HOUSE OF ASSEMBLY

Wednesday, September 27, 1972

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

QUESTIONS

MARDEN PLAYGROUND

Dr. EASTICK: Will the Minister of Community Welfare investigate the possibility of providing counselling supervision from his department at a six-acre area near the bank of the Torrens River at Marden, where children of the district have created their own natural playground? I draw the Minister's attention to a report headed "Death Trap at Marden" that appeared in the Messenger Press *News Review*, which is circulated in the Campbelltown-Payneham area. This report expresses concern for the safety of children who congregate in an area created by the combination of diversion of the river during construction of the Marden bridge and sand excavation by private companies. It reads:

Marden residents fear a potential death trap for children who play in local caves on the Torrens River banks. Children and teenagers have turned a six-acre property near the river into a scramble track, honeycombed with dangerous deep caves. Caves up to 15ft. in length have been dug into the sides of hills. The walls appear crumbly. Residents are afraid the fun caves could become tombs.

There is then pictorial evidence of a cave and its condition. I understand that Mr. Don Glazbrook, the Liberal and Country League's candidate for the Gilles District, has been approached by a number of nearby residents who consider that, although the area is a natural playground, some form of adult supervision is required to prevent vandalism and ensure the complete safety of the children who play in this secluded and, for young people, extremely adventurous area.

There is also a potential social problem where many children congregate. It has been stressed to me that about 80 children use this area at weekends. The personal endeavours of these young people, in creating switchback tracks in the area and various other means of testing their skills on bicycles, are to be commended. Unfortunately, however, there has been an intrusion of motor cycles, which could create a serious hazard, especially as the persons using these motor cycles are older than many of the children who congregate in the area. I understand that the property, which is associated with the development of the Marden bridge, is owned by the Highways Department. In these circumstances, it may be necessary for there to be liaison with the Highways Department and the Minister of Roads and Transport. I suggest to the Minister that, if an officer of the Community Welfare Department could work in this area, it would have a most desirable influence on this ready-made group.

The Hon. L. J. KING: I will look into the matter raised by the honourable Leader and see whether the services of the Community Welfare Department can be used effectively to solve the problem.

COMMONWEALTH EXPENDITURE

The Hon. G. T. VIRGO (Minister of Roads and Transport): I ask leave to make a Ministerial statement.

Leave granted.

The Hon. G. T. VIRGO: During the grievance debate yesterday the member for Fisher quoted the following statement of mine:

Mr. Virgo said the Commonwealth decision to provide a subsidy for the construction of a new oil tanker amounted to a gift of almost $7,000,000 to the oil industry.

The honourable member then went on to say that that statement, when compared to another statement in the *News* attributed to the Premier, amounted to a hypocritical attitude on my part, because the Commonwealth Government was attempting to create employment, and I was opposing that. Unfortunately the member for Fisher has employed a tactic that it is not unknown for him and other members to use: he has quoted me completely out of context, and as such it is not an honest quotation of what I said. For the honourable member's information, I point out that this is what was contained in the press report:

Mr. Virgo said today there was an urgent need in all Australian cities for Commonwealth involvement in the planning and modernization of city transport systems. The Commonwealth Government was prepared to subsidize the construction of tankers for the oil industry at the expense of development in the area of city transport. "It appears quite obvious that the Commonwealth Government is resolutely ignoring the need to provide finance for urban public transport," he said.

Then comes the next sentence (which the member for Fisher was kind enough to quote) as follows:

Mr. Virgo said the Commonwealth decision to provide a subsidy for the construction of a new oil tanker amounted to a gift of almost $7,000,000 to the oil industry.

The article then continues:

"The Commonwealth is shamefully neglecting urban public transport while at the same time granting large sums of money to the oil

industry for the transport of their products. A study by the Commonwealth Government's own Bureau of Transport Economics has shown there is an urgent need to inject at least $500,000,000 into urban public transport over the next five years. But the Commonwealth Government had ignored the finding of this study," he said.

It is rather significant that the member for Fisher, in an endeavour to take a cheap political point, saw fit to quote me so much out of context. Perhaps he might be interested to know that a chart contained in the Commonwealth *Hansard* shows the Commonwealth Government's payments to the shipbuilding industry in a 10-year period from 1959-60 to 1971-72. The total for 1971-72 was $54,743,000. During that same 10-year period, the Commonwealth has provided a subsidy to air transport of $347,760,000. My press statement was made to draw attention to the fact that, although the Commonwealth Government was assisting the shipbuilding industry and air transport, it was completely ignoring the needs of urban transport when, in fact, its own adviser, the Bureau of Transport Economics, had recommended that such money should be spent. I take exception to the misrepresentation by the member for Fisher.

Mr. McANANEY: Can the Minister explain why he considers a subsidy to the shipbuilding industry, the purpose of which is to keep Australian workers employed in this industry, is a subsidy to the shipping industry when shipping companies could buy ships overseas at the same price as that paid for the Australian product?

The Hon. G. T. VIRGO: To the best of my knowledge, shipbuilding subsidies apply throughout the world. I know of no shipbuilding industry that is capable of building and selling ships without the benefit of a subsidy. It is a common factor which is applied in an effort to reduce the capital cost of the vessel so that transport costs can be reduced to a reasonable level. What is occurring in relation to subsidies to the shipbuilding industry in Australia is something about which I am more than pleased.

Mr. McAnaney: I am not asking about that.

The Hon. G. T. VIRGO: The point which I made before and which I now repeat is that I believe that the Commonwealth Government should assist the various forms of transport instead of assisting some and neglecting others. The whole purpose of my approach to this matter is that I believe (and this view is held strongly by Liberal Ministers in New South Wales and Victoria) that the Commonwealth Government should provide a subsidy to the railways, particularly to urban public transport, in the same way as it is provided for shipbuilding, airways, and, of course, roads.

CHURCHILL ROAD

Mr. JENNINGS: Has the Minister of Roads and Transport a reply to my question about making police available on Churchill Road near the entrance to the Islington workshops when employees are leaving those workshops?

The Hon. G. T. VIRGO: The matter of police control or lights to assist pedestrians crossing Churchill Road from Islington workshops has been raised on several occasions. Those requests were refused and, so far as police control is concerned, the refusal was on the same basis, coupled with the fact that availability of police does not permit such controlling for groups of people who leave Islington workshops and the many other large factories and establishments during peak traffic hours.

Mr. JENNINGS: Will the Minister again take up with the Chief Secretary the possibility of having a policeman occasionally visit this site so that it may have a salutary effect on motorists?

The Hon. G. T. VIRGO: I shall be pleased to do so.

SPENCER GULF POLLUTION

Mr. BROWN: Will the Minister of Marine confer with the Minister of Environment and Conservation and obtain for me from the respective departments a full report on the details and amounts of various forms of pollution of the northern waters of Spencer Gulf caused by industries in that region, the reasons for such pollution and the remedies that should be initiated to prevent it, and recommendations on what sort of penalties should be imposed on industries that do not carry out such recommendations? The Minister knows that several times I have expressed my grave concern at the pollution of these waters through oil wastage, cyanide, and waste products from ships. I consider that the time has come for much more positive action to be taken not only to express our concern but also to deter as much as possible any industrial pollution of our environment and to initiate extremely heavy penalties for industries that cause this pollution through their negligence and attitude.

The Hon. J. D. CORCORAN: I shall be pleased to undertake the investigation that the honourable member has suggested: I share the honourable member's concern about the matters that he has raised. As Minister of Marine I am, of course, capable of prosecuting only

those people who discharge oil at sea, and yesterday I introduced a Bill in this House to increase the penalties in one case from, I think, $2,000 to $50,000. That will indicate to the honourable member and other members the Government's serious attitude in this matter. I will confer with my colleague, and I give the honourable member the undertaking that we will investigate the matter for him and obtain a report as soon as possible. If necessary, the Government will do more than that and act on the report, if it can.

MORPHETT VALE HIGH SCHOOL

Mr. HOPGOOD: Can the Minister of Education say what progress has been made on construction of the projected Morphett Vale High School?

The Hon. HUGH HUDSON: The contract to construct this school was let last week to A. W. Baulderstone Proprietary Limited as part of a contract involving the Morphett Vale High School and the Banksia Park High School, the latter school being in the district of the member for Tea Tree Gully. The contract provides for the schools to be completed in two stages. Stage I, involving the library resource area, the administration area, and some craft facilities in the first and second year block is to be completed, I think, by the end of October next year, so that the facilities will be available for the enrolment of students at the beginning of 1974. I think that time table applies also to the Banksia Park school. The Morphett Vale school will be finished 76 weeks after the letting of the contract, or about April, 1974, so when the school opens at the beginning of 1974 work will still be proceeding on the remaining accommodation required for senior secondary students. The design of the Morphett Vale High School is a further modification of the Para Vista High School design, and I am sure that honourable members will be interested (when an opportunity arises) to examine the Para Vista High School, in order to see the kind of facilities that are being provided and the concept involved in constructing a modern secondary school.

TEA TREE GULLY SEWERAGE

Mrs. BYRNE: Will the Minister of Works ask his departmental officers to communicate with officers of the city of Tea Tree Gully in order to resolve a situation that is likely to cause residents of some streets (and it will probably affect more eventually) to have to pay both the Engineering and Water Supply Department sewer rates (when the installation of the sewer is gazetted) as well as common effluent drainage fees to the council whilst the premises are still connected to the council scheme? I wrote to the Minister about this on August 30 and received a reply dated September 18 to the effect that, at the request of the Town Clerk of the city of Tea Tree Gully and local residents, approval had been given for sewers to be extended into Susan Street, Wilfrid Court and Whinnen Street, St. Agnes. This area is to the west of Hancock Road, and the original agreement made with the council in 1967 was that further common effluent drains would not be constructed in the area west of Hancock Road, and that sewers would be constructed when warranted. The arrangement made with the council made it clear that, where a sewer had to be constructed which would drain premises already connected to a common effluent drain, these premises would be rated when the sewer was gazetted. Originally the council indicated that in these cases it would not charge the common effluent rate for a period of three years, to give the persons concerned time to connect to the sewer, but the council has changed its procedure and is continuing to rate for common effluent while the premises are still connected to its scheme. This is the point at issue, because it seems unfair that these residents should have to pay the two rates. That is why I should like the Minister's officers to take up the matter with the city of Tea Tree Gully to see whether it can be resolved to the satisfaction of the ratepayers.

The Hon. J. D. CORCORAN: I shall be pleased to do this for the honourable member. I understand the concern she has expressed, as it does seem most unfair. However, I can understand the action of the Engineering and Water Supply Department, because the regulation controlling these charges is designed in that way. This is an unusual situation that will have to be taken into account, and I am sure that something can be worked out between the department and the council. I will instigate the necessary discussions as quickly as possible.

PARA VISTA SCHOOL

Mr. WELLS: Will the Minister of Works have investigated the condition of the oval at the Para Vista Primary School with a view to having rectified the deficiencies that are now evident? I have received a letter from the secretary of the school committee stating that ruts have developed in the surface of the oval that are causing children to twist their ankles. The ruts are not visible when the

oval is mowed, because the grass is not cut within the ruts. The school committee is concerned about this matter and, as the oval is to be handed over to the school committee soon, I ask the Minister to treat this matter as urgent.

The Hon. J. D. CORCORAN: It seems as though someone is in a rut out there. I shall be happy to see whether the situation can be resolved.

FIRE VICTIMS

Mr. SIMMONS: Can the Premier say whether it is possible for the Government to assist the persons, mainly pensioners, who suffered loss when five attached cottages were burned out early yesterday morning in Orsmond Street, Hindmarsh? I read the report in the *News* yesterday afternoon (which is an example of why members should be able to read that newspaper as early as possible) about the tragic fire, and I interviewed some of the victims later in the day. It is obvious that they all suffered loss to some degree, although temporary arrangements have been made for housing them, and some of the victims were insured and some were not. I should be grateful if the Government could assist these people.

The Hon. D. A. DUNSTAN: One of the families, Mr. and Mrs. Hocking, who have three children aged 12, 10 and five years, have already been assisted by the trust. Having been sick for more than 12 months, Mr. Hocking was unable to find suitable employment. The trust therefore allocated the family a three-bedroom double-unit house at Elizabeth Vale and permitted the family to occupy it yesterday afternoon. The rent for the house, which is normally $11.50 a week, has been reduced to $6 a week, the first payment to commence next Saturday. The lady pensioner, Miss or Mrs. (I am not sure which) Garden, was also interviewed yesterday morning by an officer of the trust to see whether she could be assisted. Unfortunately, she was very upset at the time, and a relative is now looking after her. We will be trying to find accommodation for her as near as possible to the city because of her medical condition.

