Ayes.

Amendment thus carried; motion as amended carried.

BUILDERS LICENSING REGULATIONS

Adjourned debate on the motion of Mr. Hall:

That the Builders Licensing Board regulations, 1971, made under the Builders Licensing Act, 1967-1971, on April 8, 1971, and laid on the table of this House on April 8, 1971, be disallowed.

(Continued from September 29. Page 1782.)

The House divided on the motion:

Ayes (15)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Gunn, Mathwin, McAnaney, Millhouse, Rodda, Tonkin, and Wardle.

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

Majority of 10 for the Noes.

Motion thus negatived.

SOUTH-EAST RENTALS

Adjourned debate on the motion of Mr. Hall:

That, in view of the judgment given by His Honour Mr. Justice Bright on September 8, 1970, in which he made a declaration in favour of a petitioner concerning a zone 5 war service land settlement property rental, the Government should proceed forthwith to meet the claims of zone 5 settlers under the three points (*a*), (*b*) and (*c*) of the declaration.

(Continued from August 11. Page 710.)

Mr. EVANS (Fisher): Acting for and on behalf of the member for Gouger, I move:

That this motion be read and discharged.

Motion read and discharged.

SOUTH AUSTRALIAN BOARD OF ADVANCED EDUCATION BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 5, line 18 (clause 8)—Leave out "two" and insert "three".

No. 2. Page 5, lines 22 and 23 (clause 8)—Leave out "and the Roseworthy Agricultural College".

No. 3. Page 5 (clause 8)—After line 23 insert new paragraph (ia) as follows:

(ia) one shall be elected by the academic staff of the Roseworthy Agricultural College;

Consideration in Committee.

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

That the Legislative Council's amendments be disagreed to.

The amendments, which relate to the composition of the board, seek to add to the board one additional person to be elected by the academic staff of Roseworthy Agricultural College. Having dealt with this matter previously, I do not intend to canvass it fully now. However, to establish separate representation from between 15 and 20 staff members at Roseworthy would concede a principle that must inevitably lead to increased membership of the board through the addition of academic staff members at other colleges, many of which are considerably larger than Roseworthy and some of which could claim special characteristics, just as agriculture has been claimed as a special characteristic at Roseworthy. I believe that any substantial increase in the size of the board would lead to a situation wherein the whole workings of the board would become unwieldy and its work, to some extent, ineffective.

Dr. EASTICK (Leader of the Opposition): I previously supported the principle covered by these amendments, and I do so again. I accepted the Minister's argument advanced in the previous debate that it was possible that this could lead to a board of unmanageable proportions and that other organizations might desire to be represented on the board if this concession were granted to the Roseworthy Agricultural College. The Minister acknowledges there are special features associated with the college, but I believe there are ultra-special features associated with Roseworthy. This college is isolated, compared with many others; it has the oenology course; it has a campus of more than 3,000 acres; and it has an annual financial return of about $250,000. Many features of Roseworthy make it distinct from other colleges of advanced education. Earlier I canvassed the possibility of a representative of Roseworthy being able to sit in on board discussions that related especially to matters associated with Roseworthy. A similar arrangement could be applied to other organizations not represented on the board. I support the amendment.

The Hon. HUGH HUDSON: Does the Leader really suggest that, whereas the Institute of Technology, which has about 330 members on its academic staff, and the teachers colleges, which have about 530 academic staff members, have only one representative each on the Board of Advanced Education, Roseworthy, with only about 20 academic staff members, should also be entitled to one member on the board? That simply will not do. To grant the 20 members at Roseworthy a representative must inevitably have serious consequences. True, special characteristics are associated with Roseworthy but there are also special characteristics associated with the School of Art, the Wattle Park Teachers College, which is the only college dealing exclusively with primary and infants school training, and the Whyalla college, where

the grounds of isolation are even more applicable than in the case of Roseworthy. The Leader, having gone through the motions of giving some kind of moral support to Roseworthy when the Bill was previously before this Chamber, should give way on this occasion.

Dr. EASTICK: The Minister said that one representative on the board would represent about 20 academic staff members of Roseworthy, but I point out that this representative would not represent merely those 20 people: he would represent the total organization of this college.

Motion carried.

The following reason for disagreement was adopted:

Because the amendments would lead ultimately to an excessive increase in the size of the Board of Advanced Education so that its functions would become more difficult to fulfil.

Later, the Legislative Council intimated that it did not insist on its amendments.

CROWN PROCEEDINGS BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2 (clause 4)—After line 16 insert new paragraph (*ba*) as follows:

"(*ba*) any instrumentality or agency of the Crown in right of this State;".

No. 2. Page 5, lines 18 to 20 (clause 12)—Leave out "or in which the validity of any Act, regulation, rule or by-law, or any executive act of the Crown, is in question".

No. 3. Page 6, lines 11 to 14 (clause 15)—Leave out paragraph (*b*) and insert new paragraph as follows:

(*b*) any law, custom or procedure under which the Attorney-General is entitled or liable to sue, or be sued, or to intervene in any proceedings on behalf of the Crown, on the relation, or on behalf of, any other person or persons or in any other capacity or for any other purposes whatsoever;

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

That the Legislative Council's amendments be agreed to.

These amendments were moved on behalf of the Government in the Legislative Council and are really clarifications in each case. The first, which arises out of an amendment to clause 4, involves an alteration to the definition of "Crown" by the insertion of a new paragraph. Doubt was expressed as to the position of an instrumentality which, under the ordinary legal rules, would be regarded as an instrumentality of the Crown but which had not been proclaimed. The suggestion was that, as the effect of the definition in those circumstances, such an instrumentality would not be an instrumentality of the Crown for the purpose of the alterations in procedure involved in this Bill. Whether or not that be so, I think it is a point which should be clarified.

Mr. Millhouse: Could you give an example?

The Hon. L. J. KING: Under the definition of "Crown" in clause 3, instrumentalities would be proclaimed, so that persons desiring to sue would simply be able to look at the proclamation and clearly see what was regarded as instrumentalities of the Crown, but would not be involved in what are somewhat difficult questions whether a certain agency is an instrumentality of the Crown. The point was raised that, if a certain instrumentality were not proclaimed (but under ordinary legal rules it would be an instrumentality of the Crown), this might have the effect of excluding such an instrumentality from the operation of this Act.

The next amendment strikes out words which had the effect that where the validity of such an Act or law was in question the Attorney-General could intervene to support the validity of that law. It was pointed out that this might involve procedural considerations which perhaps ought to be dealt with more fully, and in all the circumstances I think it is best to take out the relevant words. I think it is a subject which deserves much consideration, and at some stage in the future perhaps we should reopen the matter concerning the right of the Attorney-General to intervene to support the validity of legislation that comes into question in litigation between subjects. Possibly, there should be an amplification of the conditions under which that should take place, especially in relation to the terms on which the Attorney-General would intervene.

Regarding the third amendment, I point out that the Attorney-General sues at the relation of citizens on occasions and there are also legal capacities (statutory and otherwise) in which the Attorney-General sues, or is sometimes sued. I should have thought (and this was the view taken when the Bill was drafted) that in all such cases the Attorney-General was acting on behalf of the Crown, but doubt has been expressed about the matter, especially concerning relater actions. The safe thing is to make clear, by inserting the necessary words, that the legislation does not affect any right or liability of the Attorney-General in any of these circumstances.

Motion carried.

STANDING ORDERS

Adjourned debate on the motion of the Attorney-General:

That the report of the Standing Orders Committee, 1970-1972, including proposed amendments to the Standing Orders, be adopted,

which the Hon. D. N. Brookman had moved to amend by inserting after the words "Standing Orders" second occurring the words "excepting the amendment to Standing Order No. 48 relating to Prayers".

(Continued from April 4. Page 4519.)

Mr. McRAE (Playford): I support the motion. I gather that the feeling of many members is that the member for Alexandra was correct in much of what he said. I am sorry that many of the suggestions made by the Standing Orders Committee were not accepted by the more conservative members of this House. I consider that some excellent ideas arose in the discussions of the committee which would have benefited us all. However, I do not think that we should overlook the achievements that have been made. The difficulty regarding Prayers ought not to obscure the point that we have managed to simplify the procedures in numerous ways and also do away with that most atrocious of oaths, which I suspect dates from Elizabethan times when many were concerned about Papal plots and the like. If some adequate form of Prayers can be agreed on, so much the better. The only comment I make here is that saying Prayers in this place seems to be as relevant as it would be for the Central Districts and Port Adelaide football teams to say *Hail Mary* and give three cheers before they went out on to the field to bash the hell out of each other! I think that, as Prayers are recited here but in no other secular establishment that I know of, there is a slight tinge of hypocrisy because, having said the Lord's Prayer, members then proceed to throw themselves at members opposite, using all sorts of tactics, not all of which are completely honourable.

Mr. Venning: What about you?

Mr. McRAE: This statement is not aimed at the other side. Frankly, I should prefer to see Prayers dispensed with altogether. However, if we are to have Prayers, not being an expert liturgiologist I will not dispute with the member for Alexandra but support the motion and indicate that I, for one, would not be strongly opposing the honourable member's amendment.

Mr. MILLHOUSE (Mitcham): I support the motion, and I oppose the amendment moved by the member for Alexandra. I think members have seen the report of the Standing Orders Committee, and I regret that the recommendations made by the committee regarding questions have not been accepted. We have in this Parliament a long Question Time: as a rule (since 1968), it runs for its full two hours, or almost its full two hours, and it is a valuable exercise. However, in my view, it could have been made far more valuable than it is if the changes recommended had been accepted. We waste much time in getting replies (asking a question a second time to get a reply to a question asked earlier, and so on), and I do not believe that members make as much use as they should of the device of putting questions on notice. It takes a little more effort: one must draft the questions and put them on notice a few days before one can expect a reply, but it is a most useful way of getting detailed information. Even as we are organized at present, that is the only way in which one can be tolerably certain of getting a reply at all, because frequently members from both sides ask oral questions, the Minister promises to get a reply, and the member may receive it in six days, six months, or he may never get it. If a member puts a question on notice, there is a good chance (it is almost certain) that he will get a reply on the following Tuesday. At present we have no opportunity to follow up a question asked on notice at the time it should be followed up, which is immediately. Had we adopted (and I hope we will do this at some stage) the recommendations made, Questions on Notice would be answered in the middle of Question Time and honourable members would then be able to follow up immediately with supplementary questions without notice. This would make the whole exercise far more worth while and valuable not only for members but also for people outside.

Many procedures as well as those relating to questions are anachronistic and should be altered. Many of the rules we now have inhibit debate at a time when it should be full, frank and free. For example, I think of the Royal Commission on the moratorium demonstration in 1970. The Government immediately moved to appoint a Royal Commission: it was appointed four days after the demonstration. Amongst all organizations in the State, this House alone was precluded from discussing the demonstration, simply because the Royal Commission had been appointed. That was absurd. By the time we received

the report there was little point in discussing the circumstances. I see the member for Mitchell grinning. This was a good ploy on the part of the Government, and I believe it was deliberate, the Government using Standing Orders to its own advantage. The point I make is that this provision is an anachronism and should not be there. We strike many other such cases every day. I believe that we should make wholesale alterations to our Standing Orders. Although the changes we are now making are desirable, they do not go far enough in cutting out some of the meaningless and ludicrous provisions.

All members have probably noticed the childish humour indulged in by honourable members when a committee is formed to bring up reasons for disagreement to the amendments of another place. Many changes should be made to bring the procedures of this House into line with the thinking of the community. If we do not do this, Parliament will cease to be relevant in the community, and that would be a disaster for Parliamentary democracy. If you, Mr. Speaker, will not take offence at my saying this, the key to all of our procedures and to the effectiveness of Parliament is strong, impartial chairmanship. This means that we must have a strong and impartial Speaker, and then it does not matter what the Standing Orders provide.

The Hon. L. J. King: You can only have that with the co-operation of members, and that's often missing.

Mr. MILLHOUSE: I agree to an extent, but that is not the full answer, and the Attorney-General knows it. If we do have strong, impartial chairmanship, no matter what are the rules, the institution will work. If we do not have that chairmanship, there will be trouble and complaints, with people wanting to change the rules. I now come to the member for Alexandra's amendment, which I strongly oppose. I do not agree with the view of the member for Playford that we should dispense with Prayers altogether. Even if some of us only acknowledge it in form, I hope that this is still a Christian community, and we are the Parliament of that community.

Mr. Hopgood: I think that the honourable member will agree with you on that point.

Mr. MILLHOUSE: Prayers are traditional in all the Parliaments of Australia and at council meetings, as they are in many of the assemblies of the states of the United States of America and its Federal Congress. Having prayers stamps us superficially at least as a Christian body, and I think this is a good thing. I hope that the Prayers have some meaning, not as beautiful language, but as Prayers asking for God's blessings on our deliberations. I could not help feeling that the remarks of the member for Alexandra were the remarks of someone who is very strongly disinclined to accept change.