NATURALIZATION CEREMONIES

Mr. WRIGHT: Can the Minister of Local Government inform me of the policy of the Local Government Association regarding the attendance of State Parliamentarians at naturalization ceremonies conducted by municipal councils? In the short time I have been a member of Parliament, the Adelaide City Council and the West Thebarton council have afforded me the opportunity of attending these important ceremonies, from which I have derived much pleasure. The other council in my district, the West Torrens council, has not so far invited me to attend any of its ceremonies. Although I have been able to establish that it has had such ceremonies in the last 14 months, I have been deprived of the opportunity of attending them. I should therefore like to know whether the Local Government Association has any policy on this matter.

The Hon. G. T. VIRGO: Although I do not know whether the Local Government Association has any policy on the matter, the core of the problem lies completely within the council concerned. When a ceremony is arranged the details are principally in the hands of the council concerned, although I understand that the Immigration Department has an overseeing role, merely to ensure that the necessary steps are taken. Therefore, the lack of invitations for the honourable member to attend naturalization ceremonies conducted by the West Torrens council is, I am afraid, entirely in the hands of that council. I believe it is advantageous and, indeed, desirable not only to the member but also to those being naturalized for the members representing a district to attend these ceremonies. Much is achieved in this way, as members can play their part in showing that the new citizens are welcome in our country. I have never missed an opportunity, except when it was not possible to do so, to attend a naturalization ceremony in my present district or in the one I represented before the redistribution. Perhaps I am one of the fortunate members who have never failed to be invited by the councils concerned. This is most desirable, and I hope that in future the honourable member and any other representatives of the district are invited. I do not know whether the member for Hanson has been invited to this council's ceremonies but, from the rather foolish look on his face, it appears that he may have been.

Mr. Becker: As the guest speaker.

The Hon. G. T. VIRGO: I hope he has not been making Party-political capital out of the matter, as naturalization ceremonies are not places at which that should happen. It disturbs me even more to know that representatives of one Party are being invited whereas those of another are not.

PORT STANVAC OIL REFINERY

Mr. HOPGOOD: Will the Premier, as Minister of Development and Mines, assure the House that in any future extension of the Port Stanvac oil refinery the Government will take steps to ensure that there is adequate control of pollutant emissions from that installation? A newspaper report some time ago made a statement to the effect that extensions to this establishment were being considered. The Minister will be aware that there is a fairly high level of air pollution in my district mainly because of emissions from the refinery and because the prevailing winds carry those emissions further east across the adjoining land. I am aware that controls on air pollution will come into effect on January 1 next. However, no controls ever eliminate emissions completely, and I fear that, in any extension, increasing pollution will occur unless the Government takes steps to control it.

The Hon. D. A. DUNSTAN: I will certainly do that.

STATE BANK REPORT

The SPEAKER laid on the table the annual report of the State Bank for the year ended June 30, 1972, together with balance sheets.

Ordered that report be printed.

PUBLIC WORKS COMMITTEE REPORTS

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Flinders Medical Centre (Additional Works),

Paringa Park Primary School (Replacement),

Police Station, Courthouse, and Government Offices, Waikerie.

Ordered that reports be printed.

CRIMINAL INJURIES COMPENSATION

Adjourned debate on the motion of Mr. Coumbe:

That in the opinion of this House the Government should this session amend the Criminal Injuries Compensation Act, 1969-1972, to increase the maximum compensation payable to at least $2,000.

(Continued from August 23. Page 983.)

The Hon. L. J. KING (Attorney-General): I support the motion. I believe that all members accept the proposition that the sum of $1,000 set by this Parliament as the limit of compensation that can be awarded under the Criminal Injuries Compensation Act is low. This figure provides nowhere near adequate compensation in a significant number of cases where injury has resulted from some criminal act. Although the legislation was never intended to provide the full compensation in the event of damages which would be assessed against the wrongdoer himself, it provides some compensation to a victim of a criminal act who is unable to recover compensation from the wrongdoer. The original legislation was an attempt to provide something for the unfortunate victim of a crime who could not recover damages from the wrongdoer. However, having regard only to the depreciation of money since the Act was passed would justify a considerable part of the increase proposed in this motion.

All members would agree that the limit should be raised as far as financially practicable. It is difficult to estimate what the cost would be, because the sum paid out in the financial year ended June 30, 1972, was $5,021. So far in the current financial year, $1,139 has been paid out. It can be assumed that the increased limit, if it operated from the present time, would be unlikely to cost for the remainder of this year more than $12,000, although that is an uninformed estimate. I agree that the House should support the motion. However, for the motion to be implemented, an amending Bill must be brought before the House, and the Government intends, if this motion is passed, to ask the Parliamentary Counsel to prepare a Bill as soon as possible, and it should be possible to bring that Bill to this House during this present session. I support the motion, and ask the House to consider it favourably.

Mr. COUMBE (Torrens): I thank the Attorney-General for his comments and for accepting the sentiments behind the principles of this motion. This legislation, as the Attorney-General has said, is not meant to cover the whole cost of compensation, but is to give reasonable compensation to those who, through no fault of their own, are involved in crimes of violence. I believe that at present a hardship is being imposed on certain people because of the arbitrary limit imposed by legislation. I am pleased that the Attorney has said that the Government is prepared to amend the Act during this session because, as I have said, I could not do this as a private member: only a Minister of the Crown can do so. That is why I had to move this motion. I thank the Government for accepting the motion, but

I ask it to keep in mind that it says "at least $2,000". Indeed, I am heartened because the sum of $5,000 has been provided in the Estimates for this matter. I look forward to the passing of amending legislation and appreciate the Government's attitude in this regard.

Motion carried.

SUCCESSION DUTIES

Adjourned debate on the motion of Mr. Hall:

That in view of the hardship caused by the unfair incidence of death duties on those who have inherited business or farming properties, the Government should this session introduce legislation to adjust and reduce succession duties to enable individuals dependent on those concerns to earn a reasonable living from them.

(Continued from August 30. Page 1122).

The Hon. L. J. KING (Attorney-General): When this matter was last before the House I said that, if this State was to provide social and other Government services comparable with those provided by other States and to the extent that the public expects, the State's taxes and charges must also be comparable. At present we are faced with the necessity of making up for the lower incidence of succession duties in this State by extra efforts economies and efficiency elsewhere. It cannot possibly be contemplated at this time that we should afford further concessions in this field. I therefore oppose the motion.

Mr. GOLDSWORTHY (Kavel): I support the motion. The Attorney-General has given this matter pretty short shift. In fact, that is probably the shortest speech I have heard the Attorney-General make in this House. It is most uncharacteristic of a member of the legal profession, of which he is an exponent. I commend this motion to the House. It is couched in simple terms, and one cannot quibble with it in any way. Its aim is to enable people engaged in business or primary production to have an opportunity to earn a reasonable living. I do not believe that the Attorney-General has really examined this proposition. I doubt that he is aware of or has looked at the evidence which exists and which shows the hardship caused by succession duties, especially those imposed on the properties of primary producers. This applies more especially if two charges of succession duties occur within, say, 20 years. I understand that on average succession duties are paid once every 25 years on the property of a primary producer.

Some time ago I attended a meeting at which several points on this matter were made by a constituent, a man I do not know particularly well, but whose circumstances are known to me. This man has now written me a letter and has referred to several problems with which he is faced. He is a member of a family who has farmed a property in my district for generations. He said he was concerned with two problems which faced him because, having a young family, he would be faced with taking another job outside primary production, which was much against his will. He said that succession duties had been hanging over his property during his father's lifetime and that they were still hanging over it, making it impossible for him to carry on. This young man, who is in his thirties, faces the problem of raising a young family, and he finds it almost impossible to carry on, primarily because one of the major charges on the property is succession duties. In his letter to me he states:

Some mention was made at the meeting the other night that succession duties were being reviewed or were going to be reviewed, looking at the families who are staying on the land and have been there for many years. As a member within your electorate, Roger, I cannot stress strongly enough the importance of something being done about this law.

The Hon. L. J. King: And you don't know him?

Mr. GOLDSWORTHY: I said I did not know him particularly well. I suppose I see him every six months or so. I know his father and I have been on the property at least once. This young man is genuinely trying to make a go of things. He raised the matter at a meeting and I wrote to him, telling him to let me know if there was anything I could do to help, and he has mentioned this matter of considerable concern. Now the Attorney is trying to make out that I know this man particularly well and am trying to push the barrow on his behalf. I merely say that he is one of the many constituents with whom I am on first name terms. His letter also states:

You will possibly think I am being rather selfish, as most of us are about our own problems.

The family has been on this land for generations, and he goes on to state:

Personally, in our own family, we have paid four lots of probate in 120 years.

This man has written several pages conveying his sentiments and pointing out that he is having a real battle because he has to pay the duties. He is being forced to take a job because the property does not earn a reasonable living

for him and his family. Even honourable members who do not have first-hand contact with these people must concede that this problem does exist, and it has been mentioned to me many other times as well as in this letter. A capital investment of between $50,000 and $100,000 in broad-acre farming at present would return an extremely modest income. I am thinking of wheat and sheep farms in the Mid-North, which traditionally has been considered some of the best country.

Mr. Gunn: And on Eyre Peninsula.

Mr. GOLDSWORTHY: Yes, also on Eyre Peninsula. A capital investment of $100,000 in land, stock and plant in that area would return an income of less than $5,000 a year. The capital needed to earn a secure living in this sort of farming would be much more than the amount I have mentioned. The scale of succession duties escalates fairly quickly for properties worth more than $60,000 or $70,000, and the charges levied are such that most landholders involved must take further mortgages. Many primary producers at present would consider a net return of $5,000 a year to be a good return, and my constituent has mentioned a figure much lower than that. He also states:

I sincerely mean this. Many of us are living on less than $2,000 cash income a year. In almost all cases, we who wish to stay on our properties are prepared to work 60 to 70 hours a week.

I know this man and consider that he is genuine. He earns a net income of about $2,000 a year on the property. Although I am not familiar with all the details of the property, I have been on it and know that it is a typical grazing property in the Mount Pleasant district. It has been profitable for generations but it is not profitable now, because of the depredations of succession duties, as he says. It is all very well to say that, if these people do not like the way of life, they can sell the property. However, it is extremely difficult to find people to take up properties at this price with this return. It seems to me that many of these people are trapped.

I have not completely accurate statistics of average income in Australia, but I have seen income tax statistics, covering the various salary ranges, and statistics issued by the Bureau of Census and Statistics this year. I think the average annual income is about $3,000 to $4,000. Many farmers who, in the past, have been considered to be fairly well off seem to me to be earning below the average income of a man who may have nothing more than a fountain pen invested in his job. That person may be protected by provisions for sick leave and long service leave, which do not apply to someone who owns a small business or a primary-producing property, in which his own labour is an integral part of the operation. Self-employed people have to take out insurance policies against sickness and other cover that the average man is not required to do, because he is protected by legislation that compels his employer or the Government (if he is in Government service) to take protective measures for him, particularly in the case of sickness.

It would be better for Government members and the Attorney-General to examine this matter from the humane point of view, rather than refer to cold statistics. The Attorney said that succession duties revenue that was lost would have to be raised by some other means. It seems that Government members do not wish to know what is happening in rural communities, because if they did they would have given this matter more attention than they have given it this afternoon. The motion is eminently sensible, because it seeks to give justice to a section of the community that is burdened with considerable hardship and, in many cases, people are being driven from their means of livelihood.

I have no wish to hear the Attorney speak at great length: I admire his ability to argue that black can be white, and I admit that I admire his debating skill. Starting with the most tenuous premise, he can whip up a convincing argument. No doubt this ability is a result of his legal training, but I do not think he did himself justice this afternoon. This motion has been introduced in good faith, and those of us with first-hand knowledge of the difficulties of people involved in rural enterprises particularly (and I dare say other members such as the member for Torrens are aware of the difficulties encountered by small businesses) realize how this impost causes great problems when a business is passed from father to son or from generation to generation. I commend the motion and have much pleasure in supporting it.

Mr. BECKER secured the adjournment of the debate.

BILL OF RIGHTS

Adjourned debate on second reading.

(Continued from September 20. Page 1472).

The Hon. L. J. KING (Attorney-General): I have said nearly all I want to say about this Bill. Members will recall that I have drawn attention to several problems associated with it that I considered should be subjected to the

scrutiny of a Select Committee. My final point is to draw attention to a notable omission from the human rights that have been spelt out by the Bill. One particular right is the right of citizens to have an equal voice in the election of those who govern. The principle of one vote one value is missing from the list of human rights that are sought to be guaranteed to citizens of this State, and that is one matter to which a Select Committee may usefully direct its attention. The Government supports the second reading of this Bill in order to have it referred to a Select Committee for examination.

Bill read a second time and referred to a Select Committee consisting of the Hon. L. J. King, Messrs. Carnie, McRae, Millhouse, and Payne; the committee to have power to send for persons, papers and records; and to adjourn from place to place; the committee to report on November 30.

ROAD TRAFFIC ACT AMENDMENT BILL (COMMERCIAL VEHICLES)

Adjourned debate on second reading.

(Continued from September 13. Page 1281.)

The Hon. G. T. VIRGO (Minister of Roads and Transport): We have the strange situation in which a Bill that has been received from the Legislative Council seeks to alter the speeds of commercial vehicles, with a small addition to the original Bill that provides for braking. If this Bill passes the second reading, it will disappear as it is now constituted to be replaced almost entirely (apart from the title) with new provisions. I find myself in the strange situation of trying to debate a Bill that is not to be considered by Parliament. I am at a loss to understand why the member for Bragg introduced it in this form, and then immediately filed amendments that can only be described as constituting a completely new Bill.

Mr. Mathwin: You set the precedent.

Mr. Coumbe: You have a short memory.

The Hon. G. T. VIRGO: I am pleased that Opposition members are interested in this Bill, because I think it is important.

The Hon. L. J. King: The only trouble is that there is nothing in the Bill.

The Hon. G. T. VIRGO: I emphasize that, as Minister, I support one clause only, namely, the title. It would be out of order for me to say that I oppose the remaining clauses, because they are to be deleted in any case. It is an ironical situation.

Mr. McAnaney: You must represent the conservative wing.

The Hon. G. T. VIRGO: I do not think wings have anything to do with it. I do not think motor vehicles have wings and there are no speed restrictions on birds that fly; in fact they do not even have to give way to the right, stop at red lights, or do anything of that nature at all. In his second reading explanation the member for Bragg said that the purpose of his brief Bill was to bring the speeds affecting commercial vehicles in this State into line with the speeds permitted in other States. Although this is a commendable attitude, I am afraid it does not meet the bill, because what the honourable member is attempting to do is to pick the eyes out of other legislation, taking the paths that he desires to take, and disregarding completely other factors that go hand in glove with the higher speed provisions. The member for Bragg knows as well as I do that, whilst higher speeds are allowed in the other States, coupled with them are more stringent braking requirements than those that apply in South Australia. Moreover, there is a limitation on the load that a vehicle may carry commensurate with the maker's specification, and there is a limit on the time a driver may drive a commercial vehicle. All of these factors have been ignored in the Bill. True, one of the sins of omission to which I refer is taken care of in part by the amendments on file, but that is only one aspect.

No provision is made in this Bill (nor is it expected that it will be brought before this House by the member for Bragg) to require a person to load that vehicle only to the safety limits prescribed by the manufacturer. I think that the member for Bragg would know that at present there is no restriction whatsoever on the load that a vehicle can carry, other than the eight-ton maximum load on rear axles or 6½-ton maximum on front axles. This means that a person with a truck that was engineered and designed to carry a load of 30cwt. could conceivably put six or seven tons on that truck and drive it at 50 miles an hour. Let us be honest with ourselves, if we are serious about road safety: we just cannot have higher speeds without certain limitations that go hand in glove with this. If we are talking about uniformity with the other States (and I hope we keep talking that way because I am a great believer in having a national code), we must automatically take all the requirements of the law in relation to this matter in the other States, and not just pick out the ones that happen to suit our case.

The member for Bragg also referred to the fact that driving for long periods at slow speeds has a hypnotic effect. I do not want to pursue this line very far. I am willing to bow to the wisdom of the member for Bragg in his medical sphere, and accept that he knows what he is talking about. I have never heard this view expressed before. I have spoken to a few doctors on the subject who do not agree with the honourable member. The general belief is that it would not make much difference if the person was travelling at 30 m.p.h. or 50 m.p.h.—the hypnotic effect would be the same.

Dr. Tonkin: It takes them rather longer to get there.

The Hon. G. T. VIRGO: The important point that the member for Bragg has missed is that he is not providing in his Bill any restriction on the period that a person may drive. Obviously, if his argument is sound, the hypnotic effect of driving for 10 hours must be far greater than if a person drives for only five hours. That is the basis of the legislation in the Eastern States to which the member for Bragg has referred and upon which he has based his reason for introducing this legislation. He made the point that many transport drivers are concerned that, because of the unrealistic speed limits, they are accumulating demerit points, and their livelihood is being threatened by their licences being suspended. I wonder what sort of memory the member for Bragg has. I want to take him back to April 6, 1971 (not that far back), when, speaking on the legislation to provide for demerit points, he said:

I, too, support the Bill. I welcome the introduction of the points demerit system because undoubtedly it will have some restraining influence on incorrigibly bad drivers, although just how much a restraining influence it will have remains to be seen.

Dr. Tonkin: Are you intimating that transport drivers are incorrigibly bad?

The Hon. G. T. VIRGO: Perhaps I will let the member for Bragg answer that in his own words from *Hansard*, because he went on to say:

The people who are likely to be picked up by the points demerit scheme will be the very people who will not agree that they are bad drivers.

Dr. Tonkin: I didn't ask whether they did: I asked whether you did.

The Hon. G. T. VIRGO: The honourable member continued:

I think it is important to bring this fact home to them by requiring them to undertake a practical test of driving ability before their licence is restored, and I think that we should be tough and firm about this.

This is the man who is now saying, "Oh, look, do not let us have this points demerit scheme picking up the good drivers; merely breaking the law does not make them bad drivers." That is not what he said in 1971. Something has happened in the meantime. I think he has been out campaigning. He has been talking to truck drivers trying to stir up a little support. He went to the South-East and drove a semi-trailer for half a mile, and he is now an instant expert: he knows all the answers. I am more inclined to listen to those people who are well versed and fully experienced in this field. Is the member for Bragg really asking us to up-date the speed limit merely because some transport drivers are accumulating demerit points? If he is (and I believe that is the text of what the member for Bragg is talking about in introducing this Bill), why stop at 50 m.p.h.?

Mr. McAnaney: There's reason in everything.

The Hon. G. T. VIRGO: I believe there is. Why do we not make it unlimited or, say, 60 m.p.h., with the onus of proof resting on the driver, as applies to the driver of an ordinary motor car? Surely, as the member for Heysen says, we must have reason. Although I consider that the speed limit should be upgraded, I strongly believe that when that day arrives we must insist that vehicles be fitted with the necessary safety features. The member for Bragg and other members will be interested in a statement which was made by the Attorney-General and which has just been forwarded to me. It relates to an appeal against a points demerit suspension by a person whose name I will not disclose. If the member for Bragg would like to read this report, on which he will see the name of the person involved, I shall nevertheless be happy to make it available to him. In the course of the hearing of this matter, His Honour Judge White, in the Local and District Criminal Court, asked that the following facts be brought to the attention of the proper authorities (and I will quote from the Attorney's report):

From the evidence of the appellant, who had previously been employed by—

and again, in fairness, I do not intend to name the firm—

it became obvious that that company was requiring its interstate truck drivers to travel between Adelaide and Melbourne and Melbourne to Adelaide in a time which would necessarily require the drivers to exceed the

speed limit on the South Australian and Victorian roads. This was especially the case on the return journey from Melbourne to Adelaide, when in this case the driver was required to carry margarine which had to be unloaded in Adelaide within 12 hours of leaving Melbourne.

His Honour informed me that this was merely another in a series of similar situations, and it would appear that there are many drivers employed by Adelaide companies who are incurring fines and accumulating demerit points almost inevitably in fulfilling the above requirements.

The member for Bragg is asking this Parliament to legislate for the activities of irresponsible firms. Is that what he wants, because that is the essence of the matter? Is the honourable member going to ignore the advice of His Honour Judge White? The honourable member is laughing, because it is merely a joke to him, but the people who are killed on the road today are not a joke to me.

Mr. Mathwin: They aren't killed by—

The Hon. G. T. VIRGO: The member for Glenelg had better go back to sleep. He is better that way.

Mr. Mathwin: You know very well I'm not asleep. You don't want to answer me, that's all.

The Hon. G. T. VIRGO: The final point the member for Bragg made in the second reading explanation was that he intended to move amendments introducing additional clauses regarding braking requirements. I do not intend to incur your wrath, Sir, by dealing with that aspect now. Had the honourable member indicated when giving notice of his amendments that they would contain adequate safeguard provisions, I should have been delighted to see this Bill pass its second reading. However, as he has not done so, it is a futile exercise for one to vote for its second reading. Indeed, I would go even further: not only do I say that it is futile but I also say as strongly and deliberately as I can that any member who is willing to vote for the Bill, either in its present form or in the form that it may have if the foreshadowed amendments are incorporated in it, is lacking completely in his responsibility to society.

Dr. Tonkin: You almost introduced one.

The Hon. G. T. VIRGO: The Government is, as the honourable member well knows (because he has had discussions with me when introducing deputations to me), currently negotiating with the transport industry in an effort to find a solution. The honourable member knows, as well as I do, that, if this Parliament goes like a bull in a china shop, as he is now suggesting it should, nothing will be achieved for the benefit of the transport industry. However, if discussions are permitted to continue, I firmly believe that a satisfactory solution can and will be found.

The transport industry is a responsible industry, and I do not believe it is seeking to achieve its various objectives in an irresponsible way. Because of the liaison that currently exists not just with the little section with which the member for Bragg is involved but also with all areas in the transport industry, a satisfactory solution can and will be found. Indeed, we are working towards that end at present. However, to rush into the matter at this stage as the member for Bragg has suggested would, I suggest, achieve very little. I certainly would not be willing to accept the responsibility for the lives that could be lost by such an improper action as suggested in the Bill.

Although the Leader of the Opposition in another place introduced this Bill in that place a few weeks ago, it is strange that, when looking through *Hansard* at the report of the debate on the points demerit system legislation which was previously before Parliament, one sees that he did not even speak. Suddenly he has gained a new interest in the matter. I congratulate the Hon. Murray Hill on the responsible attitude he displayed in another place compared to the attitude of other honourable members who spoke. I commend the statement he made to the member for Bragg. The Hon. Mr. Hill said that it would be irresponsible to introduce this legislation without its containing adequate braking provisions.

The Hon. L. J. King: And they are fellow members of the Liberal Movement, aren't they?

The Hon. G. T. VIRGO: Yes, they tell us they are, but we are not quite sure. The member for Bragg has not got his Liberal Movement tie on today. He must have lent it to someone, as he had it on yesterday.

Mr. McAnaney: Is the Liberal Movement still going?

The Hon. G. T. VIRGO: I understand it is still going. However, as it is not involved in this Bill, I suppose it would be improper if I gave it more than a passing reference. That is all it deserves, anyway.

The Hon. L. J. King: We don't even know what is to be in the Bill.

The Hon. G. T. VIRGO: As I said earlier, the Bill will be amended to such an extent that the only part to remain will be the title. I I suggest that the member for Bragg looks at the definition of "commercial motor vehicle" in the Road Traffic Act as follows:

(*a*) means a motor vehicle constructed or adapted solely or mainly for the carriage of goods; or

(*b*) a motor vehicle of the type commonly called a utility:

Yet the amendment will reduce the speed of utilities to 50 miles an hour. The honourable member should dwell on that, although I doubt that we will ever get to the stage where that provision will be passed. One point I must make on this issue (and I will deal with the Bill as it now stands) is worth considering. New section 53 of the Bill provides:

(1) A person shall not drive on a road outside a municipality, town or township a commercial motor vehicle (whether with or without a trailer) at a speed in excess of 50 miles per hour.