Members interjecting:

The SPEAKER: Order! Honourable members are speaking about conduct in this Chamber. The honourable member for Mitcham is speaking to a motion, which is important with regard to conduct in this Chamber. I wish honourable members would interest themselves in what is being said, as this would assist considerably the dignity of the House.

Mr. MILLHOUSE: The member for Alexandra said, "There is absolutely no need for us to change." I just cannot agree with that. We do not say these Prayers to delight in the beauty of the language.

Mr. Venning: That's—

The SPEAKER: Order! A motion before the Chair is being discussed, and all honourable members have the right to express their views. This motion relates to conduct in the Chamber. I sincerely hope that honourable members will observe the rules that they make, and let the honourable member for Mitcham continue his speech without interruption.

Mr. MILLHOUSE: I hope that we say these Prayers because we mean them. We do not use the language in the present Prayers in our ordinary everyday intercourse with each other, and in my view there is a requirement to bring the language we use in this place into line with ordinary everyday language. For that reason, I certainly cannot accept the things that the member for Alexandra said about the dignity and beauty of the prayer, and so on. That entirely misses the point of the Prayer. This language is now several centuries out of date. There are several versions of the Prayer in modern translations of the Bible. I remind honourable members that these are translations, but the aim of a translation is surely to get back as nearly as we can to the sense of the original. With regard to the Lord's Prayer, we take the Lord's manuscript, as scholars have done, to find out what our Lord suggested in the Prayer.

Mr. Mathwin: Surely we can understand the modern Prayer.

The SPEAKER: Order!

Mr. MILLHOUSE: That is right.

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

Mr. MILLHOUSE: Some of my friends on this side—

Mr. Jennings: Have you any left?

Mr. MILLHOUSE: —have suggested that when I used the word "intercourse" before dinner I meant "discourse", and if that makes better sense I am happy to amend it in that way. I will now summarize what I said immediately before dinner: we do not say prayers either in this House or anywhere else to rejoice in the beauty of the language. Prayers have a much more practical purpose: that is, of talking to God. Those prayers will have much more meaning if we use the ordinary language of every day. That is my first argument in favour of a modern version, or translation if you like, of Prayers in this House.

My second argument is that the version which we now use here and which has been traditional may not give the sense which was originally intended by Our Lord or by the early church. I have a number of translations to show the difference between the modern versions (those which have appeared in the last two decades) and earlier versions, and perhaps I can best illustrate what I have said about the doubt on whether the older version which we use is in fact a correct rendering of the original by quoting briefly from the introduction to the New Testament in the New English Bible. This is what the translators of that version say at the beginning of their introduction:

This translation of the New Testament was undertaken with the object of providing English readers, whether familiar with the Bible or not, with a faithful rendering of the best available Greek text into the current speech of our own time, and a rendering which should harvest the gains of recent biblical scholarship.

They go on to say:

> We have conceived our task to be that of understanding the original as precisely as we could, using all possible aids, and then saying again in our native idiom what we believe the author to be saying in his.

That was the way they set their own task. If we look at the two versions of the Lord's Prayer, that in Luke and in Matthew, we can observe other differences. The transitional prayer in Luke in the New English Bible (which is not the same as the one proposed here) used the word to which the member for Alexandra has raised objection, and is as follows:

> Father, thy name be hallowed; thy kingdom come,
> Give us each day our daily bread,
> And forgive us our sins for we too
> Forgive all who have done us wrong,
> And do not bring us to the test.

The version in Matthew, chapter 6, is as follows:

> Our Father in heaven,
> thy name be hallowed;
> thy kingdom come,
> thy will be done,
> on earth as in heaven.
> Give us today our daily bread.
> Forgive us the wrong we have done,
> as we have forgiven those who have wronged us.
> And do not bring us to the test,
> but save us from the evil one.

Good News for Modern Man, today's English version, which has sold more copies than any other modern version (over 30,000,000), puts the prayer in Luke as follows:

> Father,
> May your name be kept holy,
> May your kingdom come.
> Give us day by day the food we need.
> Forgive us our sins,
> For we forgive everyone who has done us wrong.
> And do not bring us to hard testing.

In Matthew it is as follows:

> Our Father in heaven:
> May your name be kept holy,
> May your kingdom come,
> May your will be done on earth as it is in heaven.
> Give us today the food we need;
> Forgive us what we owe you as we forgive what others owe us.

Both these recent translations use the words "test" or "testing" and not the word "temptation". I believe that it is the word "temptation" that the member for Alexandra would like to have preserved. If we go further back, to the revised version, we find the traditional language, but we must remember that the revised version is now nearly 100 years old. I do not think I need quote it or the authorized versions. With modern scholarship we now have a much better idea, or we believe that we have a much better idea, of the original than people had in the seventeenth century (when the King James version was first published), or half a century later when the prayer book version was published or even in the late nineteenth century when the revised version appeared.

The Hon. J. D. Corcoran: Would you agree that, irrespective of the words, when you pray your state of mind is more important than the words you use?

Mr. MILLHOUSE: Yes, of course, but if we are following the Church of England tradition and using set prayers and saying the Lord's Prayer, let us try to get back to the prayer He used if we possibly can; that is the argument I am now putting. If "temptation" is not the correct word, we should not be using it.

Mr. Goldsworthy: Which version do you use?

Mr. MILLHOUSE: When I am here I use the version that we use here. When I am in church, it depends on the version used by the priest.

Mr. McAnaney: What about privately?

Mr. MILLHOUSE: The old version.

Mr. Clark: Like we all do.

Mr. MILLHOUSE: Yes, and we are all wrong.

Mr. Goldsworthy: That is intelligent.

Mr. MILLHOUSE: The member for Kavel can sneer if he wishes, but that is what I do. We have now an opportunity to bring our prayer up to date and we ought to take it. If we are so stodgy and conservative that we cannot bring our prayers up to date and put them into more modern language, let alone our procedure, what on earth are we?

The Hon. J. D. Corcoran: Let's face it, as long as you know what you mean the "big fellow" up top knows.

Mr. MILLHOUSE: One can use that argument for any version, I suppose.

The Hon. L. J. King: What is the difference between "temptation" and "test" in this context?

Mr. MILLHOUSE: I can see a difference between a person who is tested and one who is tempted.

The Hon. L. J. King: That is hard to see.

Mr. MILLHOUSE: Even though I and the Attorney find it difficult to differentiate, modern translators find a difference, and translations (both the T.E.V. and the New English Bible) have both used "tested" and not "temptation".

The Hon. J. D. Corcoran: Our Lord is concerned not about the exact words used but about the state of mind of the person praying.

Mr. MILLHOUSE: I agree absolutely, but we here in our imperfect society and in this place are concerned with the words used, and we have laid down in Standing Orders the precise form of the words. If that is the case, let us use it or go free church and have all kinds of prayer.

The Hon. J. D. Corcoran: I wouldn't complain if the Speaker departed from the printed word, provided that he was saying the prayer in all sincerity. I wouldn't have any objection.

Mr. MILLHOUSE: I am not sure that I would.

The Hon. J. D. Corcoran: I would not mind if he changed it from day to day, so long as he was sincere.

Mr. MILLHOUSE: That is not what we do here and that is not what is proposed.

The Hon. J. D. Corcoran: You understand what I mean?

Mr. MILLHOUSE: Of course, but it is irrelevant to the discussion, because the only alternatives we have are the old and new versions; we are not talking about anything else. There is only one other point I want to put, and again I take it from the speech of my good friend the member for Alexandra (at least, he was my good friend). He ended his rather conservative speech by saying that we should leave it to these liturgical committees to reach a final decision before we consider the matter.

The Hon. J. D. Corcoran: They have done it.

Mr. MILLHOUSE: That is right. All I can say to him is that if we wait for perfection, or until there is absolute agreement on the wording of the Lord's Prayer or anything else, we will have to wait forever, because there will never be agreement. Our aim should be to get the prayer up to date. If we wait for 50 years for finality the language will be out of date again. This is not an academic exercise but one that ought to be done periodically. That is why there are periodical revisions of the scriptures, because language changes all the time and words change in their meaning, apart from the greater knowledge we have through scholarship of the original.

The Hon. Hugh Hudson: Even the word "liberal" is changing its meaning, isn't it?

Mr. MILLHOUSE: It is debates such as this one that separate the conservative from the progressive, and on both sides of the House.

The Hon. Hugh Hudson: Who's your Leader and who are you deputy to—Dr. Eastick or Mr. Hall?

Mr. Mathwin: Do you think that the Minister of Education is a conservative?

Mr. MILLHOUSE: By the way he is speaking now, I think he is a conservative. He is in his own Party. It is on matters such as this that I suppose our own natures and outlooks come more to the fore than in anything else. I hope that the amendment will be defeated and that we will adopt a version of the Lord's Prayer which the Bishop of Adelaide has said has been agreed to by all the major churches in Christendom. The member for Alexandra made it plain in his speech that the Bishop was not recommending it: I never understood that he was recommending it; that argument was entirely beside the point.

The Hon. Hugh Hudson: The member for Alexandra is a gentleman.

Mr. MILLHOUSE: Yes, but he was looking for an argument to bolster a weak case.

Mr. CLARK (Elizabeth): I listened with much interest to the member for Mitcham. I do not agree with him, although I have every respect for his opinion—on this issue at any rate. Probably he would say to me that I am conservative and old fashioned.

Mr. Mathwin: That wouldn't be right.

Mr. CLARK: No. Whenever I hear the member for Glenelg described as a progressive I laugh my head off, because he has not shown me anything here to prove it. The member for Mitcham has a perfect right to his own opinion, and I know that most people would agree with him. He is evidently a lover of the new version of the Bible, but I am not. I am conservative and old fashioned. The member for Mitcham has admitted that privately when he says the Lord's Prayer he says the prayer which he probably learned from his mother, and so do most of us. I do not think for a minute that a liturgical change in the prayer would cause a person when saying prayers in private to depart from the version he has always said.

To me, the Old Testament and the New Testament, both in the James I version (and I know that many of my friends would disagree with me for saying it), contain some of the greatest literature ever written. Occasionally my clergyman rings me and asks, "Will you give the reading on Sunday?" and I do. I take along my own version of the old Bible I am accustomed to and read from it. I could give an address on this matter and quote dozens of passages from the new versions and works of scholarship that compare to the words of the old version. To me the new version is like taking Shakespeare and turning it into modern English or, as my son was doing last year in first-year English, taking big slabs of Chaucer and turning it into modern language, but the beauty of the original language was lost in many cases.

Mr. Mathwin: It's like the difference between ballet and the twist.

Mr. CLARK: That is the kind of interjection I should ignore. I know that the member for Glenelg is thinking, "I always knew he was old fashioned and conservative." I am sincere in this matter. No doubt most members agree with me, but this does not necessarily make it right.

Mr. Mathwin: You're right this time, because I agree with you.

Mr. CLARK: I have noticed that the member for Glenelg has a tendency to delay debate by making extraneous interjections. I have always deplored that because I believe that interjections disrupt the course of debate.

I have spoken only to say that I love the old version. I have been listening to it here for about 20 years and, whilst that alone does not make it good, the member for Mitcham has not convinced me of anything else. I may be said to be old fashioned, but I can put up with that label. For the remaining short period that I will be in this place, if I am spared, I prefer to hear the version that has been said, first because I like it best, and, secondly, because I think the words are more suitable. I know well enough that the Lord will understand me in any language.

I remember during the First World War seeing a cartoon in a newspaper comprising two small pictures side by side. One picture showed a German mother praying to the Almighty and the other showed an English mother praying to the Almighty. They were praying in different languages but the cartoon suggested that, despite the different languages, both would be heard. Regardless of what prayer we have our prayer will still be effective, and my basic argument for wanting the present prayer to continue to be used is that that is the one that I like best.

Mr. WARDLE (Murray): I believe that this evening the debate has developed largely around the emotional colouring of words, and I think the original Greek word *pierasmos* is a vital word that is encompassed completely within the meaning of three other words. Those three other words are unparalleled in their meaning and interpretation. The first word is "temptation", second is "testing", and the third is "trial". I do not think we can extract from those three words the original Greek word *pierasmos*. I believe this word is quite vital in the interpretation of which prayer we want to use. If one favours the word "testing", that is an emotional colouring in one's mind, and one prefers it.

One may favour the word "temptation", and I believe that Our Lord did not mean we were never to be tested: I believe that He meant that we were not to be tempted beyond what we could stand. So to my mind the word "temptation" is the best by far of the three, and I also believe that that word is, perhaps to our generation, the generation of many members of this House, a much stronger word.

That statement would not apply so much to the age of the young people in the gallery.

The SPEAKER: Order! The honourable member must not refer to strangers in the gallery.

Mr. WARDLE: I am sorry. However, honourable members know well what I mean. Our age group is different from other age groups, and other groups may see this matter in an entirely different light. In the opening phrases in the Lord's Prayer we address the Almighty with the words "You" and "Yours" and, while I see nothing wrong in this, again, because of the emotional colouring of the words, I address my friend the Whip as "you" and I sometimes use the word "yours" when I want to borrow his pen or his pad. Whilst our relationships are reasonable, I do, in my own mind, prefer to use a word that adds something to the majesty of the Almighty, and I prefer to use a word that has gone out of common use and attributes something far greater, far bigger, and far deeper than the words "You" and "Yours" do.