New subsection (3) provides:

(3) In this section "commercial motor vehicle" includes a tractor, mobile crane and any motor vehicle of a prescribed class but does not include a motor vehicle of the type commonly called a utility.

The Bill excludes the utility. By reading that clause in conjunction with the Road Traffic Act, it is found that about 46,000 panel vans and small trucks are immediately restricted to the proposed speed limit of 50 m.p.h. whereas, currently, the same speed limit applies to those vehicles as applies to ordinary motor vehicles. Section 53 of the Road Traffic Act provides:

(*a*) If the aggregate weight of the vehicle and every trailer drawn thereby exceeds three but does not exceed seven tons—forty miles an hour.

The vehicle has to exceed three tons in weight before the reduced commercial speed applies. Apart from the utilities, of which about 36,000 were registered at the end of August last, and vehicles specifically included, there are about 46,000 panel vans, trucks, and so on below the three-ton capacity. These vehicles are currently able to travel at the 60 m.p.h. speed limit that also applies to ordinary motor vehicles. However, the Bill proposes that these vehicles be subject to a speed limit of 50 m.p.h.

We are dealing with a Bill which the Opposition is not to proceed with, because it has indicated substantial amendments. Several honourable members opposite should review what they said when the debate on the points demerit scheme was before this House in April, 1971. The member for Fisher supported that legislation and may even have moved an amendment in Committee. The Leader (then the member for Light) was happy about the points demerit scheme, and said:

As the Bill is aimed at reduced road fatalities and improving general road safety, the findings of another State in this regard are interesting.

He supported the Bill. The member for Frome supported it, also moving an amendment in Committee, although that did not refer to the points demerit scheme. The member for Bragg was most vocal in his strong support for the points demerit scheme, because he said that it would get people off the road who continually incurred demerit points for not abiding by the law. The honourable member went further, saying that all these people would maintain that they were not bad drivers. Indeed, I am not sure why he is saying what he is now saying.

The member for Hanson also supported the proposition. It is interesting to look at the Committee stage of that debate because, if there was going to be any argument about the points demerit scheme or some amendments moved, in that stage is where it would be found, but that was not the case. When the Bill was in Committee and the matter of demerit points arose, it just went through immediately. Every member of this Parliament was then satisfied regarding the system, yet the member for Bragg is now trying to play politics. The one and only move that came from the last debate was when the member for Bragg moved to have inserted after the words "three months" the following amendment:

until such time as he has satisfied a local court—

(*a*) that he has passed a test of his ability to drive a motor vehicle prescribed by the Registrar; and

(*b*) that he is otherwise a fit and proper person to hold a licence, and the court has ordered that the suspension be terminated.

If anything, the member for Bragg was attempting to strengthen the points demerit system, yet today he is trying to destroy it for, I suggest, purely Party political reasons.

Mr. Carnie: You're being unkind.

The Hon. G. T. VIRGO: I am not being unkind, because the member for Flinders knows that the member for Bragg has spoken to a group of transport operators, although not the official organization, the South Australian Road Transport Association which, incidentally, will not have a bar of him. He has been doing a little bit of stirring in an endeavour to win a cheap political point at the expense of human life, which is something I just do not condone.

Members interjecting:

Mr. Mathwin: You are scraping the bottom of the barrel now.

The Hon. G. T. VIRGO: If the member for Glenelg is willing to deny that the member for Bragg has been co-operating with these people to try to get alterations to this Act, I shall be pleased to hear him say so.

Mr. Mathwin: I didn't say anything of the sort. You said it would cause more accidents.

The Hon. G. T. VIRGO: That is exactly what it will do. If the member for Glenelg is willing to have on his conscience the lives of those who could well be killed as a result of the higher speeds without adequate safety precautions, let him say so publicly. Certainly, I will not have them on my conscience.

Mr. McAnaney: What about those who are killed while passing slow transports? More of them are killed than are killed otherwise.

The Hon. G. T. VIRGO: I do not know what research the member for Heysen has done into the cause of accidents, but now he is expounding an opinion that is quite contrary to the facts given to me from the official records on the cause of accidents.

The Hon. L. J. King: He's suggesting that the faster one travels the safer it is, I think.

Mr. McAnaney: I mean when you're driving through the Hills and people come out to pass slow traffic.

The Hon. G. T. VIRGO: That type of argument is typical of an impatient driver, and perhaps such a driver should go through the Hills, as the member for Heysen does often, take some colleagues, and show them the results of what has occurred. For instance, when I was returning on Saturday morning from a function I saw the load from a semi-trailer that had spilled all over the road and down the hillside. The member for Murray also saw that. I do not know the circumstances of that case: whether the driver had left Melbourne 15 or 20 hours earlier and kept on driving.

The Hon. L. J. King: I'll bet it wasn't because he was travelling too slowly.

The Hon. G. T. VIRGO: I do not know the cause, but surely we must take note of the advice of experts in the field. Their advice constantly has been the same as has been given to other States, namely, that to increase speeds we also must have extra safety factors. Will we permit drivers to drive for the 24 hours of the day at 50 miles an hour on our roads, dragging 10, 15 or 20 tons of goods behind them? That is what the amendment would do if it was inserted in the Act. Will we allow vehicles to travel through the Adelaide Hills (to take a classic example) without any restriction on the load that they can carry, notwithstanding that the vehicle has been engineered to do a specific job?

These are the questions that members opposite ought to clear up thoroughly in their minds before they vote on these issues. In the past the Australian Transport Advisory Council has tried to achieve the highly desirable objective of uniformity in the States. I hope the council continues to do that in future, with more success. At present there is a model traffic code, but I consider that it needs up-dating, because many aspects of it have been exceeded by various States. In the interests of road users, a person should be able to leave any point in Australia and drive to any other point, knowing that the driving rules will be the same at all stages.

Is any member of Parliament not willing to concede that that is a desirable objective? If members agree on that, we must try to achieve this by insisting, when we are upgrading some parts of our legislation to meet the standardization that has taken place in other States to get this degree of uniformity, that the same safety provisions as apply in the other States also apply here. It is so much hogwash to say that the other States need their legislation regarding hours of driving but, because of South Australia's geographical situation, we do not need it. In other words, that is suggesting that a man can drive in South Australia for these hours without suffering fatigue but, if he drives in New South Wales or Victoria, he suffers fatigue. What sort of logic is that? I am surprised that the member for Bragg, as a medical practitioner, would pass this off. I know what his professional opinion on this would be.

The DEPUTY SPEAKER: Order! I think the Minister ought to come back to the Bill. It deals with safety, and there is nothing in it about driving hours.

The Hon. G. T. VIRGO: I am referring to driving hours because of the sins of omission from the Bill.

The DEPUTY SPEAKER: I cannot rule on what is not in the Bill: I can rule only on what is in it.

The Hon. G. T. VIRGO: As I have said in my opening remarks (and I do not know whether you are aware of this, Mr. Deputy Speaker), the Bill is nothing but a sham, because if it passes the second reading all that will be left of it in Committee will be the title. I am willing to support the title, but that is all.

The DEPUTY SPEAKER: Order! At this stage we are not concerned with any amendment. We are concerned with the Bill as printed.

The Hon. G. T. VIRGO: I appreciate the difficulty that you are labouring under in trying to act as Speaker in very difficult circumstances, Mr. Deputy Speaker, and I am sure you sympathize with my difficulty in speaking to a phantom Bill.

Mr. Mathwin: You're in labour at the moment, and it must be phantom labour.

The Hon. G. T. VIRGO: I am not sure what makes the member for Glenelg tick from time to time, but I think sufficient has been said on this Bill to show to any person who is willing to consider road safety objectively, as I should like to think all members would, would regard it as an act of utter irresponsibility to increase commercial vehicle speeds without providing the necessary safeguards for the safety of the general travelling public.

The Hon. Hugh Hudson: What are those safeguards?

The Hon. G. T. VIRGO: I think I have canvassed them adequately. They are matters like load limits, hours of driving, and adequate braking. I am sure the member for Bragg, when replying to the second reading debate, will say that he will provide for adequate braking. I shall be interested to hear whether he will provide for the other safeguards, or whether he wants to go on dispensing pep pills.

Mr. GUNN (Eyre): The Minister made one or two remarkable statements. He said that it would be irresponsible to load a 30cwt. vehicle with seven or eight tons: every member would agree with that statement, but what he has said would be most unlikely, as it would be almost impossible to load such a vehicle with that weight and drive it at 50 miles an hour. If this is the best criticism that the Minister can advance, he must be clutching at straws. If one examines what he has said, one would be aware that it is Government policy (and the policy of this Minister) to discourage road transport in this State.

The Hon. G. T. Virgo: Rubbish!

Mr. GUNN: That is the basis of the Minister's argument. Opposition members are concerned about road safety.

The Hon. G. T. Virgo: Where have I discouraged road transport?

Mr. GUNN: Under the policy of the previous Labor Government it was planned to restrict road transport—

The Hon. G. T. Virgo: You said I had.

Mr. GUNN: The Minister was involved.

The Hon. G. T. Virgo: I wasn't in Parliament, you drongo.

Mr. GUNN: I take exception to that remark, and I ask the Minister to withdraw it.

Mr. Jennings: You should regard it as a compliment.

The DEPUTY SPEAKER: Order! The member for Eyre has asked for a withdrawal of the term used. The honourable Minister of Roads and Transport.

The Hon. G. T. VIRGO: If it is offensive to the honourable member, I will withdraw it.

Mr. GUNN: I had been explaining that this Government is noted for its dislike of road transport. The Walsh Government had a definite policy about road transport, and this Government introduced a measure to increase the speed limit but also provided a series of measures that would have restricted road transport operations by increasing road transport charges by 30 per cent. I challenge anyone to disprove that statement.

The Hon. G. T. Virgo: I will disprove it to people who know what they are talking about and are capable of understanding it.

Mr. GUNN: I emphasize that the previous measure introduced by the Minister would have increased the cost to road transport operators by at least 30 per cent. Members of the Eyre Peninsula Road Transport Association have spoken to me about this matter, and I have confidence in them. No doubt they have also told other members of this fact.

The Hon. G. T. Virgo: Did you check it?

Mr. GUNN: My inquiries showed that the statement of this association was justified, and I have no reason to doubt what I was told.

The Hon. G. T. Virgo: Did you check it yourself?

Mr. GUNN: The Minister has had no practical experience of road transport and would not be aware of the problem on Eyre Peninsula. I believe that this Government, if it were reasonable, would accept this measure, and if it wanted to amend the Bill, because it was concerned with safety measures, it could introduce the necessary amendments. However, if the Minister takes the same line of action as that which he took when this matter was discussed previously, he will be subjected to the same criticism as he previously received throughout the State. It was obvious that he dropped the previous measure like a hot potato because people in the South-East told him and the Deputy Premier what the fate would be of the Deputy Premier and the member for Mount Gambier if he persisted with that Bill. I am

pleased that the Minister agrees with me that that was a political decision.

Mr. Burdon: Not many statements you have made are correct.

Mr. GUNN: My constituents depend largely on road transport, and the present speed limits are completely unrealistic. As the member for Bragg has pointed out, the points demerit scheme is having a serious effect on experienced and capable transport drivers.

Mr. Burdon: They can't be capable if they are losing points.

Mr. GUNN: These people have been driving trucks during most of their lives, and I think any person who drives trucks has broken the present speed limits.

The Hon. Hugh Hudson: Do you tell them to obey the law?

Mr. GUNN: I always tell them that: Opposition members, unlike the Premier and Government members do not incite people to break the law. The points demerit scheme has obvious advantages, but present speed limits have to be updated and made realistic. It is safe for a person to drive a modern truck at 50 miles an hour: I challenge anyone to disprove that statement. On an open road, with modern safety measures and the good steering systems these trucks have, it is as safe for a person to travel at 60 miles an hour in them as it is for a person to drive a motor car at that speed. I do not think anyone would object if the Minister and the Government insisted on these vehicles being checked regularly every 12 months and on having restrictions on driving hours, if they were realistic.

The DEPUTY SPEAKER: Order! When the Minister introduced the subject matter that the honourable member is trying to bring in, I brought him back to the Bill, and I must do the same with the honourable member.

Mr. GUNN: I will try to keep within the bounds of your ruling, Sir. I believe that most people involved in road transport in this State will support the move by the member for Bragg. It is long overdue, and it will assist greatly the road transport industry to keep its costs down to a reasonable level. I would be one of the first to support every effort to ensure that all safety measures were considered, and the member for Bragg has foreshadowed amendments that would provide for any additional braking power that was required. If the Government is not willing to accept this measure, I hope it will look realistically at the problem and introduce legislation soon that will be acceptable to the road transport industry. I support the Bill.

Mr. EVANS (Fisher): I support the Bill. I am fully aware of the need for road safety and of the complaints made against the heavy transport operator on many occasions. We all know that when a heavy transport vehicle is involved in an accident the consequences are usually serious. The number of accidents involving commercial vehicles in relation to the number of motorists on the road would be very low; generally, commercial vehicle drivers are competent drivers. At the moment many commercial vehicle drivers are breaking the law. I do not condone that action, because I am a person who helps to make the laws acceptable and capable of being applied within the community so that a person may still make a living with a reasonable amount of work effort. In the last 20 years, more professional taxi-drivers have been murdered than have been killed in road accidents: this is an example of the competence of a capable and experienced commercial driver.

The member for Bragg has introduced this Bill, which emanated from the other place, to increase the speed limits in relation to commercial vehicles. Amendments have been foreshadowed, but I will not comment on them because that would be disallowed under Standing Orders. The Minister said that the Government would not support the second reading. Surely, when a Minister admits that he believes the speed limit should be increased and other measures should be introduced, he should take the Bill at least to the second reading stage and through that stage, ask his colleagues in Cabinet to support it, and then in the Committee stage attempt to amend it to the degree to which he believes it should be amended.

Probably there will be some points with which I will not agree, and other members might not agree with the proposed changes, but these changes should be tried. The Bill should not be thrown out at the second reading: that is an irresponsible approach, as the opportunity is here for Parliament to amend the laws in relation to commercial motor vehicles. At the moment a driver could be put under pressure by his employers, and I know this is happening. I do not condone this, but some drivers bow to the pressures and break the law. The really responsible driver who abides by the law completely and the responsible operator is being pushed out of business. He cannot survive against those

operators who are willing to take a chance on being apprehended.

Immediately commercial vehicles travelling from Adelaide to Melbourne reach the Victorian border they can increase their speed to 50 m.p.h. What is the difference between the two States? On this side of the border they have the ridiculous speed limit that they cannot in all fairness abide by. Many of the larger heavy commercial vehicles that are manufactured today cannot get out of second or third gear and use top gear because of the speed restriction placed upon them. I believe we are penalizing the responsible driver. The Minister of Roads and Transport referred to comments made by me during the debate on the Bill introducing the points demerit scheme on April 6, 1971. I will now refer to some of the comments I made at that time, and I still stand by all those comments. I said:

In his second reading explanation, the Minister said:

> It is hoped that the points demerit scheme embodied in the present Bill will prove to be both effective and just and will achieve the vital aim of greater road safety without improper restriction of personal rights and liberty.

I believe that we have gone so far by enacting speed limits that are so low that we have interfered with the personal rights and liberties of some of the drivers in this State to obtain a living. They have exceeded the speed limit and broken the law because they found it difficult to stay within the law. One cannot condone their actions completely, but I believe they can say as individuals that it would be more just if their driving licences were taken away only for pleasure driving so that they could continue to drive trucks. I also said:

The Bill gives the opportunity to the magistrate to impose up to the maximum number of points; in other words, he may consider factors such as triviality or a person's employment (although the Bill does not refer to that, it mentions "other factors").

I am concerned about some drivers who have broken the speed limits and thereby lost their driving licences. Some of them have no other occupation to turn to, and their education is such that they would not be able to obtain other employment. Therefore, they are out of work and receiving unemployment relief. I also said:

Most commercial drivers would be members of the Transport Workers Union and would drive buses, taxis, fuel tankers and so on, and they should have their employment protected as much as possible.

I still stand by that statement. The Minister referred to panel vans and utilities being brought within the ambit of the Bill. I am not sure that the Minister is completely right (I have not checked), but I will accept the fact that his points are right and he is correct in his interpretation of the Act. I think we should be conscious of the fact, however, that often panel vans, utilities and light trucks are loaded so heavily they would be unsafe to drive in excess of 50 m.p.h. If we checked the statistics we might find that more people had been killed in accidents involving overloaded utilities, panel vans, station sedans, and light trucks than had been killed in accidents involving heavy commercial vehicles. Perhaps these statistics could be brought to the House next week; I think it might be found that the Minister had isolated one of the areas of road safety that we have not looked at previously. The Minister said that it would be possible for the ridiculous weight of six, seven or eight tons to be placed on, say, a 30cwt. vehicle and for that vehicle to travel at 50 miles an hour. I do not know whether the Minister has any real knowledge of heavy or medium-class vehicles but, if he could put that sort of weight on a vehicle and get it to move, it would be a miracle, except if it moved downward through the pavement.

Modern, heavy commercial motor vehicles have improved braking systems, and such vehicles, when travelling at 50 miles an hour, can stop more quickly than could the average motor car travelling at the same speed. The Minister has attacked this group of drivers and operators, saying that they are irresponsible. I know that the Minister has conferred with firms that deal in heavy motor vehicles, and it is only natural that they would want the Act amended in such a way that it benefited them. However, what would happen if we introduced a weight limit only 10 per cent more than the gross weight of the vehicle? What would happen to the 5-ton and 6-ton trucks? Unless we were willing to increase considerably the ton-mile payment to be paid to those operators, all those vehicles would go off the road and there would be no buyers for them, because they would be utterly useless.

People who have examined this aspect say that the average operating cost for a motor vehicle that normally carries about nine tons would be 6c a ton mile, comprising 2c for labour, 2c for capital costs, and the remaining 2c for fuel and overhead expenses. If operators are forced to run their vehicles with their load capacities reduced by 30 per cent,

cartage rates will increase by about 1¼c a ton mile. Perhaps that does not sound much but, having heard me argue for four years, through the term of office not only of the present Government but also of the former Liberal and Country League Government, the plight of tip-truck operators and the difficulties they face in order to survive as a result of prices which they are forced by Government departments and private enterprise to accept (and which are fixed by the Commissioner for Prices and Consumer Affairs as being fair), honourable members would realize the hopelessness of the people in this industry to obtain a living if such a law was introduced.

The Minister today made what was probably one of the quietest speeches he has ever made in this House. He avoided going into detail because he knows that the Bill is acceptable to the Government, subject to other amendments. The Minister also knows that he will have an opportunity to introduce those amendments. Therefore, as much as he would like to lay the blame at the feet of others if this Bill does not pass, he knows that he will not be able to do so.

The truck industry is one of the most efficient in this country. It is flexible and reasonably cheap; in fact, it is unfairly so in some cases because of the attitude of past and present Governments in this State. Generally, it has a reasonably good accident record except that, when an accident occurs, it is usually disastrous, many lives being lost. If we consider amending the Bill, we could operate in all sorts of areas. If the speed limit is to be increased, the braking efficiency of many vehicles on the road must also be increased. I would accept a provision requiring distributors of heavy vehicles carrying more than six tons to fit to those vehicles after, say, 1977 or 1978 a spring brake so that, whenever the air pressure is lost, the brake is automatically applied and the vehicle comes to a standstill. If we move in that direction, as has been done on the continent, we would do more for road safety in relation to heavy motor vehicles than we have done in any previous measure. Most of the deaths that have occurred in accidents involving heavy motor vehicles have resulted from runaway vehicles. This aspect could be eliminated quickly in terms of the lifetime of this State's transport system. We could give manufacturers a leeway of three to five years—

The SPEAKER: Order! The honourable member cannot discuss proposed amendments. I ask him to confine his remarks in this respect.

Mr. EVANS: Thank you, Sir. I was not discussing any proposed amendments: I was merely saying that certain restrictions must be imposed if the speed limit is to be increased. I was merely making a suggestion that could achieve the desired end if that line of thinking obtained. I have for many years driven heavy commercial vehicles on the road and, unfortunately, know the problems facing such drivers and operators, who are criticized by the average motorist, who says that they are roadhogs and that they ignore the average motor car.

However, the average tip-truck operator cannot use a tray over 14ft. long for roadworks because, when he raises his hoist, he cannot move the vehicle, as it will tip over. I support the second reading of the Bill, and I ask the Government to do the same. It should, in the interests of road safety throughout the State, at least give honourable members a chance to amend the Bill so that it is acceptable to the Government and the Opposition.

Mr. RODDA secured the adjournment of the debate.

DAMAGES

Adjourned debate on the motion of Mr. Evans:

That, in the opinion of this House, where damage is done or theft committed by inmates of Government institutions who have escaped custody, the Government should meet all direct and indirect costs and damages incurred by the property owner in having his property restored where he is not covered by insurance.

(Continued from September 13. Page 1284.)

Mr. EVANS (Fisher): In moving my motion on September 13, I made one or two remarks referring to one incident in which I believe an injustice has occurred and about which Government assistance should be given to the individual who has been deprived of his only real asset. I refer to the situation of three youths, aged 11 years, 13 years and 14 years, who were taken from the Brookway Park home to a camp at Stirling called Woorandina. They were taken to this camp for the weekend to get away from the city, to do some bushwalking, and to generally broaden their way of life. However, these three youths chose to break out of the camp and generally create havoc for the Hills community. They broke into a community hall at Longwood where they did considerable damage by spilling material and leaving the building in a filthy state.

As the Longwood community relies mainly on voluntary labor to maintain such community facilities, because no local government authority

can take that responsibility, the burden fell on the local community to clean up this mess. However, these efforts of the three young youths were nothing compared to their efforts later in the morning. They attempted to start two or three cars before they entered a Mr. Morgan's property early in the morning and put his motor car into motion by running it down a private drive, into a pine tree, over the main road, and into a ditch. This resulted in the total write-off of the vehicle, because the cost to repair it was estimated by a garage proprietor to be $990.89. The young man who owned the car had paid for it, owing nothing in hire-purchase payments. He chose not to insure it, which may have been foolish, but that was his choice. He backed his own judgment on his chances of being involved in an accident.

However, three young people who were wards of the State broke custody from State authorities and took from this person his only real asset. They took an asset which, to any young man, is his pride and joy. In an earlier session of Parliament, during the debate on the Second-hand Motor Vehicles Act, members pointed out that, when people go to buy a car, they expect to obtain a good one. Indeed, it is the second main purchase of their lifetime, being second in cost and importance to the purchase of their house. In this instance, this asset was taken from an individual without his having any chance of compensation. His car was lost because the community has appointed a Government which has taken a liberal, more flexible and lenient attitude in treating offenders against the law. I do not necessarily object to that action, but I refer to a report in the *News* of September 20, 1972, under the heading "Juvenile Help Flexible, says King". That report refers to the attitude of the Attorney-General and the Government regarding juvenile offenders, as follows:

> New techniques for the rehabilitation of juvenile offenders were not inflexible, the Community Welfare Minister, Mr. King, said today. The Government did not pretend they necessarily offered a perfect solution. "Some steps are experimental and may at some time have to be retraced or modified. But it would be completely irresponsible to reject them out of hand and to go back to techniques which have been proved not to work."

I can accept that as fair comment. However, I refer particularly to the word "experimental". If the majority of people elect a Government and the Government decides to carry out an experiment in the treatment of offenders against the law, and if in practice that experiment results in considerable absconding, especially from juvenile institutions, surely the minority affected by the absconders should be compensated, when they are subjected to a loss, by society as a whole. Why should we carry out experiments in the treatment of law breakers and ask the minority to accept the burden of the cost? Indeed, that is what we are asking them to do.

The person who returns home and finds that absconders have broken in and have wrecked his home and, on further investigation, finds that his property is not insured, should be compensated. The person concerned may have left his home locked properly. I am talking of people, their homes, and their property, and not talking just of the rich or the poor, because this situation could apply to any member of the community. It would be fair to say that in most cases those who have the finances are more likely to be insured to cover the situation to which I refer. In all probability, it is the poor people, the pensioners and those in low-income groups, who are adversely affected to the greatest degree. However, in the past we have totally ignored the plight that these people may be in.