I have some sympathy with the member for Playford, and I believe it would test the sincerity or hypocrisy of the members of this House if we as members did what was done in the early English Parliaments, namely, had prayers at 7.30 in the morning. Those who were interested and sincere and wanted to worship and pray attended prayers at that time. That does not mean that those Parliaments had sat until 2 a.m. or 3 a.m. on that morning. I should hope they would not do that and would not be so foolish to do it.

I believe that in this House (and we are all involved in this) there is hypocrisy. We start fairly formally with prayers, but how long does the fact that we ought to restrain ourselves from temptation remain in our minds? How many of us actually work on ourselves when we know that we ought not to interject? How many of us are prepared to use our prayers and ask for inspiration, power and strength of mind, and character to restrain ourselves when we know we ought to be behaving?

I know that some people will say that they are getting what they have been waiting four years to hear from the member for Murray, namely, a sermon. I have deliberately refrained from bringing into this debate anything that may appear to be my previous profession of years gone by. That does not mean that I have not, I hope, been awake and alive to the spirit and attitudes conveyed quite clearly by members in this House. I include myself in the hope that, from this debate onwards, we will look again at our attitude to how sincere we are if we believe that the sittings of the House ought to commence with prayers.

Liturgically, of course, we will never have a complete answer to this question, because each denomination has its liturgical committee and will adopt the emotional colouring of the words that suit it, and I believe that, as there is change in most things in this life, the modern generation may use the words "Do not put us to the test", the next two or three generations will probably use the words "Do not put us to the trial", and by the year 2,300 they will probably come back to "Do not put us to temptation".

I believe that there is really no difference in the interpretation or translation, and personally (and this is the important thing in this debate), the authorized version of 1611 means more to me in my expression to my God than does any other interpretation.

Mr. FERGUSON (Goyder): I am sorry that the member for Mitcham has tried to divide the House into two factions comprising the conservatives and the progressives. However, I do not think it matters very much, for I believe that on the day of judgment there will be no progressives and no conservatives. We live in an age when sometimes we want change for the sake of change. Indeed, I believe that if a proposed change is good, we should adopt it. However, I think that, rather than consider the words that we will use in the Lord's Prayer, it would be better for us to consider our motives and to consider what we are really praying for and about. Rather than change the present words used in the Lord's Prayer, I consider that we should add some words, namely, those that preface the Lord's Prayer in the scripture: "Lord, teach us to pray."

Mr. BECKER (Hanson): I support adopting the report of the Standing Orders Committee, and I compliment the committee on that report. Unfortunately, I oppose the amendment because I, too, believe that we should consider adopting the modern version of the Lord's Prayer. However, I suggest that, when the Standing Orders Committee next reviews the matter, it considers having the Parliamentary Prayer and the Lord's Prayer read by a minister of religion, as I understand is the practice in certain other Parliaments of the world. For example, the United States Senate has a Parliamentary Chaplain. I believe that, if we adopted this

practice, we could invite representatives of the various recognized religious orders to read Prayers and that, as well as solving certain problems, it would satisfy members of all faiths.

Mr. GOLDSWORTHY (Kavel): As I seem to have offended the member for Mitcham by an interjection I made, I point out that I had no intention of sneering at him: I was trying to ascertain what prayer he used in his private devotions, if he had any, and it seems that he uses the old-fashioned version. I find myself in complete agreement for the first time with the member for Elizabeth. I consider that there is a dignity and beauty in the language used in the King James version of the Bible. I have heard quoted a translation of the passage containing the words "a tinkling cymbal and the sounding brass", the translation including, instead of "tinkling cymbal" the words "clanging gong", and I could not help thinking how ugly the translation was. I believe that the King James version of the Bible compares favourably with the great works of English literature.

Mr. Millhouse: Do you think people should be encouraged to read new translations, or should they be encouraged to read the authorized version?

The SPEAKER: Order!

Mr. GOLDSWORTHY: I do not think we should encourage them either way, for I think people should be able to make their own choice. Although I do not profess to be a Bible scholar, I prefer to read the original King James version, just as I should prefer to read original Shakespeare plays and not a translation.

Mr. Millhouse: But the original—

The SPEAKER: Order! The member for Mitcham has had his say, and I have repeatedly called members to order so that the member speaking may be heard with the utmost courtesy. The honourable member for Kavel.

Mr. GOLDSWORTHY: When one sees beauty in certain literature (and this applies to the King James version of the Bible), I cannot see any point in changing simply for the sake of change, and I do not think anything can be gained by the recommendation of the committee in this respect. I support the amendment.

Mr. PAYNE (Mitchell): I have listened with some interest to this debate. I do not think any member has analysed what happens while the Prayer is being said. At that time, members are presumably listening to the Prayer Therefore, members must be basing their desire to change the words on what they hear at that time. The member for Mitcham has said that he may read one version, while using another version privately, and this shows that there is more than one side to his character. I have no difficulty in hearing the Prayer or in understanding it. If all members were to state their preference for which version should be used, we could have 47 different ideas. When members state which version they prefer, they often lean towards the version they were first taught at Sunday school or elsewhere.

I have never been very keen on what I would term public prayer. Probably this is due to the fact that in my earlier upbringing most of the time I spent in places where the scriptures were forced on me. I did not have the opportunity of deciding whether I wanted them. I do not think that members say the Prayer, as I have looked around at times while it is being said and I have not seen them silently mouthing it, although perhaps they are saying it mentally. I do not think any member would have difficulty in understanding the Prayer, as it is said day after day, and no version of it is especially confusing. I am somewhat in the camp of the member for Playford in that I do not put undue significance on whether or not Prayers are said before a sitting. I would hope that, in their minds, members endeavour to make use of the time they spend in this place adhering to the sentiments expressed in the Prayer that their deliberations may be to the true welfare of the people of the State because, after all, we are put here to try to legislate for that purpose. I try to keep this sentiment in mind, although I do not know how successful I am. Whether or not the version of the Prayer is changed, has no bearing on what I have just said. We may seek the help of the Almighty, but we must remember that we are the people to conduct the affairs of this place.

Mr. Clark: Do you suggest that the dirty digs will still go on?

Mr. PAYNE: I believe I have made my position clear with regard to the Prayers. I have no special liking for any version. I can see some merit in the version put forward by the member for Mitcham, who believes that we should move with the times. I suppose we should consider that at the time Prayers are said the visitors in the gallery usually include youngsters, who would possibly have had less contact with some of the words in

the older version of the Prayer. Perhaps they would better understand the words proposed. Other ideas on the version of the Prayer may still be put forward.

As a newer member, I wish to comment on some of the procedures of the House that have been examined by the committee. I am glad to see the recommendations of the committee with regard to procedures that I consider to be completely time-wasting and archaic. The recommendations seem simply to provide for a saving of time. I concede that a certain amount of political tactics is justifiable in Parliament, but I want to refer to a recent occasion in the House when I believe certain members went beyond what I would call a reasonable use of politics. Recently, a member opposite said something that was an absolute lie, and 25 members on this side knew that what he said was a lie. The information surrounding this lie was given in such a way as to try to damage politically a member of the Government. I am trying to keep what I am saying on an impersonal level. What recourse did I, as a private member, have in such a case? What could any member of the Government do, although the Government was being maligned and although we knew that what was being said was a lie? We had to sit here and suffer what was said.

Realizing that it would be difficult to draw up a set of rules to prevent such happenings, I suggest that the remedy for this lies in the hearts and minds of members who have been devoting some time to talking about certain aspects of Christianity in this debate. Other aspects of Christianity, besides a certain form of Prayer, appeal to me. Many of these aspects are expressed in the first speech I made in this House when I said that my philosophy was that of a fair go: to give a fair go to all persons irrespective of whatever they may be trying to achieve, in this sphere or in any other. On the occasion to which I have referred, I found it most frustrating when the circumstances were such that I knew nothing could be done, so I am appealing to all members of this House.

Mr. Mathwin: On both sides?

Mr. PAYNE: Yes, that statement has no sides to it, as far as I know. It refers to all the members of this House, and I ask members to bear in mind what is reasonable and fair in these matters. We would probably achieve much more by acting honestly than by reciting 14 versions of an opening Prayer, and we should try to act that way. I believe that some of my remarks, although rambling, have been of importance and needed to be made, especially those remarks with which I have concluded. I oppose the motion.

The Hon. HUGH HUDSON (Minister of Education): I wish to refer to a couple of matters concerning the committee's report. First, I express my regret that we have not seen, as a result of the committee's inquiries, a thorough reform of Question Time. As a Minister of the Crown who is required to reply to questions in this House, I strongly believe that my department would be subject to a more thorough investigation and to a keener challenge to any of its existing prejudices and policies if a system of questioning were adopted in this House which resulted in an initial question on a given topic being placed on notice, with the understanding that further supplementary questions could follow that topic without notice from any member. Our current method of questioning, directed as it now is to parish-pump politics, often seeks information that could be sought in some other way and does little on most occasions to challenge the views, preconceptions, or even the prejudices that may exist within Government departments. I regret that the committee could not reach a unanimous conclusion on a reform of Question Time. The people of this State would generally benefit from a form of questioning of Ministers which laid a topic on the line as a subject for questioning and which therefore required the department concerned to inform the Minister fully about everything related to that topic. That method could lead to every aspect of the topic being questioned further by supplementary questions.

Mr. Gunn: You don't want to deny members the right to ask questions?

The Hon. HUGH HUDSON: The honourable member just does not properly understand the points I am trying to make.

Mr. Goldsworthy: You want Dorothy Dixers, don't you? Then you can give us a sermon each time.

The Hon. HUGH HUDSON: I don't mind them. For the benefit of the honourable member, if I want to give the honourable member a sermon, I can find many ways, either by way of a Dorothy Dixer or Ministerial statement or in some other way. However, I make a point that is highly relevant to the whole question: if a question is put on the Notice Paper and the department concerned realizes at that time that everything related to that topic is to come under review, the department

will automatically review the matter prior to the question being asked, and a review may occur even though no supplementary question is ever asked on that topic.

Part of the protection of the English method of questioning is that the department is put into a position of rethinking and having another look at its policies, even though supplementary questions may never be asked. That would be the real value in such a change in our Standing Orders, and I deeply regret that that change has not been recommended. The member for Eyre wants to ask, "Will this prevent our asking any questions that occur to us on the spur of the moment?" True, it will, unless the question is related to a Question on Notice and can be brought in as a supplementary question. On the other hand, notice can be given on any matter and, as the honourable member knows, most of the questions that are asked need not be asked in that form but can be put to the Minister in the form of a letter.

Mr. Mathwin: But we wait a long time for replies.

The Hon. HUGH HUDSON: It is my experience that replies to members go out just as quickly as replies to questions.

Mr. Mathwin: I'm still waiting on some replies.

The Hon. HUGH HUDSON: That may be, but you are not waiting on replies from me. Many questions are asked by members, especially when in Opposition, because it is then that they are occupying the crease. I have been through this process as have the current Minister of Roads and Transport and the member for Mitcham, who have also spent long periods at the crease. Indeed, I was the best occupier of the crease that this House has known since the days of Playford.

Mr. Coumbe: And one of the longest speakers.

Mr. VENNING: I rise on a point of order. The Minister is talking about Question Time, which is not in the report at all.

The SPEAKER: Order! I suggest that the member for Rocky River read the report of the committee. It is clear that the topic of Question Time was dealt with at the meeting of the committee, and the member for Rocky River, together with every other member of this Chamber, received circulars from the committee concerning sessions. Question Time is clearly a subject of this debate and the honourable Minister is entirely in order.

The Hon. HUGH HUDSON: I apologize on behalf of the member for Rocky River for his taking a point of order. I am sure that he did not really mean it and that he will come along to you personally, Mr. Speaker, and apologize, that is, if he reads the report in the meantime. With an effective system of Questions on Notice and supplementary questions, the crease could be occupied just as well as it can be under the present system if the Opposition were really set on adopting that tactic. I know well what is involved in adopting that tactic because I have adopted it. I remember standing up with eleven questions to ask in the last half hour of Question Time. If the Opposition wishes to adopt that tactic changing Standing Orders would not prevent it from doing so. If the member for Eyre wants to ask a parish-pump question he can expect a reply quickly by letter.

Mr. Becker: Oh yes?

The Hon. HUGH HUDSON: The member for Hanson may laugh, but he knows that he gets speedy replies most of the time. If a member who wishes to get a speedy reply does not get one, all that he has to do is raise the matter wih the Minister's secretary by telephone.

Mr. McAnaney: What about my questions?

The Hon. HUGH HUDSON: He probably has difficulty translating them into English, just as *Hansard* has difficulty doing that. I apologize for that, but the fact that the member must place a question on notice is not a hardship. We are not using Question Time as effectively as we could to challenge the possibility of bureacracy and of the Government not being properly questioned.

Mr. Becker: You give the press replies to questions asked on notice first, two or three days before.

The Hon. HUGH HUDSON: If questions asked on notice could be followed up by supplementary questions, although the press had been given the reply to the question on notice, replies to the supplementary questions could not be given.

Mr. Becker: You give them to the press four days beforehand.

Mr. Clark: If you were in Opposition, would you feel the same way?

The Hon. HUGH HUDSON: Yes. If we had a system of Questions on Notice followed by supplementary questions, I could keep Question Time going for at least three-quarters of an hour by going up and down the front bench. I refer now to the oath that members take. I was pleased that the committee had raised that matter, because I intended to

introduce a private member's Bill on the matter if it did not. Every member of this House has sworn the present oath.

Members interjecting:

The SPEAKER: Order! The honourable Minister is speaking on the Standing Orders Committee's report and I do not want honourable members to put him off his line of thought.

The Hon. HUGH HUDSON: I put to all honourable members that the oath that we swear is archaic and is as dead as a dodo. Not one of us has sought out any traitorous conspiracy against the person of Her Majesty.

Mr. Goldsworthy: We're watching it.

The SPEAKER: Order! The honourable member for Kavel is entirely out of order in interjecting while walking down the Chamber, and the honourable member must not walk out of the Chamber when the Chair is addressing him.

The Hon. HUGH HUDSON: I am pleased you have pulled the honourable member up, Mr. Speaker, because, although he may not have sought out any traitorous conspiracies against the person of Her Majesty, I doubt his intentions towards you.

Mr. Clark: Do you want us to say, "God bless you, Liz"?

The Hon. HUGH HUDSON: That would be better than the present oath, and the simple oath suggested would help many of our consciences and deserves our support. Regarding the prayer, I am impressed by the music of words. This is another way of expressing the prejudice we all have on the matter and one version of the Lord's Prayer is no different in meaning from another. However, the different versions change the sound and music of the words. I come down on the side of those who wish to retain the Lord's Prayer in its present form. The music of "hallowed be Thy name" as against "holy be Thy name", appeals to me a little more, but that is a simple matter of prejudice and not one of religious discrimination or perception on my part. I believe that the Prayer used by the Speaker prior to the Lord's Prayer does not have much music in the way in which it is currently said.

The Hon. L. J. King: Is that a reflection on the Chair?

The Hon. HUGH HUDSON: I wish to say, Mr. Speaker, without unduly reflecting on you, that the lack of music in that initial Prayer is not a consequence of your inability to mouth the words suitably: it is a consequence of the nature of the words used. Indeed, the lack of music in that Prayer was noticeable prior to your occupying the Chair, that is, when the previous Speaker (Mr. Stott) and his immediate predecessor (Mr. Riches) occupied the Chair, and no doubt before that. I would support changing the words in the initial Prayer but not the words in the Lord's Prayer.

Mr. EVANS (Fisher): I have no doubt that, now that the Minister is in the Government team, he would like to see Question Time changed, but he is one member who, when in Opposition, if he did not abuse his rights, made full use of them in regard to asking questions, and he did this for his own benefit as well as for that of his Party. I know that the change that was recommended to be made suited the Minister.

The Hon. Hugh Hudson: Rubbish!

Mr. EVANS: He knows that often the most controversial issues arise as a result of a late news report and that, if the present system were changed, the issue in question could well be taken out of the political arena. However, we know that he has a scheming mind, and we know what are his motives.

The Hon. Hugh Hudson: If it's not news the following week, it's not worth worrying about.

Mr. EVANS: Under the change, the Government or a certain department would have an opportunity to rectify a situation and smooth things out before the Opposition had an opportunity to raise the matter. Further, I should like to see Standing Orders provide that the first reading of a Bill should be given at least a fortnight or even three weeks before the second reading debate commences. Both the member for Mitcham (the former Attorney-General) and the present Attorney-General have stated that this is virtually impossible, because Bills cannot be drafted sufficiently soon, but I do not believe that that is the case. If we believe in a democratic form of Government and in the notion that the man in the street should be represented properly, we should make public two or three weeks previously proposed changes in the law. The Government would then have an opportunity to receive directions and representation from those with a knowledge of the proposals, whereas at present it receives representations only from those whom it is inclined to approach and the interests of many other people are ignored.

The fact that a committee may have considered the proposals in question before the Bill is debated does not matter: it is what is in the

final draft that counts. I believe that we have been interested merely in political expediency. Even if my suggestion meant that Parliament sat perhaps two months later than it would normally sit, we would at least have a better form of Government and of procedures in this House.

I am satisfied with the current Prayers used, for I think the main thing is to create goodwill towards one another in this House and in the community. I would accept a change in the wording only if it resulted in a better understanding among members, but that is not the case here. I do not think that simply modernizing the words used means anything at all. At times I doubt that we are sure in our own minds that we are 100 per cent correct regarding a certain issue, but we choose, anyway, to adopt a certain course regarding that issue. I believe that that is the case with the Prayers. It would not alter our attitude of mind if we changed the wording, and it would not make our approach to life more honest. If we have a general Christian approach to life now, we will stay that way. I do not believe in change for the sake of change and, in making a change to the prayer, that is all we would be doing. What is in a member's heart and mind is what counts.

I believe that the other recommendations of the Standing Orders Committee are desirable because they will help in the processing of legislation through this Chamber. Anything that helps to achieve a more democratic system of Government should be accepted. The member for Mitchell referred to someone telling lies in the Chamber. If he goes back over the history of this place, he will find that the incident to which he referred is not an isolated incident. Unchristian things have often been said in this place, and unchristian attitudes taken. Perhaps this present attitude expressed could be regarded as an unchristian line of thinking and as dishonest. With the member for Hansen, I believe that perhaps we could have a member of the clergy address Parliament each day before it commenced its sittings, as this would provide a variation in prayers and may make us more conscious of the responsibility we have on our shoulders. We should not have to stick to the same prayer if we have different accepted faiths in the Chamber. I support the amendment of the member for Alexandra, and I generally support the recommendations of the committee, as they are in line with the democratic procedures that we are trying to promote.

Mr. HOPGOOD (Mawson): As it appears that the only point of contention arising from the report of the Standing Orders Committee is in relation to Standing Order 48, I will confine my remarks to that Standing Order, which has to do with the form of Prayer that we use at the opening of each day's sitting. I think that it is an interesting commentary of the views that people outside have of this place that many of them would be surprised indeed to know that right now their Parliament is spending so much time discussing the form of Prayer that is most appropriate to begin deliberations each day. Perhaps it is a pity that people would regard what we are doing now with a considerable amount of surprise. The member for Alexandra paid a considerable compliment to me when he spoke, and I rather wish all my constituents had heard him. He said, in effect, that I was responsible for all this, and that I had caused all the trouble on the committee by my question to the Speaker early in the session, especially with regard to the use of the word "vouchsafe" in the present Prayer.

I am glad that I have caused this much trouble. I like to think that every time I open my mouth Select Committees have to sit into the morning, Government departments are rent in twain, Ministers get grey hairs, and Opposition members shudder in anticipation of what will happen next. Although I do not think that is exactly the case, I do not mind if my constituents think that I have that sort of influence on the place. I believe that, since we are dealing with a liturgical matter, there was a rather eschatological flavour to what the honourable member said about what was a querulous and preliminary question on my part. I am largely in the camp of the member for Mitcham rather than that of the member for Alexandra on this matter. The first point we must consider is the tremendous influence that the King James version of the Bible has had on our own language and thought. This means that many of the phrases that occur in the Bible readily roll off the tongue of a person who is fairly well read. There was a time when they readily rolled off the tongues even of the relatively illiterate, but with the coming of secularity to society fewer and fewer people are aware of the language of the Bible. Therefore, it is only persons who have a fairly intense church background or who are fairly well read who find themselves at home in the language of the King James version of the Bible.

I do not think we should value the past for its own sake or that we should value language simply for its beauty and the way it rolls off the tongue. We must remember that the original words spoken when the Lord's Prayer was first passed on to our Lord's disciples were probably in the language of Aramaic. Why not keep it in that language? It was first in that language, and we also find it in early documents in Greek and Roman. Furthermore, the Greek of those early documents was not the classic Greek that we study at our universities these days, but rather a post-classical Greek, a somewhat bastardized version that was used by traders and ordinary people in the Hellenistic world well after the traditional or classic Greek period. This is the language in which the New Testament was written, and I refer honourable members to *Letters to Young Churches* by J. B. Phillips, where this is well set out. The early New Testament documents were written in the rough and ready everyday common language of the people. Therefore, the beauty that has come to surround the language of the Bible is in fact something of a spurious beauty which has been later grafted on by translators. It also arises out of the fact that our modern language is so much a product of the language of the King James version and the spoken tongue of that time in history.

Mr. Millhouse: As the member for Kavel said, many people regard it realistically.

Mr. HOPGOOD: That is true. I recall having a little to do with the Inter-Varsity Fellowship at one time, before defecting from that body to the Student Christian Movement. That fellowship had certain points of belief, one of which was the literal accuracy of the scriptures as originally given. When one asked what that meant, they usually pointed to the King James version. I know that some people in that society are far more sophisticated in their approach, but what I have described actually happened.

I am afraid that I cannot follow the member for Mitcham to the "nth" degree, because I do not think the honourable member has the numbers in this place, whereas I believe that at this stage the member for Alexandra has the numbers. The reason for this is that, although I think most members would accept an updating of the language of our prayer, most of us are not happy with the form of the Lord's Prayer that has been recommended to us by the Standing Orders Committee. It must be remembered that the church itself prefers to use everyday modern language as much as possible in Bible readings and prayers because it wants to be relevant and because it wants to be seen as important in the middle of the twentieth century, and not as a sort of museum. I remind members that in some people's minds that charge is also laid against this place: this House is seen not as being relevant to twentieth century realities but as somewhat of a museum. Therefore, for the same reason for which I wish to update the language that is used in our church liturgies, so I should, as a member of this House, want to update the language we use here.

However, I do not believe that there are any problems of misunderstanding or ambiguity concerning the traditional form of the Lord's Prayer. Therefore I am happy, particularly as I believe it to be the general feeling of members of this place, that the traditional form of the Lord's Prayer should be retained. On the other hand, I believe that we are making some advance if we accept the wording of the preliminary Prayer as has been suggested by the Standing Orders Committee. The recommended preliminary Prayer is as follows:

> Almighty God, we humbly beseech you to bless this Parliament and to direct and prosper our deliberations to the advancement of your Glory and the true welfare of the people of this State.

Nowhere does the word "vouchsafe" occur.

Mr. Millhouse: It will still be possible to say "We bumbly beseech you," which I have always waited to hear you, Mr. Speaker, say.

Mr. HOPGOOD: Spoonerisms are always possible and I suppose I commit as many as anyone else, but I believe that we can leave it to you, Mr. Speaker, to solve that problem. I wish to move the following further amendment to the motion:

> After "Standing Orders" second occurring to insert "except that Standing Order No. 48 relating to Prayers be amended only to the extent of the change proposed in the preamble to the Lord's Prayer and that the Lord's Prayer remain as at present".

If my amendment is accepted (and it can be accepted only by defeat of the amendment of the member for Alexandra) the motion would then become:

> That the report of the Standing Orders Committee, 1970-72, including proposed amendments to the Standing Orders, except that Standing Order No. 48 relating to Prayers be amended only to the extent of the change proposed in the preamble to the Lord's Prayer and that the Lord's Prayer remain as at present, be adopted.

Mr. McANANEY (Heysen): I support what the member for Fisher has said concerning the Prayers, and I see no reason for changing them. I do not believe in change any more than does the honourable member, and I do not believe in making a change unless something will be improved and I do not think this change will result in an improvement. Concerning Standing Orders on questions, I do not believe that we obey the present Standing Orders on questions, and the Standing Orders are continually being broken. The Standing Order on this matter provides:

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

Yet, despite that Standing Order, we have Ministers making second reading explanations and abusing members on this side of the House and there is no redress.

The SPEAKER: Order!

The Hon. J. D. Corcoran: I haven't said a word.

Mr. McANANEY: I am referring to what goes on in this House and why this House has become a shambles in the last year or two. The Standing Orders are clear, yet this shambles still occurs. I see no merit in changing the Standing Orders on the Prayers.

The Hon. L. J. KING (Attorney-General): I do not intend to comment at length on the wide-ranging debate that has taken place on the report of the Standing Orders Committee, but there are one or two points to which I would refer. There is, first, the unfortunate situation which arose and which is referred to in the report concerning attempts to reform the Question Time of this House. The Standing Orders Committee devoted much time to considering how the time spent on questions in this House mught be put to better use, and all members of the committee devoted themselves assiduously to those discussions. I believe that every member of the committee was concerned that Question Time at present occupies two hours of each sitting day and that it is not being used to the best effect. Much time is wasted by members asking questions which are stood over to another day for a reply to be given. A member is required to ask the question and then ask again for the reply. A clear majority of committee members strongly believed that a reform could be effected that would make Question Time a much more useful feature of the proceedings of this House.