It could be asked why there should be a difference between a person who breaks out of an institution and a person who commits an offence and is not apprehended, and who has never been in an institution. Perhaps in the future that situation will also have to be covered, but I am not now asking for that. I am suggesting that the people of this State have given the Government the authority to look after institutions and supervise the manner in which they are conducted and operated. They agree to the system that the police should apprehend offenders who may then be convicted and committed to an institution. In these circumstances, I believe that the man in the street will also see it as his responsibility to contribute through State funds to compensate for the loss of property experienced by a person adversely affected through the actions of absconders.

There is nothing else I need say. The principle is there to be established. I know that the Government, and through it the people of this State, must find the money to pay the debt. If any honourable member can say that the current system provides justice, I will be surprised. The Premier said last week that justice must not only be done but must be seen to have been done. If any honourable

member can say that justice even appears to have been done in the case of Mr. Morgan, who lost $1,000 (his car being his only real asset in the world), I believe he is incorrect. There is no doubt that, in cases where absconders break into homes and damage people's property, those people who are affected and who cannot claim for insurance have not seen justice being done. Unless society as a whole accepts the responsibility to pay the debt, this matter will not be resolved. I hope that the Government will accept the responsibility in this case.

Mr. MATHWIN (Glenelg): I second the motion, and I support the approach of my colleague. The great hardship caused to members of the community by absconders is a source of much worry, not only to the police but also to many other members of the community. One can cite many cases in which severe damage has been done to people and property, and it is only right that the Government should support this motion. We have seen reports of many cases of absconding from institutions, and the *Sunday Mail* of September 9 contained a report that states:

Three teenage youths, who absconded from McNally Training Centre a fortnight ago, went back and broke into the centre last night. They broke in to steal metal-cutting gear.

Eventually, the police caught these people in North Adelaide in a stolen car, and they admitted freely that that was the second car they had stolen since absconding. What position are the owners of the cars in? The member for Fisher has cited an excellent example of a car, which was the only asset that the owner had, being wrecked. The owner of that vehicle has no redress. The *Advertiser* of September 20 contains a report by Mr. Stewart Cockburn about a mother who was appealing for assistance for her son. The boy had stolen cars and milk money this year and was admitted to McNally Training Centre until he was 18 years of age. The report states:

The first time he got into trouble he stole a car and crashed it, his mother said.

The court fined him $20 and let him off on a $100 bond to be of good behaviour for two years. His driving licence was not suspended, yet the owner of the car lost an asset valued at $3,000. This boy then stole another car and was sent to McNally Training Centre again. However, he was out after three weeks. He just walked out! The newspaper report refers to a comment by the mother and states:

I knew where he'd gone and rang the Welfare Department and asked them to go and get him. They said they didn't have anyone available and would I ring the police.

This youth is causing much damage in the community, and who will pay the unfortunate victim who, unless the vehicle is insured, must stand the total loss? We are told to insure all our property, but many people cannot afford to do this at present and they take out the minimum amount of insurance necessary. If we go to extremes in insurance, the premiums are so high that it is difficult for people in the low-income bracket to insure fully their vehicles and the glass, furniture, etc., in their houses.

There has been a big increase in the number of persons escaping from institutions, and many who abscond commit further offences. Judge Marshall was reported in the *News* recently as stating that the effect of these abscondings was an increase in the number of offences committed and in the number of children who came before the court on a second or subsequent offence. Judge Marshall stated that the number of children charged with absconding increased from 134 in 1970-71 to 281 last year. These people do cause damage. As another honourable member has said recently, they must cause more damage, because when they escape they must find a way to travel around, and I suppose that the first thing that they can lay their hands on is a motor car. It could be my car, the Minister's or anyone's. These people have to steal from anyone to obtain clothing, and when they break into properties they cause much damage.

The Hon. L. J. King: They are better off if they choose your car and not mine.

Mr. MATHWIN: From the Attorney's point of view that would be satisfactory, but not from my point of view. The Juvenile Court Judge's report continues:

Many of the absconders were charged with multiple offences, particularly the offences known as break, enter, and larceny, larceny and illegal use of a motor vehicle, and this is a substantial factor to be considered when having regard to the increase in the number of charges in respect of these offences during the year under review.

It is ordinary people who suffer from these actions and who are now concerned about the situation. Insurance companies are also concerned. As the member for Fisher said, it is everyone's responsibility to take out insurance, but it seems that now insurance companies are protesting about this matter. A report in the *Advertiser* of September 21, under the heading "Crime by Escapees Alarms Insurers", states:

Insurance companies are concerned about "a steep increase" in house breakings and car thefts by youths who escape from Adelaide institutions. Car thefts and damage to stolen cars by remand home escapees were reaching "alarming proportions," the chairman of the Fire and Accident Underwriters Association (Mr. A. G. Tanner) said last night.

The association represents the majority of insurance companies in Adelaide. Mr. Tanner described as "heavy" payouts by insurers for compensation for damaged cars and burgled and ransacked houses and business premises.

Recently, a gentleman who owns a secondhand car yard told me that every week damage had been done to the cars left on the property. Unfortunately, the cars, after being stolen, were completely wrecked, and he quoted a case of a Monaro having being sold to a person and having to be collected on a Monday. However, by that day the car had disappeared and $3,000 damage was caused to it by absconders from an institution.

I believe that the general rule is that one person cannot be held responsible for the doings of another, but I suggest that the Government should accept responsibility for the security of a person, having a full knowledge of his or her past experience and ordinary behaviour. I suggest that the onus is on the Government to ensure that this person does not escape. Recently, the Crown lost a case in the United Kingdom on this point, as it was found that the Crown should be responsible for people who have been placed in institutions, and that any damage done by them after escaping was the Government's responsibility. Society cannot be expected to accept the weak attitude of a Government towards juvenile offenders, particularly absconders. The Government's attitude was referred to by Stewart Cockburn in an article in the *Advertiser* of September 20, part of which states:

Half the boys who go free after completing their sentences commit no new offences within 12 months. They have no immediate threat over their heads when they leave. But nine out of 10 who abscond—and today's absconding rate is nearly 100 per cent of the annual occupation rate—commit new offences in the first few hours after escaping.

The reason is painfully obvious. When a boy absconds, he is at once on the run, a lawbreaker once more, urgently needing food, money, a new set of clothes and transport. Small wonder that within a few hours of leaving the training centre, he burgles a house or steals a car. The boys themselves admit openly that this is the usual pattern.

If the Government is to continue its present policy of dealing with these offenders, I suggest that it must also consider the public by giving it protection, and by relieving people in the community of the worry and anxiety of becoming a victim of an attack or of having damage caused by these irresponsible people who are liable to strike anywhere at any time at anyone. With these thoughts I support the motion.

The Hon. L. J. KING (Attorney-General): In opposing the motion I suspect that the members for Fisher and Glenelg have not really thought through the proposition that is involved in it. The member for Glenelg suggested that, if the Government intended to persist with its present policy in relation to juvenile treatment, it should accept responsibility for damage to property caused by absconders from institutions. Absconding is not new: absconding from juvenile institutions has always occurred. There has been some increase in the recent rate of absconding, but it ran at a very high rate during the term of office of the Hall Government. Apparently, it was not then thought that, because the Crown had custody of juveniles who had been committed to institutions but who had been able to escape, that somehow cast a responsibility on the Government to meet the cost of any damage they may have caused while they were out.

Escapes from penal institutions by adult offenders have always taken place in varying degrees and numbers, but it has never been suggested that the Government has the responsibility of making good damage that these escapees have caused. The trouble is that there is no logic in the distinction that is made in this motion between damage caused by criminal acts committed by escapees from prison or from institutions, and damage caused by criminal acts committed by people who are not escapees. I remind members that the motion states in part:

That, in the opinion of this House, where damage is done or theft committed by inmates of Government institutions who have escaped custody . . .

This applies equally in the case of the person who escapes from Yatala as it does in the case of the juvenile who escapes from McNally. What the motion envisages is that the general body of taxpayers should make good to an individual citizen a loss which he has suffered as a result of a criminal act when the criminal act has been done by an escapee from an institution. Persons living side by side could each have their motor cars of equal value stolen in the same night but by different

persons, both vehicles being uninsured. Neighbour A has the misfortune to have his motor vehicle stolen by a person who was not an escapee from an institution but who had just completed a sentence of five years imprisonment for theft and who had been lawfully discharged the day before from an institution or prison. Neighbour B has the great good fortune to have his motor car stolen by an escapee from prison or a juvenile offender who has just escaped from an institution. Neighbour A gets nothing and neighbour B gets the value of his motor car. Neighbour A by virtue of his taxes contributes towards the reimbursement of neigsbour B.

One might think neighbour A would feel a trifle disgruntled about the situation, and he might complain about the law working with less than justice in his case; some of us might be inclined to agree with neighbour A. The general taxpayer either has to assume responsibility for all damage caused by criminal activity or he assumes responsibility for none. We must bear in mind that in the Criminal Injuries Compensation Act we have limited the amount recoverable and payable by the State, even for personal injury, to $1,000. We carried a motion today suggesting it should be increased to $2,000, but at the moment it is $1,000. I know of a person who has been rendered quadraplegic by criminal assault and whose injuries have been assessed at $67,000, but he is limited to $1,000 compensation.

As far as I am aware, the assault was not committed by an escapee from an institution, but supposing it had been. The person who had been rendered quadraplegic would receive the princely sum of $1,000, whereas if a motor car had been wrecked the citizen would have been reimbursed for his loss by the taxpayer. How can that sort of thing be justified? I repeat that either the taxpayers have to say, "We will assume responsibility for all loss, whether personal injury or damage to property, occasioned by criminal activity, or we will take responsibility for none." They could take some limited responsibility and apply it to all classes of criminal act, as in the Criminal Injuries Compensation Act. To try to distinguish on artificial grounds between damage caused by a criminal who is lawfully at large and a crime committed by a person who has escaped is in my view unrealistic and would cause much injustice.

It seems to me that the cost to the taxpayer of generally undertaking financial responsibility for all the consequences of criminal activity would be great indeed and a financial responsibility that could not be accepted by the State. In fact, the sort of risk to which this motion applies is an insurable risk. The risk can be spread across the community by means of insurance, just as a great many other risks are spread across the community by insurance. Theft or wilful damage to property can be insured against. The remedy which citizens have is the ability to spread the responsibility, to spread the risk, by taking out insurance.

Mr. Mathwin: They have to pay premiums.

The Hon. L. J. KING: Of course they pay the premiums, or they pay tax, because the compensation for damage must come from somewhere. If a taxpayer assumes responsibility for it, it comes from taxes, and if it is done by insurance, as it traditionally has been done, the risk is spread by the payment of premiums. The member for Fisher mentioned a young man who had serious damage done to his motor car as a result of criminal activity by juvenile absconders from custody. One feels very sorry for that young man who had his car stolen and damaged, but he had omitted to take the elementary precaution of insuring his motor car against that type of loss. The car could have been destroyed by fire or it could have been involved in an accident; it could have been lost in many ways. The prudent thing for the owner of the motor car to do is to insure it so that it is protected against that type of loss.

I think it is breaking new and unnecessary ground for the State to undertake this type of responsibility, which can only be done logically and fairly if the State undertakes the enormous financial responsibility for all the damage to property caused by criminal activity. I do not think the motion is logical and just in making a distinction between insured property and uninsured property, because the insurer, once he pays out under the ordinary principles, steps into the shoes of the insured. If the insured is entitled to be compensated in respect of the property, the insurer who pays out must be so entitled. It would be completely wrong for the taxpayer to have to meet the damage which has been caused to a person who has declined to insure and to pay the premiums.

Mr. Mathwin: There are less fortunate people in the community.

The Hon. L. J. KING: Often there are imprudent people in the community. I do not subscribe for a moment to the view that the less well off in the community can afford to be without insurance; they are the people who cannot afford to be without insurance.

Mr. Mathwin: But they can't afford the premiums.

The SPEAKER: Order! The honourable member for Glenelg has already spoken.

The Hon. L. J. KING: The person who has large assets can afford to take the risk. If he thinks it is an economic proposition, he can afford to take the risk on his motor car. He can weigh up the odds and, if it is lost, he has suffered a financial loss, but he is not ruined. A man without means, whose motor car is his only real asset, cannot afford to take that risk. The insurer steps into the shoes of the insured once he pays the insurance out. It is arbitrary and unjust to make a distinction between damage to property which is uninsured and damage to property which is insured. The motion is really asking the taxpayer to make good the omissions of the property owner in failing to insure his property: if the property owner insures his property and pays the premium, he gets no recompense; nor does the insurance company, which pays out. If he omits to insure, saves money and then loses it in some other way, the taxpayer is asked to meet the tab.