I regret that the member for Fisher thought that these attempts were motivated by a desire on the part of Government members to somehow curtail the rights of members opposite to question Ministers and test their view and the policies and attitudes of their departments. I believe that the attitude of the member for Fisher is sufficiently refuted by the fact that the consensus put to members was supported, and supported strongly, by the member for Mitcham. I believe that the honourable member is as astute as any member of the Opposition in seeing that the rights of the Opposition are not curtailed. To suppose that some very astute and subtle representatives of the Government Party on the Standing Orders Committee have tried to bemuse the member for Mitcham so that he fell into a trap is simply laughable.

I can see the member for Eyre smiling at this, but I can only say to the honourable member that he would be well advised to watch the member for Mitcham because, by doing so, he might learn how to put Question Time to best use in this House. I make no apology for saying that I have no doubt that, of all the members opposite, the member for Mitcham is the only one who knows how to use Question Time. To say that representatives of the Government Patry on the committee were able to bemuse, bedazzle and befuddle the member for Mitcham so that he joined in a recommendation that would give the Government an advantage over the Opposition is, to me, just laughable. I regret that the consensus reached so wholeheartedly by four members of the committee and, to some extent, by the fifth (but certainly by four) was put to members of this House by letter so that many members opposite were unwilling to go along with it and that the matter has therefore not been introduced. The result is that the effectiveness of this House as a means of testing the Executive Government on its policies, attitudes, and administrative practices is to an extent weakened, and I regret that.

I do not mind the member for Fisher and other members thinking that I am trying to gain some Party advantage by saying that, as they said it of the Minister of Education; and I defy any member of the Opposition to show me where that consensus, which was set out, could in any way weaken the ability of members opposite to test the ability of the Government during Question Time. I am sure that it would have rendered Question Time much more effective and, what is more, much more relevant to what is going on in

the community than the sort of question asked at present.

Regarding the Prayers, I have moved, as Chairman, that the report of the Standing Orders Committee be adopted, and the report includes a recommendation for a revised form of prayer and a revised form of the Lord's Prayer. I have listened to everything that has been said on the subject, and I am bound to say that my own view remains that the language of the Lord's Prayer as used in this House should be brought into line with modern usage. I agree with what was said on the subject by the member for Mitcham.

I think that it is not only natural but also right that those who profess to be Christians, when using a prayer given to us by Our Lord, should try to get it as close as scholarship will allow to the language that the Lord used when he uttered the Prayer and it was recorded in the earliest accounts by the evangelists, either by people who were contemporaries or to whom the words of the Prayer were reported by contemporaries who had actually heard it. I think that this is something that we should try to achieve so far as scholarship allows us to achieve it.

On the other hand, I would be loath to try to force on this House, by a mere majority vote, a change in the usage regarding the Lord's Prayer. I know that many members are deeply attached, for one reason or another (I think they are often emotional reasons), to the language that has been used traditionally since the King James I Bible was published, and I have heard those sentiments uttered here and have come to the view that it would be undesirable to force a change on the House until that change had achieved a general acceptance amongst members of the House.

For that reason only, I am attracted to the amendment moved by the member for Mawson and I intend, therefore, to accept that amendment, so far as the mover of this type of motion can accept an amendment, and to support it personally.

I do so only with the slight misgiving that the language of the amendment refers to our refraining from altering the Lord's Prayer. That seems a little presumptuous, but I understand how the term "refraining from altering the Lord's Prayer" is referred to in this House. Nevertheless, my good friend the Minister of Environment and Conservation did not hesitate to make the sun rise and set at times different from those that Almighty God had ordained, so refraining from altering the Lord's Prayer may not be as presumptuous as it seems at first. I think that, at this stage, accepting the amendment is the most that we can expect to achieve. I would not favour trying to force an alteration in the Lord's Prayer that has been traditionally used upon members until they were ready to accept it, but I hope that the change comes soon.

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

Ayes (18)—Messrs. Allen, Brookman (teller), Carnie, Clark, Corcoran, Coumbe, Curren, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Mathwin, McAnaney, Rodda, Venning, Wardle, and Wells.

Noes (21)—Messrs. Becker, Broomhill, Brown, Crimes, Groth, Hall, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, McKee, McRae, Millhouse, Payne, Ryan, Simmons, Slater, and Wright.

Majority of 3 for the Noes.

The Hon. D. N. Brookman's amendment thus negatived.

Mr. Hopgood's amendment carried; motion as amended carried.

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

That the alterations to the Standing Orders as adopted by this House be laid before the Governor by the Speaker for approval pursuant to section 55 of the Constitution Act, 1934-1971.

Motion carried.

The Hon. L. J. KING moved:

That the Standing Orders be renumbered consecutively and the volume of Standing Orders be reprinted.

Motion carried.

DAIRY INDUSTRY ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

DAIRY CATTLE IMPROVEMENT ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

METROPOLITAN AREA (WOODVILLE, HENLEY AND GRANGE) DRAINAGE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN INSTITUTE OF TECHNOLOGY BILL

Returned from the Legislative Council without amendment.

[*Sitting suspended from* 9.26 *p.m. to* 12.35 *a.m.*]

COMMUNITY WELFARE BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 9, after line 15 (clause 7)—Insert paragraphs as follows:

(*ba*) to assist voluntary agencies engaged in the provision of services designed to promote the well-being of the community;

(*bb*) to collaborate with other departments of Government whose activities directly affect the health or well-being of the community.

No. 2. Page 12, lines 26 and 27 (clause 21)—Leave out "such programmes of education and training in matters pertaining to community welfare as he thinks desirable". Insert "programmes of education and training for those who are engaged, or propose to engage, in the provision of services designed to overcome or ameliorate social disabilities or problems".

No. 3. Page 13, line 15 (clause 24)—After "other" insert "department".

No. 4. Page 20, line 15 (clause 44)—After the word "hospital" insert the words "receiving house".

No. 5. Page 27, line 9 (clause 64)—After "at any" insert "reasonable".

No. 6. Page 32, after line 4 (clause 75)—Insert paragraph as follows:

(*da*) he is entitled to have the care, custody or guardianship of the child in pursuance of the order of a court of competent jurisdiction;

No. 7. Page 37, after line 4 (clause 84)—Insert subclause as follows:

(3) A proclamation under this section by virtue of which any land ceases to be, or to form part of, an Aboriginal reserve shall not be made except in pursuance of a resolution passed by both Houses of Parliament.

No. 8. Page 37, line 17 (clause 85)—After "Aboriginals" insert ", to near relatives of Aboriginals,".

No. 9. Page 41, line 35 (clause 97)—Leave out "Division" and insert "Subdivision".

No. 10. Page 41, line 42 (clause 97)—Leave out "Division" and insert "Subdivision".

No. 11. Page 49, line 36 (clause 112)—Leave out "pathologist" and insert "analyst".

No. 12. Page 49, after line 39—Insert new heading and clause as follows:

Subdivision 2a—Orders for payment of medical and hospital expenses in connection with lawful termination of pregnancy.

112a. (1) Where a court of summary jurisdiction is satisfied on complaint made by or on behalf of a female person—

(*a*) that the complainant has been pregnant but her pregnancy has been lawfully terminated otherwise than by the birth of a child;

and

(*b*) that the defendant has had sexual intercourse with the complainant at such a time that the act of intercourse may have resulted in the pregnancy of the complainant,

the court may order the defendant to pay such amount as it considers reasonable for or towards the medical and hospital expenses incurred by the complainant in connection with the termination of the pregnancy.

(2) The court shall not make an order under this section if it is satisfied that at the time of the act of sexual intercourse, the complainant was a common prostitute.

No. 13. Page 55, line 25 (clause 125)—Leave out "or commits adultery" and insert "for a period in excess of three months, or enters into an adulterous relationship that persists over a period in excess of three months".

Consideration in Committee.

Amendment No. 1:

The Hon. L. J. KING (Minister of Social Welfare): I move:

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

This amendment inserts two new objectives of the Minister and the department in clause 7. These objectives are both in accordance with the policy of the Government as outlined in my second reading explanation. The Legislative Council desired that these objectives be spelt out.

Motion carried.

Amendment No. 2:

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

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

This amendment to clause 21 was moved by the Government in the Legislative Council. The point was raised that, under the original wording, it might be thought that we were saying that one of the objects of the department under the Bill was to engage in a general education. That was not the intention, and I doubt that it really appeared that it was. However, I think it is desirable that any ambiguities should be cleared up.

Motion carried.

Amendment No. 3:

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

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

Clause 24 (2) will now read as follows:

A community welfare centre may be used by the department, or, with the approval of the Minister, by any other department, person, agency or organization, for the furtherance of community welfare within the locality in which the centre is established.

This will mean that a community welfare centre may now be used by departments, such

as the Education Department which, along with my department, may wish to use it.

Motion carried.

Amendment No. 4:

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

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

Clause 44 deals with the way the Director-General may place a child. With the amendment, subclause (1) (*d*) will provide:

. . . he may, if it is necessary for the sake of the physical or mental health of the child, place the child to any hospital, receiving house, or mental hospital;

Motion carried.

Amendment No. 5:

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

That the Legislative Council's amendment No. 5 be agreed to.

This amendment to clause 64, which deals with inspections of children's homes, means that, instead of the clause providing that an inspection may be made at any time, an inspection may now be made at any reasonable time, the word "reasonable" being inserted.

Motion carried.

Amendment No. 6:

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

That the Legislative Council's amendment No. 6 be agreed to.

Clause 75 (1) provides:

No person, other than a parent, shall care for or keep in his immediate custody any child under the age of fifteen years for a continuous period exceeding six months, or for periods aggregating more than six months in any period of twelve months, unless—

Various circumstances are then set out. It is desirable to ensure the further circumstance that the parent is one who is entitled to have the care, custody, and the guardianship of the child in pursuance of an order by a court of competent jurisdiction.

Motion carried.

Amendment No. 7:

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

That the Legislative Council's amendment No. 7 be disagreed to.

There are substantial difficulties about a provision of the kind that the Legislative Council seeks to insert. From time to time it becomes necessary to vary the boundaries of Aboriginal reserves. Sometimes minor variations are made, and one recent variation was to enable the Engineering and Water Supply Department to carry out works near the boundary of a reserve, involving only a minor adjustment of the boundaries. It could happen that highways could be involved and there could be other circumstances. It would be undesirable that it be necessary to have a resolution of both Houses to vary boundaries on an Aboriginal reserve. In addition, the policy in the Aboriginal Lands Trust Act is that lands should be transferred to the Aboriginal Lands Trust as occasion arises, and the suggestion that a resolution of both Houses of Parliament be required is inconsistent with the purposes of that Act.

Dr. EASTICK (Leader of the Opposition): Can the Minister say how often a major alteration of boundaries is likely to occur, having regard to the experience during his term of office? Further, can he say whether there is, perhaps, a method of compromise by applying this provision provided the area is tangible, comprising, say, 50 acres or 100 acres?

The Hon. L. J. KING: There has been one definite incident during my term of office, and I think a second has been discussed, although I do not know how far discussions have developed. I cannot say anything of the frequency in the past, and I cannot predict the future. I think there would be great difficulties in trying to define any areas, because we would have to consider situations in which some areas were ceded and other areas added, and I suppose we would have to consider the value of those areas in terms of money as well as in terms of the Aboriginal inhabitants of that reserve. I do not see that the provision would serve any useful purpose, and it might cause considerable difficulty. I see no advantage in inserting it.

If the Legislative Council fears that the Government may reduce the area of Aboriginal reserves significantly without Parliament's consent, the answer is that the Government is responsible to Parliament, which would have the opportunity to canvass the matter in this House and with the public, and the ordinary sanctions attaching to bad decisions by a Government would attach to this case as in any other. This is adequate protection. The present Government's policy, so far from reducing the area of land in South Australia dedicated as Aboriginal reserves, is designed to increase the amount wherever possible and wherever it can be done to the benefit of the Aboriginal people. It is also the Government's policy to transfer reserves to the Aboriginal Lands Trust whenever that becomes practicable.

Dr. TONKIN: I understand the Legislative Council's motives, but I agree with the Minister that the proposal sounds impracticable and

may do more harm than good by causing administrative delays.

Motion carried.

Amendment No. 8:

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

That the Legislative Council's amendment No. 8 be agreed to.

The clause deals with the management of reserves, and the amendment deals with the power of the Minister to grant a licence over any land or premises on an Aboriginal reserve to an Aboriginal or other person mentioned in the provision. One of the things anticipated in subclause (3) is the granting of a licence to occupy a specific house and surrounding land on a reserve, and the obvious policy of the Bill is to restrict the occupation of such a house to Aboriginal people or people who have habitually resided on the reserve and been accepted by the Aboriginal community.