Mr. Goldsworthy: Has the Taxpayers Association—

The Hon. L. J. KING: I have already dealt with the point that the honourable member has raised and pointed out the complete illogicality of distinguishing between criminal activity caused by an escapee and that caused by a person discharged from gaol the day before. Not only is the distinction between insured and uninsured property made in the motion illogical and unjust but also the insurers do not accept the situation: the member for Glenelg adverted to this. Members will no doubt have read the remarks attributed to Mr. Tanner, the Chairman of the Fire and Accident Underwriters Association of South Australia, in the *Advertiser* on September 20. Mr. Tanner referred to what he considered to be the possibility of legal action being taken against the Government in cases where insurance companies had had to pay out in respect of damage caused by escapees from institutions. Mr. Tanner, on behalf of the Underwriters Association, therefore does not accept that the taxpayer should disregard the insurance company that must pay out in these circumstances.

An interesting aspect of this (to which I draw honourable members' attention) is that Mr. Tanner's statement was published in the *Advertiser* only in part. The *Advertiser* published Mr. Tanner's references to what he considered might be the legal position, and to the possibility that the Crown would be held responsible for this sort of damage. It also published two sentences in which Mr. Tanner said that society could not continue forever forgiving and forgetting on the ground that offenders needed a fair go and that, if the present trend could not be reversed, insurance companies might have to test the position in the courts.

Mr. Tanner has been good enough to send to me the statement he actually made, certain passages of which were not, apparently, considered by the *Advertiser* to be relevant, pertinent or sufficiently important to be published. However, I think honourable members would consider them of interest. In the middle of the statement, Mr. Tanner said:

> Looking at the other side, does the community expect the Crown to secure behind bars these under-privileged youths, or is the community prepared to accept the risk of the Crown allowing the youth to work out in the market gardens and in other open places whereby he might retain his dignity as a young man and not assume the attitude of a caged animal?
>
> It appears to me that the position is fairly open. Insurers sympathize with the responsibilities vesting with the Attorney-General as the Minister responsible but notwithstanding recognition of the home environments which produce these juvenile offenders. Insurers generally hold the view that, at some stage, firm disciplines have to be exercised . . .

Those remarks were not, apparently, considered to be relevant or important and were not published. It is of interest, and certainly of importance to Mr. Tanner, that his whole attitude should be known to members and that he was not taking, as might have been supposed from the published account, a narrow view that the interest of his members should prevail over all else and over that of the juveniles; rather, he indicated a lively understanding of the importance of acting in a way which preserved the dignity of juvenile offenders and which helped to maximize the opportunities for their rehabilitation.

I shall now deal with the point made by the member for Fisher, who said that some of the methods adopted in treating juveniles were described by me as an experiment. I said that

in some cases, if they proved unsound, modifications would have to be made. That is obvious. The member for Fisher said that, if these things were experiments and abscondings resulted, the State should meet the cost. First, that is a *non sequitur,* because there is nothing in my statement or in the remarks of the member for Fisher to suggest that any experimental methods have had any relationship to the absconding rate, so his argument falls on that ground. However, he has also introduced a principle that could not be accepted: that, wherever experiments are introduced in social organizations and some damage results, the State should be held responsible. Suppose, to take one example from something that happened recently, the experiment by the Police Department at Port Adelaide, of which honourable members have heard, proved a failure and that, by reducing (as I suppose it is doing) the number of patrol cars and concentrating on having police officers on the beat, there was a resultant increase in the number of breakings in the Port Adelaide area: is it suggested that, because the Police Department (which is a State instrumentality) took this action and the people in the area suffered losses as a result of the experiment, which was made in good faith but which did not work out as well as was expected, the State should be held responsible?

These principles that the member for Fisher has sought to introduce into our law by this motion are impracticable and illogical, and could not be accepted. The consequences of acceptance would be the sort of consequences to which I have referred and, for that reason, although I sympathize as much as does the honourable member with the unfortunate young man who lost his uninsured motor car, and with everyone else whose personal propery is damaged as a result of criminal action, whether by an escapee or by anyone else, I believe that the consequences of adopting the principle that the State should pick up the tab in these cases would be too serious and far-reaching to be acceptable.

Mr. MILLHOUSE (Mitcham): I support the motion. I am at a slight disadvantage because I did not hear all the Attorney's rebutting speech. From what I did hear of it, however, it seems that he approached the matter in a narrow, legalistic way, his main complaint being that, if the principle were to be accepted, it would be breaking new ground, and that we could not possibly do that. I was struck unfavourably by the last point he made, when he said, "Well, we have to experiment in matters of social welfare and rehabilitation, and obviously mistakes will be made. People will escape and commit offences, but surely the Government cannot be responsible for that loss or damage, the responsibility for which must lie where it falls: on the private citizen." That is an extraordinarily unsympathetic statement to come from a Minister of the Crown, who says, "Yes, we are experimenting, because we think it is good, and it is just too bad for the individual citizen, who has nothing whatever to do with the experiment, if he happens to be injured in the course of that experiment." I cannot share that view, and I do not believe that the Attorney, if he were not standing simply to oppose the motion, would have put it forward, either. However, it is the sort of statement that the Attorney has to put forward if he is to rebut this motion. He is saying, in effect, "If, in the course of my experiments in social welfare, innocent people who have nothing to do with these experiments are injured, that is too bad for them. I sympathize with them, of course, but I am damned if I am going to do anything about it." That, in my opinion, is not a responsible or moral attitude to take.

The Hon. L. J. King: It is the one you took when you were in office.

Mr. Harrison: Hasn't the individual a responsibility to look after himself?

Mr. MILLHOUSE: That is a pretty unsympathetic and unrealistic attitude for the honourable member to take.

Mr. Harrison: It is not.

Mr. MILLHOUSE: Of course it is. If the honourable member will allow me to use him as a central figure, I will give an example. An absconder from McNally could find his way to the house occupied by the member for Albert Park and his family. He could forcibly enter that residence and steal the honourable member's clothes and, in the process, damage the building and perhaps help himself to a meal, and do some damage. He could drink the honourable member's grog (if he has any), and finally leave the premises and drive away in the honourable member's car, having found the keys on the sideboard. The car might not be insured (although in the case of the member for Albert Park I am sure it would be). In this situation, does the honourable member say that he has some responsibility to have stopped all that from happening?

Mr. Harrison: He can protect himself with insurance.

Mr. MILLHOUSE: Certainly he can carry insurance—

Mr. Harrison: That is the responsibility I am referring to.

Mr. MILLHOUSE: Perhaps some of the honourable member's property damaged by the absconder is of inestimable value, and insurance may never make up for that damage. An object broken may have sentimental value or, even worse, personal injury may result from this breaking. I admit that that is not covered by this motion (I wish the motion covered compensation for physical injury to a person). If, during the course of entry, members of the family are in some way injured, does the honourable member say that in those circumstances there should be no remedy or that this could be covered by insurance? I doubt that insurance could be obtained to cover this, but it certainly would not make up for any injury. It is unreasonable for the honourable member to have taken the line he has taken, and the Attorney has taken the same line. If the Attorney and members on the Government benches, by interjection and in speeches, cannot do better than they have done, that shows the strength of the motion.

The Hon. L. J. King: It was the attitude you took when in office. You have overlooked that, have you?

Mr. MILLHOUSE: The Attorney-General is persisting in this interjection, perhaps being prompted by the Minister of Education. I do not know whether he is referring to a particular example during the period when I had Ministerial responsibility and I refused to do something. If he is simply saying, "When you were in office you did nothing about it," the answer is that we did not.

The Hon. L. J. King: In one case property was lost and you did nothing about it.

Mr. MILLHOUSE: That is correct, we did not. If I had thought of it and if it had come to me we might well have done so. It is an easy tack for members opposite to say to a Party in Opposition, "You did not do it in office, why didn't you do it?" However, that does not advance the argument. Members opposite are now in a position to do something about it and this situation is what I might call an inverted compliment by Government members saying, "You did not do it when you were in office and that is therefore an argument against our doing it." Surely the Attorney is not putting that forward seriously. I think that on this occasion he has been led on to a wrong path by the Minister of Education.

The Hon. L. J. King: It's not that, but it's an argument against your suggestion that my present attitude is immoral and irresponsible. It's the same attitude as you took.

Mr. MILLHOUSE: With respect, it is not the same attitude as I took. I did not speak on the matter. To reinforce my earlier statement, I point out that my remarks about the Attorney were founded entirely on what he had just said in this House. That was his attitude from when I came in until he sat down. It is a reprehensible attitude.

This motion certainly breaks new ground at law, but why should we not do that? That is not a bad thing. The Attorney has often done it, and I have complimented him on that several times. He (certainly, his Government) has introduced more Bills than has any previous Government. I give him that crown, and many of those Bills, whether for good or ill (we will not debate that now), break new ground, so why is he against doing that now? I hope that this debate will not be concluded merely on the sort of trivia that the two Ministers present have been saying by interjection while I have been speaking, because this is a serious matter. It is one that the member for Fisher and the member for Glenelg have put forward for consideration, and it arises from circumstances which, as you know, Mr. Speaker, are causing grave disquiet in the community at present.

I believe that the motion has been prompted, at least in part, by the present wave of abscondings and the commission, by those who abscond, of further offences. We have spoken on this previously and I do not intend to go over it again. What has been said is incontrovertible. Only last evening the Minister of Community Welfare said that the first responsibility of those in charge of institutions was to keep in the institutions persons committed to them. That is the responsibility of the superintendents of McNally Training Centre, Vaughan House, Windana Home and Brookway Park.

Those superintendents are responsible to the Minister for the discharge of their duties. They have not been carrying out their responsibilities, with the results that have been mentioned, and one reason for moving this motion was to emphasize the responsibility of the Minister and the Government for this. I remember many times when I was Minister of Social Welfare signing documents regarding those who had been placed under the control of the

Minister, and I have no doubt that that procedure still is carried out.

That is the very phrase used: they are under the control of the Minister. Well, it is up to the Minister to control them, and one way in which he discharges that responsibility is by seeing that they do not get out of the institution when they are committed to it. Of course, not everyone under the control of the Minister is committed to an institution, but that is the phrase used. We say that, when the Minister does not discharge that responsibility, he and the Government should pay the price for the offences committed, because of the lack of control that he and his officers have exercised.

Reference has been made to Mr. Tanner's statement. I support it. I have not seen the whole of it but I listened to the Attorney-General when he was quoting from it. I have seen the newspaper report of the statement, and one part which the Attorney did not mention and which is relevant is the reference by Mr. Tanner to the position in England. I shall read that reference to reinforce the points that we have made. The report states:

Mr. Tanner hinted that insurance companies might consider seeking compensation from the State Government.

I assure honourable members that we have not been in cahoots with the Underwriters Association in putting this motion forward. The association has made the same suggestion, independently of us. The report states:

In a leading case in England in 1970, seven Borstal boys escaped from an island and damaged a yacht, he said. The court held that the officers responsible for the supervision of the boys were negligent. Therefore, the Home Office in turn was responsible to the respondents for the damage.

I guess that the same principle of law would apply here, but I do not know. I have not considered the matter but, if that principle does not apply, it should apply, and the whole objective of the motion is to see that it does. I hope that, despite the rebuttal we have had from the Attorney, which was inevitable, because this motion has been put forward by the Opposition—

The Hon. L. J. King: You haven't been here for the day. We supported and carried a motion earlier. It would pay you to spend more time here.

Mr. MILLHOUSE: I am flattered that I can attract the Attorney's attention from the book he is reading, *The Face of the Third Reich*—

The Hon. L. J. King: *Joseph Goebbels: Man the Beast* is the chapter I am reading.

Mr. MILLHOUSE: I am flattered that I can so far distract his attention from the book to get an interjection at this stage. I have no doubt that this motion will be defeated but I hope that, despite that, the suggestion made by the member for Fisher will bear fruit and be acted on. I can say that, when we on this side regain Government soon, it certainly will be given active consideration.

Mr. McANANEY (Heysen): I support the motion. At the beginning of this session I asked the Premier a question about compensation being paid, and the reply was similar to what the Attorney has said this afternoon. No-one has assessed what this scheme would cost. Only a few people have absconded from gaols in recent years and it would have cost the Government much more to catch them than to compensate the few persons who suffered loss through these abscondings.