The person would generally be the wife of an Aboriginal, but there may be other relatives involved. It has been expressed this way because Aboriginal unions, although not marriages in accordance with our law, are nevertheless tribal unions recognized as valid by Aboriginal people, so it is not possible to use an ordinary expression such as "spouse", and so on. Therefore, it has been expressed this way.

The Legislative Council included the expression "near relative", and I have some reservations about this. That expression is defined in clause 6. As I say, I have some reservations about the matter, because there could be white persons who come within the definition of a near relative and who have not lived on the reserve in question or been accepted by the Aboriginal community; under this amendment, they could come within a class of persons to whom the Minister might grant a licence. However, I think the amendment does no harm, because it is purely a discretionary power on the part of the Minister, and he would not grant a licence to anyone who had not lived with the Aboriginal people on the reserve and been acepted by the people there or who had not had some contact which justified the granting of a licence to someone to occupy a house on the reserve. With some slight hesitation, I recommend that the Committee agree to the amendment.

Motion carried.

Amendment No. 9:

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

That the Legislative Council's amendment No. 9 be agreed to.

This is a drafting amendment.

Motion carried.

Amendment No. 10:

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

That the Legislative Council's amendment No. 10 be agreed to.

This, again, is a drafting amendment.

Motion carried.

Amendment No. 11:

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

That the Legislative Council's amendment No. 11 be agreed to.

Dr. TONKIN: I take the opportunity here to refer to the sentiments I previously expressed in relation to this matter.

Motion carried.

Amendment No. 12:

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

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

This is an important and significant amendment, inserted by the Legislative Council, which seeks to insert new clause 112a. It introduces into the maintenance laws of this State an entirely new concept. The law hitherto has placed an obligation on the putative father to contribute towards the maintenance of his child when born and to the expenses of the mother of the child in giving birth to a child (the confinement expenses). The amendment seeks to make the father responsible for the costs of abortion where the mother has undergone a lawful termination of the pregnancy, and it seems to me that the amendment is open to a fundamental objection. It seeks to impose on the father an obligation to pay for an abortion, which may be quite against his wishes and to which he may have strong objections on moral or other grounds. The case of a father who does agree to the abortion does not really enter the matter, because he would be made liable by agreement for the costs of the abortion in the most ordinary cases. He would either make himself liable, if it were a question of a *de facto* relationship, or if he made the arrangements; or, if a woman sought the abortion, the father's agreement would be sought. We are really dealing with the case of a father who does not consent to an abortion taking place. I think the Committee has to decide a serious question, namely, whether it is willing to agree with the Legislative Council to imposing on the father of the child in such circumstances a responsibility for the costs of an abortion of which he does not approve, certainly one to which he does not consent and, as I say, perhaps one of which he positively disapproves. For those reasons I recommend that the Legislative Council's amendment be not agreed to.

Mr. HOPGOOD: Can the Attorney-General say how is the procedure under this amendment any different in principle from a paternity suit? Is it not true that in a paternity suit the father of the child, if it can be proved that he is the father, is required to pay for the financial upkeep of the child or at least to contribute towards the expenses, and that, in what is contemplated here, the father, if he can be proven to be such, has to pay towards the termination of the pregnancy? Could it not be said that some men do have what in a funny way can be called a moral objection to the obligation placed on them by the decision of the court under a paternity suit? How would that be any different from the case of a man who felt a moral opposition to the termination of the pregnancy, but who was ordered by the court under this amendment to pay for it?

The Hon. L. J. KING: I see a marked distinction between the two cases. In the one case, the father is called on to pay, whether he likes it or not, because the child is his and he is supporting the child of which he is the father. It is another matter, it seems to me, to call on the father to pay for the termination of the life of his child. Certainly a father, by any standards that we care to apply, must be regarded as liable to support his child, but it is another matter, in the case of legal obligation to call on him to pay not for the support of the child he has begotten but for the termination of the life of the child he has begotten.

Dr. EASTICK: Can the Minister say why this amendment has been inserted? In the administration of the department, is this problem serious and recurring? Has the amendment been brought about because of difficulties that have created continuing expense to the State?

The Hon. L. J. KING: This provision was not inserted at the instance of the department. Consequently I cannot supply any figures for the Leader. I can only say that nothing has been brought to my attention that would suggest any problem from the viewpoint of the department. Of course, the expense would not be seen in the department; if there were any expense, it would be the expense of hospitalization and of the operative procedures involved. The amendment was moved by the Hon. Mr. Potter in the Legislative Council; he said that, since the passing of the previous Social Welfare Act, the law as to abortion had changed and he therefore suggested that this change should be included in the Bill; but I disagree with him.

Mr. COUMBE: Can the Minister assure us that, if this provision is disagreed to, a man consenting to a legal abortion will be responsible for the costs incurred by the woman concerned?

The Hon. L. J. KING: Yes; he would be made liable. He might make arrangements with the hospital himself and thereby render himself liable; that would be the ordinary thing in the case of a *de facto* relationship. If the mother made the arrangements herself, the precaution would be taken of signing up the father. So, in virtually every case in which the father consented, he would be liable.

Mr. PAYNE: Can the Minister say what is the present position when a spontaneous abortion takes place? Who is responsible for the costs in that situation?

The Hon. L. J. KING: I feel virtually certain that the putative father would be responsible in that situation, although I am speaking off the cuff. In effect, there would be a confinement, but the child would be stillborn. The putative father would be liable for the confinement expenses.

Mr. McRAE: Subclause (2) is a novel concept of jurisprudence. In this State we do not have a distinction between women who are moral and women who are immoral. For the first time we are now introducing the concept of moral women and immoral women. How does one define who is moral and who is immoral? In the case of an immoral person there shall be no compensation, but in the case of a moral person there shall be compensation. This is something that has been rejected by our courts over and over again. It has been said that the prostitute who walks the streets is entitled to just as much protection from the law as is anyone else. If the Committee agrees to subclause (2), it is embarking on a dangerous course of jurisprudence, because it will turn away the whole course of our jurisprudence, which has said that all men and all women are equal in the eyes of the law, irrespective of their moral attitudes.

Mr. SIMMONS: I cannot agree with the proposition put forward by the member for Playford, because this very place has already adopted the provision to which he takes exception; I refer to clause 109 (6). It seems to me that there are three lawful ways in which a pregnancy can be terminated: first, by miscarriage; secondly, by a lawful abortion; and, thirdly, by the pregnancy running the full term and the child being born. In connection with

the first way, the Minister has suggested that the medical expenses of the mother are the responsibility of the putative father, and I do not think anyone can object to that. Clause 109 provides that in case of a pregnancy running the full term the medical expenses of the mother are also the responsibility of the father to the extent the court thinks fit. It seems to me that the only legal form of termination of pregnancy which is not covered by the legislation is the one that takes place when there is a lawful abortion. In this case the mother in that unfortunate position is required to pay the full medical expenses of the lawful termination of the pregnancy. So, she is discriminated against very seriously if she decides that the best way to deal with the problem is to have a lawful abortion. It seems to me that the Legislative Council's amendment remedies an injustice. This provision has been supported by a social worker and a minister of religion who has had many years of experience. The point about a common prostitute has been dealt with by the reference to clause 109.

Mr. McANANEY: The Minister referred to a case where the mother wants the child born and the man wants the pregnancy terminated. I do not think this would happen very often. In most of these cases, the male party will have walked out on his obligation. The only way in which he can be held responsible is through the amendment of the Legislative Council. Therefore, I support the amendment.

The Committee divided on the amendment:

Ayes (11)—Messrs. Brown, Clark, Corcoran, Harrison, Jennings, Keneally, King (teller), Langley, McKee, McRae, and Slater.

Noes (25)—Messrs. Allen and Broomhill, Mrs. Byrne, Messrs. Carnie, Coumbe, Crimes, Curren, Eastick, Evans (teller), Ferguson, Goldsworthy, Groth, Gunn, Hall, Hopgood, Hudson, McAnaney, Payne, Rodda, Simmons, Tonkin, Venning, Wardle, Wells, and Wright.

Majority of 14 for the Noes.

Motion thus negatived.

Amendment No. 13:

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

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

Clause 125 deals with the situation of a married woman who has obtained a maintenance order against her husband. Subclause (2) provides that, if she commits adultery, the order may be discharged. Two questions are involved, one being cohabitation terminating the order for maintenance. The Legislative Council seeks to insert provision for a period on resumption of that cohabitation of three months. The law has always been that, once cohabitation resumes, the existing order for maintenance terminates. If a husband returns and illtreats the wife and she leaves, she has a fresh claim arising out of his illtreatment. If he deserts her, he has a claim arising out of that and if he commits adultery he has a claim arising out of that. Injustice could be created if a wife could go back for two months and then leave and still go on receiving the maintenance that the husband had been ordered to pay. I think the provision is misconceived.

The second aspect has rather more to commend it on the general principle, but I suggest that it is not one to which this Committee can agree. The Council seeks to say that a casual act of adultery should not, of itself, terminate the wife's right to maintenance. There are some obvious difficulties about the matter, but one is fatal. The whole of the matrimonial law is based on the idea that a single act of adultery creates the effect. Either spouse can divorce the other for adultery.

What is perhaps more striking is that the wife can obtain relief from cohabitation, maintenance, and all the consequential orders under clause 117, against the husband, for a single act of adultery, and it would be absurd to say that those dire consequences follow when the husband commits a single act of adultery but that something more than that is required to prevent the maintenance payments. I do not commit myself to the general view that a casual act of adultery should have all these consequences.

Much has been said about this and there are arguments for saying that some social evils result from breaking up a family over a single act of adultery. However, whilst the general law, both the Matrimonial Causes Act and the consequences to a husband of a single act of adultery, remains, it would be incongruous to require something further to result in the termination of the maintenance. I feel that the Council has been carried away by some vague and general feelings of wishing to do good, without having thought through how out of place and incongruous in the general scheme of things it would be.

Mr. SIMMONS: Does subclause (2) give a court the discretion to decide on the order? Is there any freedom for the court to determine whether a single act of adultery is enough to set aside the order? Otherwise, the husband

can commit many acts of adultery, whereas the wife loses her rights after only one act of adultery, and it seems that the wife is in a much inferior position. Is this so?

The Hon. L. J. KING: Yes, it is, but I do not think it is correct to say that the wife's position is inferior on that account, because under clause 117 a single act of adultery is sufficient to found the order in the first place, so from then on the maintenance is paid. That contemplates a situation in which a husband has committed a matrimonial offence but the wife is looking to the husband for her maintenance. In other words, she is not engaging in an adulterous intercourse. She is saying, "I am this man's wife. He has committed adultery, and I am therefore entitled to maintenance from him." She receives the maintenance.

Under this provision, if she abandons her position so far as to commit adultery, she is not entitled to look to her husband for maintenance thereafter, unless some other circumstance arises that creates the right. There are other rights to maintenance in the case of wives who are left without means, but I am dealing here with summary protection.

Mr. SIMMONS: In terms of clause 117, if a husband and wife are living together, a single act of adultery can break up the marriage and lead to divorce. However, it seems that, under the maintenance provisions, the situation is different. The two people have separated, with a certain amount of bitterness between them. The husband is free to commit many acts of adultery without there being any effect on him, yet the wife could lose her maintenance, and there is no provision in clause 125 for the court to have any discretion.

The Hon. L. J. KING: I am not unsympathetic to the view expressed by the honourable member. These are very complex situations and it is difficult to know where the justice of the matter lies. I would not be against trying to devise some way to give the court a discretion in matters of this kind. I do not know that it is possible to do it at this stage of this Bill. I would prefer the Committee to leave the Bill as it stands and disagree to the amendment. I should be happy to give the honourable member an undertaking to take up the point that he has raised in order to see whether, in the next session, it is possible to amend this provision in a way that would meet the fairly complicated position that he has raised. It needs to be studied further. However, I fully appreciate the force of what the honourable member has said, and I consider that we ought to establish some way of providing relief for the person concerned. I am sure that the methods sought to be adopted by the Legislative Council could not be the correct answer.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments Nos. 7 and 13 was adopted:

Because the amendments reduce the efficacy of the Bill.

Later, the Legislative Council intimated that it did not insist on its amendments Nos. 7 and 13, to which the House of Assembly had disagreed.

NATIONAL PARKS AND WILD LIFE BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 4, lines 5 to 10 (clause 5)—Leave out definition of "protected animal" and insert definition as follows:

"protected animal" means—

(*a*) any mammal, bird or reptile indigenous to Australia;

(*b*) any migratory mammal, bird or reptile that periodically migrates to, and lives in, Australia;

(*c*) any animal declared by regulation to be a protected animal,

but does not include animals of the species referred to in the ninth schedule to this Act, or any animals declared by regulation to be unprotected:

No. 2. Page 7—After line 6 insert new clause 9a as follows:

9a. (1) The Minister may—

(*a*) cause research to be carried out into problems relating to the conservation of wild life;

(*b*) collaborate with any other person, body or authority in the conduct of any such research;

or

(*c*) cause an investigation to be made into the possibility of establishing further reserves or adding to existing reserves.

(2) The Minister may make available to the public, in such manner and form as he thinks fit, the results of any research or investigation conducted under this section.

No. 3. Page 10, line 12 (clause 15)—Leave out "four" and insert "three".

No. 4. Page 10, line 24 (clause 16)—Leave out "Eight" and insert "Ten".

No. 5. Page 17 (clause 30)—After line 7 insert new subclauses (4) and (5) as follows:

(4) A proclamation shall not be made under paragraph (*a*) or (*b*) of subsection (3) of this section by virtue of which any land ceases to be, or to be included in, Katarapko Game Reserve, or Coorong Game Reserve, except in pursuance of a resolution passed by both Houses of Parliament.

(5) Notice of motion for a resolution under subsection (4) of this section must be given at least fourteen sitting days before the motion is passed.

No. 6. Page 17, line 10 (clause 31)—After "conservation" insert "of wild life".

No. 7. Page 18, line 6 (clause 33)—Leave out "set apart" and insert "conserved".

No. 8. Page 20, line 21 (clause 37)—Leave out "and make public".

No. 9. Page 20 (clause 37)—After line 25 insert new subclauses (10) and (11) as follows:

(10) When the Minister has adopted a plan of management he shall cause notice of that fact to be published in the *Gazette*.

(11) The Director shall, upon the application of any member of the public and payment of the prescribed fee, furnish that person with a copy of a plan of management adopted under this section.

No. 10. Page 21, lines 15 and 16 (clause 41)—Leave out "and publish the reasons for the declaration".

No. 11 Page 21 (clause 41)—After line 16 insert new subclause (1a) as follows:

(1a) Any notice published under subsection (1) of this section must state the grounds upon which the declaration is made.

No. 12. Page 22, line 2 (clause 42)—Leave out "a national park or a conservation park" and insert "a national park, a conservation park, the Belair Recreation Park, the Para Wirra Recreation Park, the Katarapko Game Reserve or the Coorong Game Reserve".

No. 13. Page 27, lines 32 to 35 and page 28, lines 1 to 7 (clause 54)—Leave out subclause (3).

No. 14. Page 28, line 13 (clause 55)—Leave out "One" and insert "Two".

No. 15. Page 28 (clause 55)—After line 15 insert new subclause (3*a*) as follows:

(3*a*) A person who has in his possession or under his control an animal of a prohibited species in pursuance of a permit under this section, shall not export the animal from the State, or release the animal from his possession or control unless he is specifically authorized to do so by the permit. Penalty: Two hundred dollars.

No. 16. Page 33 (clause 68)—After line 25 insert new subclause (3*a*) as follows:

(3*a*) Without limiting the conditions upon which a permit relating to animals may be granted under this Act, those conditions may—

(*a*) provide for marking, or otherwise identifying, animals to which the permit relates;

(*b*) require the holder of the permit to report the escape, illness or death of any animal to which the permit relates;

and

(*c*) require the holder of the permit to report to the Minister the birth of any progeny to the animals to which the permit relates.

No. 17. Page 35, line 2 (clause 73)—Leave out "protected".

No. 18. Page 35, line 3 (clause 73)—Leave out "protected".

No. 19. Page 35, line 5 (clause 73)—Leave out "protected".

No. 20. Page 35, line 12 (clause 73)—Leave out "protected".

No. 21. Page 35, line 13 (clause 73)—After "than" insert "a protected animal".

No. 22. Page 36—Leave out clause 79.

No. 23. Page 44—Fourth schedule—insert at the end of this schedule the following items:

"Kyeema Recreation Park . . . hundred Kuitpo, sections 92, 522, 688, 850 and 302".

Hacks Lagoon Conservation Park . . . hundred Robertson, section 249."

No. 24. Page 45—Fifth schedule—Leave out from the item "Bool Lagoon Game Reserve" the figures "249".

No. 25. Page 45—Sixth schedule—Leave out the item:

"Kyeema Recreation Park . . . hundred Kuitpo, sections 92, 522, 688, 850 and 302".

No. 26. Page 47—Ninth schedule—After "Little Raven (*Corvus Mellori*)" insert "Wedge-Tailed Eagle (*Uraetus audax*) (only north of 34° 30′ S. Lat.)".

Consideration in Committee.

Amendment No. 1.

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

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

Although I believe that the matter to which this amendment refers is already covered in the Bill, members in another place considered it necessary to clarify the matter further.

Motion carried.

Amendment No. 2:

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

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

This amendment seeks to insert a new clause dealing with research, a matter with which we dealt earlier but which the Legislative Council desires to spell out more clearly.

Motion carried.

Amendment No. 3:

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

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

Members of another place considered that there should be a maximum of three meetings from which a member of the council might be absent without proper excuse, whereas a maximum of four meetings is at present provided. I do not think the amendment significantly alters the intention of the Bill.

Motion carried.

Amendment No. 4:

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

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

This amendment, which enlarges the quorum, is not likely to inhibit the work of the council in any way.

Motion carried.

Amendment No. 5:

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

That the Legislative Council's amendment No. 5 be agreed to.

Members of another place considered that game reserves, including areas on Katarapko Island, required specific provisions in relation to security of tenure, and I believe the amendment is reasonable.

Motion carried.

Amendment No. 6:

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

That the Legislative Council's amendment No. 6 be agreed to.

Once again, the amendment simply clarifies the existing provision.

Motion carried.

Amendment No. 7:

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

That the Legislative Council's amendment No. 7 be agreed to.

The amendment makes no significant difference to the purpose of the clause, and it was inserted by the Legislative Council to clarify the provision.

Motion carried.

Amendment No. 8:

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

That the Legislative Council's amendment No. 8 be agreed to.

This is a consequential amendment.

Motion carried.

Amendment No. 9:

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

That the Legislative Council's amendment No. 9 be agreed to.

The amendment spells out what is intended in greater detail.

Motion carried.

Amendment No. 10:

The Hon. G. R. BROOMHILL moved:

That the Legislative Council's amendment No. 10 be agreed to.

Motion carried.

Amendment No. 11:

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

That the Legislative Council's amendment No. 11 be agreed to.

The Legislative Council has asked that a provision be inserted requiring that a notice published under clause 41 (1) must state the grounds upon which the declaration of a prohibited area is made.

Motion carried.

Amendment No. 12:

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

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

This is an alteration similar to one referred to earlier. Because the Belair recreation park, the Para Wirra recreation park, the Katarapko game reserve and the Coorong game reserve are important to the State, it is thought that security of tenure should apply.

Motion carried.

Amendment No. 13:

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

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

This is a consequential amendment.

Motion carried.

Amendment No. 14:

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

That the Legislative Council's amendment No. 14 be agreed to.

This amendment provides for an increase from $100 to $200 in the penalty for possessing prohibited species.

Motion carried.

Amendment No. 15:

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

That the Legislative Council's amendment No. 15 be agreed to.

It has been pointed out that provisions exist elsewhere in the Bill ensuring that the penalty is applicable under the provision, but the Legislative Council has inserted this amendment to spell the matter out more clearly. Whilst it may be said that the amendment duplicates what has already been done, I believe there is no real reason why we should oppose it.

Motion carried.

Amendment No. 16:

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

That the Legislative Council's amendment No. 16 be agreed to.

The Legislative Council has moved its amendment for the sake of clarity.

Motion carried.

Amendments Nos. 17 *to* 20:

The Hon. G. R. BROOMHILL moved:

That the Legislative Council's amendments Nos. 17 to 20 be agreed to.

Motion carried.

Amendment No. 21:

The Hon. G. R. BROOMHILL moved:

That the Legislative Council's amendment No. 21 be agreed to.

Motion carried.

Amendment No. 22:

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

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

This matter was raised by the member for Alexandra and I undertook to consider it. It was found that the provision went much

further than we intended it to go. So, it was thought that, in the circumstances, it was preferable to strike out the clause.

Motion carried.

Amendment No. 23:

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

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

Under the amendment security of tenure will be provided for the Kyeema area and the Hack Lagoon area.

Motion carried.

Amendment No. 24:

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

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

This amendment is consequential on amendment No. 23.

Motion carried.

Amendment No. 25:

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

That the Legislative Council's amendment No. 25 be agreed to.

This amendment is also consequential on amendment No. 23.

Motion carried.

Amendment No. 26:

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

That the Legislative Council's amendment No. 26 be disagreed to.

If this amendment is accepted, the position with regard to the wedge-tailed eagle will remain as it is now, with protection applying in the southern part of the State and not in the rest of the State. This matter was thoroughly canvassed in this Chamber previously. Regrettably, the Legislative Council has taken the view that this protection should not be extended to cover the whole State.

Mr. GUNN: I support the Legislative Council's amendment. I do not think the Minister has justified his motion. He has not understood the problems that this eagle causes.

Mr. ALLEN: I support what the member for Eyre has said. As representatives of the areas most affected by this eagle, I think the honourable member and I have an obligation to put forward the views of the people we represent.

Mr. RODDA: The wedge-tailed eagle causes much damage in the districts of Eyre and Frome. This is a serious matter, and I support the Legislative Council's amendment.

Mr. HOPGOOD: Can the Minister say what is the position of this species of bird in Western Australia, which contains considerable country of the same ecological nature as the North of South Australia?

The Hon. G. R. BROOMHILL: Following consideration of this matter by the Australian Fauna Council and the recommendation that this eagle be protected in all States, the Western Australian Government is looking at the matter with a view to taking action soon. All the experts in this field strongly recommend that the wedge-tailed eagle be protected.

Mr. ALLEN: It is recognized in the North that the number of wedge-tailed eagles is not diminishing.

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

Mr. ALLEN: It is generally recognized.

The Hon. G. R. Broomhill: By whom?

Mr. ALLEN: By all the landholders. As the number is not diminishing, I cannot see why this bird should be protected.

The Hon. G. R. BROOMHILL: I do not know whether the number of eagles is diminishing, but I am prepared to accept the word of experts in the field. At present this eagle is completely protected in the District of Victoria. No suggestion is made that the protection in that district should be removed, as no problems have arisen. The lambing season in the North lasts only a short time and, if it is a pest, the eagle can be destroyed in that period if a permit is obtained. The member for Frome has said nothing about problems caused by the eagles in the remaining nine or 10 months of the year after the lambing season. If eagles destroy all these lambs, I wonder how they live for the rest of the year. Until 1961, the Act provided six months' protection for this eagle in all parts of the State, and there was no complaint during that period. However, I am certain that I will never convince some members on this matter. Members opposite will not accept the advice of experts.

Mr. ALLEN: I am expressing the opinion of the people I represent and, in company with another person, I spent three days in the North carrying out a survey. We asked every station owner on whom we called about this matter.

The Committee divided on the motion:

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

Noes (12)—Messrs. Allen (teller), Carnie, Coumbe, Eastick, Ferguson, Goldsworthy, Gunn, McAnaney, Rodda, Tonkin, Venning, and Wardle.

Majority of 11 for the Ayes.

Motion thus carried.

The following reason for disagreement to the Legislative Council's amendment No. 26 was adopted:

Because the amendment conflicts with the principle of conservation of native birds.

Later, the Legislative Council intimated that it did not insist on its amendment to which the House of Assembly had disagreed.

COAST PROTECTION BILL

Returned from the Legislative Council with the following amendment:

In the Title—Leave out the words "and of adjacent islands".

Consideration in Committee.

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

That the Legislative Council's amendment be agreed to.

It is a minor amendment that simply alters the title. When the Bill was being prepared, at one stage it was contemplated that we would try to cover areas adjacent to the sea to the extent of three nautical miles off shore and around adjacent islands. Although we did not proceed with that aspect, we left the title of the Bill unchanged but, as the title is not now really indicative of the scope of the measure, I believe that the amendment clarifies the position.

Motion carried.

MURRAY NEW TOWN (LAND ACQUISITION) BILL

Returned from the Legislative Council without amendment.

[*Sitting suspended from* 2.20 *to* 3.17 *a.m.*]

LOTTERY AND GAMING ACT AMENDMENT BILL (T.A.B.)

Returned from the Legislative Council with the following amendments:

No. 1. Page 12, lines 2 and 3 (clause 28)—Leave out "or in payment of interest in respect of any such loan".

No. 2. Page 13, line 14 (clause 28)—After "make" insert "interest-free".

Consideration in Committee.

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

That the Legislative Council's amendments be agreed to.

I understand that the idea behind the amendments is that the Racecourses Development Fund will not be empowered to make loans at interest to the clubs. The purpose of the fund is to facilitate the promotion of facilities for the public on racecourses, and the Legislative Council thought it inappropriate for a fund established for that purpose to make interest-bearing loans to the clubs. This is a reasonable proposition. I do not think it is the function of a fund of this kind to make interest-bearing loans, and I therefore ask the Committee to agree to the amendments.

Mr. BECKER: The fund is established to make grants to the clubs, but, if there is sufficient money in the fund to make loans to clubs for other purposes, I should not like those loans to be made interest-free.

The Hon. L. J. KING: Although the Legislative Council inserted this amendment, the purpose of the fund is to provide money for the clubs to improve facilities for the public. If it is thought expedient to make a loan to a club, it seems inconsistent that interest should be charged on that loan. The Legislative Council's amendment seems to me to be reasonable, and I think the Committee would be taking the wise course if it agreed to the amendment.

Motion carried.

OATS MARKETING BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 13, line 10 (clause 35)—Leave out "the expiration of a period of two years next following".

No. 2. Page 13, line 12 (clause 35)—Leave out "three" and insert "two".

Consideration in Committee.

Amendment No. 1:

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

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

The amendment strikes out the words that the member for Rocky River moved to insert. As the honourable member pointed out at the time, the growers could demand a poll and could vote the scheme out before it had got off the ground. The provision that two years must elapse before a poll can be called gives the scheme the opportunity to be tried and tested and, even though the hour is late, the Committee should disagree to the amendment to strike out those words.

Mr. WARDLE: I did not agree with the legislation in the first place, and I do not still agree with it. I do not think it will contribute anything to the oats industry at this time, and I ask members to reconsider their position and at least support this amendment.

Mr. VENNING: I agree with the Minister that taking out these words would mean that, before the legislation could get under way, a

poll of growers could defeat it. At present, there is not an industry at all as far as oats is concerned. As recently as yesterday, a conference of delegates to the United Farmers and Graziers of South Australia Incorporated from all over South Australia reaffirmed support of an orderly oats-marketing system in this State.

Motion carried.

Amendment No. 2:

The Hon. J. D. CORCORAN moved:

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

Motion carried.

The following reason for disagreement to the Legislation Council's amendment No. 1 was adopted:

Because the amendment could stultify the objects of the Bill.

Later, the Legislative Council intimated that it did not insist on its amendment No. 1, to which the House of Assembly had disagreed.

[*Sitting suspended from* 4.3 *to* 4.18 *p.m.*]

PROROGATION

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

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

On behalf of the Premier, who is in Hobart attending a Ministerial conference, I wish to take the opportunity, first, to thank you, Mr. Speaker, and the Chairman of Committees for the work you have both performed and for the attention you have paid to your respective duties during this session. It has been a long arduous session, and I think each one of us realizes how much effort is required of both of you. Although at times there may have been dissension or disagreement concerning the way in which you, Sir, and the Chairman have conducted the House, I want you both to know that the Premier and I are indeed grateful for what you have done for us.

The Leader of the Opposition, who has held his present position for only a short time and for only a short part of the session, has already shown to us that he is willing to co-operate with the Government and to approach his task on a fair and reasonable basis, and I hope that this co-operation will continue in future. This has not only been a long and tiring session in which much legislation has been considered: it has been an interesting session and one that will go down in history as a result of certain political events that have occurred. I do not say this facetiously, but I point out that we have witnessed the resignation of the former Leader of the Opposition, and I think that, no matter what may be our political views, we must agree that Steele Hall, in his relatively short career in politics in South Australia, has demonstrated his ability to get right to the top. He has also demonstrated to members and to the people of this State that he is willing to face up with courage to any issue that arises. Whatever may be his future as a result of the decision he has taken, I do not think anyone in this House can help but say to him, "Good luck."

Whatever future developments may occur within the Opposition, I wish to convey to members opposite our gratitude generally for the way in which they have given their attention to the legislation introduced during the session. Indeed, it is their duty and responsibility at certain times to be critical of the Government, but to be critical in a responsible way, and I think that generally this is the case. To my colleagues in Government, on behalf of the Premier I say that we are extremely grateful for the wonderful support we have received from them. Without the advice given and wisdom displayed at times by those who sit behind the Government front bench, we could be in difficulties. I say unequivocally that we are a united team and a stronger team, and I express to my colleagues my gratitude for all they have done during the session.

To the Clerk and the other officers of Parliament, I express our thanks (and here I speak also on behalf of the Opposition) for the guidance and wonderful assistance they give us. I take this opportunity to extend to Jack Hull and his good wife our best wishes as they leave at the end of the session for a private holiday overseas for four months. Everyone in this House, including members and staff, wish them well, and we hope not only that they will enjoy themselves but that they will benefit in health, as well as in every other respect. If anyone has earned a rest and a holiday, it is Jack Hull.

To members' stenographers and the telephonists, I extend our grateful thanks also for a job well done. I suppose it is reasonable to say that members are fairly demanding on the services of the stenographers and telephonists, but I do not think any member can complain, for these people have given of their best. I hope that we can soon relieve the strain and burden placed especially on the stenographers by adding to their numbers. To the messengers who do such a wonderful job, night and day, to the watchmen and the policemen who serve

the House and do their duty extremely well, I also extend our thanks.

Mr. Jennings: What about the sentry box?

The Hon. J. D. CORCORAN: I do not intend to have a sentry box erected: I intend that we provide an office which will not spoil the appearance of the front of the House but which will be far more convenient and comfortable for the police officers concerned, and I hope that that office will be provided soon.

I wish to express thanks to the Government Reporting Department, which is so ably led by Stan Parr. I think members appreciate the great job that the *Hansard* staff does. Last week we did not sit on Maundy Thursday because it would not have been possible for the Government Printer to complete his work if we had done so. This shows the exactness of the work that is done and the pressure that the staff is under while the House is sitting.

I express our thanks to the staff of the Parliamentary Library who are always at our beck and call and are so helpful to members in looking up material for speeches. I do not think that anyone could say that the service is anything but excellent. I express our thanks to Miss Evelyn Stengert, who looks after us like a mother; she really worries about a member if he has a cold. This personal touch makes it a pleasure for members to go into the refreshment rooms not only to have refreshments but also to talk to the staff. It always amazes me that so many people can go into the dining room at the one time and be served so quickly and so well. I have already referred to the Government Printer, to whom we are very grateful.

The Parliamentary Counsel have served the Government excellently. When we look at the Bill file we realize how much work they have done this session. They cater for Opposition members when those members want to move amendments. I know that Mr. Hackett Jones and Mr. Daugherty will not be cross with me if I make special mention of Mr. Ludovici, who unfortunately will have to retire shortly owing to illhealth. He has been with us for only a short time this session, and I want to acknowledge his great contribution to the lucid drafting of the State's laws over the past decade. We will all miss his personality around the House. I express to Mr. Ludovici my best wishes on behalf of everyone in the House, and I sincerely hope that his health will improve and that he will be spared to enjoy a long, happy and healthy retirement.

I thank members of the Public Buildings Department who, in spite of being abused from time to time about the lack of facilities in the place (that is not their fault), do an excellent job. We are grateful to the electrician and others who look after the maintenance of this place. So, on behalf of the Premier, I wish to thank all those people. Finally, I again extend our grateful thanks to you, Mr. Speaker, and to the Chairman of Committees.

Dr. EASTICK (Leader of the Opposition): I have pleasure in joining with the Deputy Premier in expressing my thanks and those of my colleagues to members of the staff and the officers of the House. I express the thanks of the Opposition to Mr. Ludovici. In doing that, I do not wish to take anything at all from the other Parliamentary Counsel, because they have been most helpful to Opposition members. I join with the Government in expressing to Mr. Hull our best wishes in connection with the trip that he and his wife will take. The Deputy Premier has referred at some length to the individual staff members and officers. I would like to highlight the activities of one group—the catering staff. Unfortunately, we have an archaic and inhuman arrangement whereby the catering staff is required to attend from 8 a.m. until one hour after the rising of the House. Although I appreciate that many other staff members give very valuable service, they are not required to be on their feet for as long as the catering staff. I hope that consideration can be given next session to a system that looks after their welfare. I express to the Deputy Premier my personal thanks for the comments he has made about me and the position I have recently taken in this House.

Mr. Ryan: You should have it for a long time.

Dr. EASTICK: However, I cannot subscribe to the wish of the member for Price that I may occupy my present office for a long period: I should like to be able to look at the honourable member from the other side of the House while he is on this side. A person who has given singular service to the State of South Australia will not be a member of the staff when we meet again. I refer to Miss Minson, who has served the State for many years and will soon retire. Miss Minson, the Leader of the Opposition's senior stenotypiste, entered the Public Service on January 22, 1929. She was appointed to the Lands and Survey Department (subsequently called the Lands Department) in 1931. She was employed for 35 years in the correspondence section of the Lands Department in various positions, finishing with about 15 years

as shorthand typiste in charge of a typing pool of 10. During the war years, she moved up to a position equivalent to that of a male clerk, dictating correspondence to typists. From April, 1951, to August, 1952, she spent a working holiday in the United Kingdom, working in a wide variety of offices. She was a member of the Council of the Public Service Association for over nine years from 1942 to 1951. She is believed to have been the first woman councillor appointed. She joined the council primarily to help safeguard the interests of the 120 male employees of the Lands Department who had joined the Armed Forces.

Miss Minson was appointed to the Treasury as steno-secretary to the then Premier (Sir Thomas Playford) in January, 1964. After the 1965 State election, she transferred to the Government Reporting Department as steno-secretary to the Leader of the Opposition. She moved to the Premier's Department again in April, 1968, as steno-secretary to the Premier. In June, 1970, she transferred to the Government Reporting Department as steno-secretary to the Leader of the Opposition. Although new members opposite may not have had the opportunity to get to know Miss Minson as well as other members know her, I am certain that the more senior members opposite who know her will join me in wishing her a happy and long retirement when she finally leaves this building in May.

I express my appreciation to her for the work she has done in the short time she has been my steno-secretary. I know I speak for the ex-Leader (the member for Gouger) when I indicate his appreciation of the work she performed on his behalf, and I express appreciation on behalf of Sir Thomas Playford, for whom she worked for a long time. Again, I express my sincere thanks to Ministers, members, officers of the House, and all the other people who help members for the attention they have given to the requirements of the Opposition this session.

The SPEAKER: I feel it incumbent on me, as Speaker, to endorse many of the remarks that have been made by the Deputy Premier and the Leader of the Opposition. I wish to express my gratitude for the co-operation of Gordon Combe, Aub Dodd and Jack Hull, and their staff, as they have helped me no end to make the running of the House satisfactory. They spare no effort in co-operating with members and in advising them of the correct procedures that should be adopted in this Chamber. I also join the Deputy Premier in wishing Jack Hull *bon voyage* on his oversea trip, for which he is taking long service leave. I am confident that we will be much the richer as a result of Jack's trip, for he intends to look at many aspects of Parliamentary procedure in the United Kingdom and in other countries he visits. To John Murphy (Secretary of the Joint House Committee) I express my gratitude for his co-operation and the work he has done. I express my thanks to Miss Emmott, my Secretary. I also express my appreciation of the work of members' stenographers who, especially when the House is sitting, have a most arduous task. Unfortunately, as a result of the increased number of members of Parliament and the many demands made, nearly all members of the staff work under serious difficulties. We will have to face up to these problems to make the position better for officers, staff and members, and to make our work more efficient.

To Jack Lawson, the head of the messengers, and his staff, I also express my gratitude. I am sure I speak on behalf of all members when I say that they are most obliging and most courteous, going to no end to assist. Miss Stengert and the dining-room staff do an excellent job. However, at this time I believe I should correct some misunderstanding in relation to the hours worked by the dining-room staff. There has been some rather loose talk over the radio. I believe that many members of Parliament, as well as members of the public, as a result of this loose talk and of not knowing the actual working conditions of the dining-room staff, have an entirely false picture of what actually happens. I am grateful for the work done by members of this staff and for the hours they work, but I make clear that their working conditions ensure that they have a proper break between ceasing work on one day and commencing on the following day. If they desire it, arrangements can be made for them to have additional time off. Because of the adverse publicity in relation to this matter, I believe the true position should be made clear. However, I do not detract in any way from my appreciation of the willing work members of this staff perform during their long hours on duty. I hope I have corrected the false impression that has existed about their conditions.

I express my thanks to Les Martin, the caretaker, and his staff. He co-operates with all members and is most conscientious in his duty. To Stan Parr and his team of *Hansard* reporters, I think we can be most grateful.

They have a most difficult job. Their work, in the circumstances that sometimes exist in this Chamber, is most difficult to perform. That they do this work well is substantiated by the fact that seldom have I heard of any major correction being made. This is a tribute to the efficiency and devotion to duty of Stan and his staff. Stirling Casson, the head librarian, and his staff do a magnificent job, co-operating with all concerned. I appreciate the co-operation that the Parliamentary Counsel, Bob Daugherty and Geoff Hackett-Jones, have given to Government and Opposition members as they draft various Bills and amendments. I, too, would like to express my regret at the circumstances that have forced Ed Ludovici to take leave prior to his retirement. He has been a conscientious and devoted servant. I also express my thanks to the electricians, Vic Bridges and Frank Henderson. I thank Senior Constable Dolph Tamone and his officers for the work they have done, and also the telephonists, Margaret Hunt and Claudette Worrow.

Motion carried.

ADJOURNMENT

At 4.34 a.m. on Friday, April 7, the House adjourned until Tuesday, May 2, at 2 p.m.

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