The Government is in a position to pay for this damage where it is in charge of a person who, through carelessness or for whatever reason, escapes. The Government should bear the responsibility in those circumstances. The people as a whole could afford to pay these losses, whereas a big loss is suffered by an individual. I see full justification for the Government's making up the losses incurred in these cases.

It has been said that, if we are to try to bring these young people back into the community and make good citizens of them, they must have this freedom. That is well and good, if it is necessary. Although we may disagree with the methods adopted at the institutions, if the Government considers that these people should have these freedoms so that they will have a chance to come back as useful citizens in the community and, if they escape, it is the responsibility of those who have created the conditions under which this occurs to make up the loss incurred by individuals. I fully support what other Opposition members have said. I emphasize that the cost to the State will not be tremendous. The number of abscondings is small, and I consider that the State has an obligation to make up losses caused by people under its control.

Mr. EVANS (Fisher): I am disappointed that the motion will not be accepted. I am fully aware of the Attorney's point that the motion covers damage caused by escapees from prisons also. That was intended. The Government is elected to accept responsibility for the people in our institutions, and I consider that

that should be total responsibility. The Attorney has said that there is no difference in this matter between an escapee committing an offence and any other person committing an offence. I consider that there is a difference.

The absconder, the escapee, is a ward of the State. He is under the control of the State, through the Minister and down to the department. The Attorney has said that there is no logic in that argument, but I consider that even a grade 7 student would accept that there was logic in it and that there was a difference. One group comprises wards of the State and the other group comprises people who, perhaps, have not been apprehended. If they had been apprehended, they would have served their sentence and would be expected to be honest citizens again. The two cases are entirely different, as I think the Attorney knows.

The Attorney made a point about two neighbours losing their motor cars through irresponsible actions by two persons, one an absconder and the other not. I accept that the person who received compensation would be satisfied to a degree: he would not be satisfied completely. The other person would be disgruntled, to use the Attorney's word. If I had thought that a proposition on that would have been acceptable to society and the Minister at present, I wou'd have so moved, but I considered that there was a chance at this stage that the State, through the Government, would accept responsibility for the wards of the State and for the damage that wards caused to property that was not insured.

I do not believe that people who insure their properties against vandalism would cancel their insurance if this scheme was introduced, although a few people may do so. Some people who acquire property do not insure it on the day they acquire it and might be caught unawares. I do not need to refer again to the case of the person who perhaps has not the money at the time to insure, takes a chance until he has saved the money, and suffers loss.

I do not think that any of those arguments count. It is the responsibility of the people and of the State to pay compensation for damage caused by wards of the State. The Attorney also has said that insurance is available. I wonder whether he thinks it should be compulsory to insure, because that is the only way to cover the matter. I would object to that, and I know the community would object. To say that we have to change our way of handling inmates of institutions (particularly juveniles) and try to rehabilitate them for the benefit of society, is a sensible and accurate statement. If it is by way of experiment, we should do it, but if society is to experiment in its handling of juveniles or hardened adult criminals so that they can be rehabilitated and become a useful part of society, but a minority group does not respond, breaks out, and causes damage, it would be logical to say that, for the benefits gained, the community should pay for the damage done by that minority. That is all I am asking.

Referring to the Attorney's comment about the quadraplegic who had been awarded $67,000 damages but could only be paid $1,000 now and $2,000 in future by the State, if I thought it was practical at this stage and the State could afford it (and I believe it can), I would ask that full compensation should be paid. The responsibility should be accepted by society in such cases, but I started in a small way concerning the group where the greatest injustice occurs, because wards of the State commit offences. If the Attorney wishes to widen the provisions, he may do so: it is only a motion. If the Attorney introduced a Bill to provide those rights I would support it, and so would my colleagues, I believe, because it would be just. I am asking for a start now in a small way in order to eliminate some present injustices.

I realize that if two people living in a house each lose a motor car and one is paid and the other is not paid, that constitutes an injustice, but if neither is paid there are two injustices. We can afford to pay compensation in such cases. I realize that the Government will work as a team and not support the motion. I will be disappointed, because I believe that this was the chance to show that we are concerned about people who are unjustly treated in the present circumstances. Although they may be a small minority they should be considered, and I hope that the Government will consider them by supporting the motion:

The House divided on the motion:

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

Noes (22)—Messrs. Brown and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Curren, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, McRae, Payne, Ryan, Simmons, Slater, Virgo, and Wright.

Pairs—Ayes—Messrs. Brookman, Hall, and Venning. Noes—Messrs. Broomhill, Crimes, and McKee.

Majority of 5 for the Noes.

Motion thus negatived.

CONSTITUTION ACT AMENDMENT BILL (ELECTORAL)

Adjourned debate on second reading.

(Continued from September 13. Page 1295.)

Mr. RODDA (Victoria): I support the Bill, which will, ultimately, if my friends on the Government benches opposite can see their way clear to support it, afford to the people who are eligible to vote for the House of Assembly in this State the right to vote for the Legislative Council. When replying to the Leader, who introduced the Bill, the Premier described it as another blatant endeavour of the conservative political forces in this State to impose on South Australia a further gerrymander of its districts. It is becoming common place for Government members to distrust Opposition members.

Mr. Brown: They've had a lot of practice.

Mr. RODDA: We have come to know the member for Whyalla as a generous soul, and I am amazed that he should entertain these suspicions. I was surprised to hear the Premier echo these sentiments, and I hope that ultimately the Bill will be amended to enable everyone to express his views regarding the proportional representation basis for the second Chamber.

Mr. Jennings: What do you think of Roger Bain and Simon Templer?

Mr. RODDA: I think the honourable member is referring to Mr. Ross Bain, who is a distinguished grazier in my district.

The Hon. L. J. King: He is an authority on homes for geriatrics, isn't he?

Mr. RODDA: Let us be fair to my neighbour. He said that the Legislative Council appeared to be a place for geriatrics. Some members have been there for a considerable time, but their distinguished records will stand even the closest scrutiny.

Mr. Millhouse: I've been here longer than anyone at present in the Chamber.

Mr. RODDA: That is probably so. For a long time the argument regarding the Upper House and the franchise has been a vexed one on this side of the House. Indeed, ever since I have been in Parliament my colleagues have quarrelled about this matter.

Mr. Clark: But they are quarrelling now more than they used to.

Mr. RODDA: The media and others interested in us think so, but it may not be as bad as some like to think. I do not want to be hypocritical when I say that, because generally I am a peace-loving soul. However, at times some of my colleagues have had different ideas about that. This Bill is the result of an agreement that was made by both sides.

Mr. Jennings: But it was broken two days afterwards.

Mr. RODDA: I would not say that. The matter of the franchise has been worked out and put before Parliament for all to see. The Premier chided the Leader when he introduced the Bill, saying that it sought to impose this blatant gerrymander on the people of South Australia, and that the people should have a say on the restricted franchise. However, I assure the House that the Premier's fears are unfounded. The franchise has caused much concern amongst people on my side of politics. Much work was put into this arrangement and, knowing that the Government has a certain policy regarding the Upper House, the Bill contains a clause providing for its retention. It is a comfort and safeguard to the people of this State that they will have the right to put this matter to a referendum.

Mr. Jennings: Who agreed to it?

Mr. RODDA: The point is well taken. This is one aspect that gives me great comfort, because the honourable member agreed to it. Some Government members have said that they see merit in an Upper House. Indeed, the Attorney-General has good reason to think so, because some of the far-reaching legislation that he has introduced into this Chamber has run the gamut of conference.

Mr. Jennings: Which conference?

Mr. RODDA: For instance, the conference on the succession duties legislation, which, had it been let go as the chicken came out of the egg, would have made many people unhappy. The point regarding the Upper House has been proved by what has emerged from conferences in this Parliament. The member for Mitcham spoke about the legislation that the Attorney-General had introduced. Indeed, when some of the contentious legislation that has gone to conference between the two Houses has emerged it has been much more amenable to the people of this State. This has been largely because of the legislative ability of the Attorney-General. This Bill will divide the State into two electoral districts. This seems to be a bone of contention with Government members. Although the Premier took the Legislative Council to task, saying that its members provide little service in their districts,

we know the kind of call that is made on them in their districts. The Premier also saw fit to castigate the member for Eyre, saying that he should know what demands are made on members of the Legislative Council compared to those made on Assembly members.

Mr. Clark: I will put in for the Council tomorrow.

Mr. RODDA: That can be taken two ways. I have been only too pleased (particularly since the electoral districts in this State were enlarged) to receive the assistance of Legislative Councillors in the rambling areas of the Victoria District, which is by no means as vast as, say, the Mallee and Frome Districts. Indeed, it is only through the assistance of Legislative Councillors that we are able to give proper representation to the people. I should not like to see in future redistributions of district boundaries the loss of country representation as it is now. It has been made abundantly clear by the Government members who have spoken on the Bill that they do not like the provision for 12 city and 12 country members. However, I believe that we can look to the Commonwealth Senate and the success of its representation to back up the argument that country districts should retain their current representation.

Mr. Jennings: I thought you were against Murray Hill.

Mr. RODDA: I don't know what that has to do with this Bill.

The DEPUTY SPEAKER: Order! Interjections are out of order.

Mr. RODDA: I am not against Murray Hill. Voting on a proportional representation basis provides minority groups with the opportunity to have representatives elected to Parliament. I have heard what Government members have said about these groups, and I find it strange to hear such comments coming from this source. What is wrong with the Democratic Labor Party having a representative in this House?

The Hon. L. J. King: What about the Country Party?

Mr. RODDA: Indeed, if the Country Party obtained a seat, I would have no grumbles.

The Hon. L. J. King: And the League of Rights.

Mr. RODDA: Yes, and the League of Rights, if it got a seat. If such political Parties were able to win a seat, it might be embarrassing to the Minister or to me in dealing with these minority groups but, if they were responsible, they would help to ensure that we got good legislation.

Mr. Jennings: You may not be here; the Liberal Movement may get you.

The DEPUTY SPEAKER: Order! The Bill refers to the Legislative Council.

Mr. RODDA: It is highly debatable who will be here, because we all have our heads on the block. Indeed, as long as the parish is with one, there is a reasonable chance of coming back to future Parliaments. This Bill sets out to reform the Upper Chamber and in doing so it provides representation for people throughout the State. Country people, of whom I am one, are entitled to representation and, as I have been recently told, demography is more important than geography. That is a nice academic phrase.

Mr. Hopgood: It's realistic.

Mr. RODDA: If I told the member for Mawson who said that, he might not agree.

Mr. Hopgood: Not at all.

Mr. RODDA: However, it is not practicable and I am sure that, when the honourable member has been in this House longer, he will find that it is not so practicable. I hope that the Government allows this Bill to pass the second reading stage, because it provides room for compromise. I hope the Government does not reject the Bill in its entirety, and that the Attorney-General, with his winning personality, can go to a conference with another place and obtain a solution acceptable to both Parties. This is not a matter that is cut and dried and it is something at which all members can look. The Bill, which is the culmination of much argument, represents the views of those people who have got together to introduce legislation that will give effect to the preservation of a second House in this State in which all people can be represented.

Mr. GUNN (Eyre): I rise to support the Bill, which I believe is a step in the right direction. Honourable members opposite, including the member for Ross Smith, expressed disapproval of this measure. The member for Ross Smith did not express any logical argument against this Bill. His opening remarks were as follows:

As a consequence of my long, deep, and serious consideration of the Bill, I oppose it.

That was an enlightening statement, if ever I have heard one. The honourable member went on to say:

If I had the opportunity, I would vote out of existence the Legislative Council.

This is not hard to imagine, coming from a person who subscribes to the theory to which the honourable member subscribes. I recently had the pleasure of reading an enlightened

article which was written by Sir Robert Askin in the *Australian Liberal* and which was headed "Our Way of Life is Under Attack".

Mr. Payne: True, his way of life is under attack.

Mr. GUNN: Sir Robert Askin was discussing the role of the Senate, the Upper Houses and other forms of Government in Australia, and I refer to the paragraph dealing with the abolition of the Senate, as follows:

> The A.L.P. platform seeks to clothe the Parliament of Australia with such plenary powers as are necessary and desirable to achieve national planning and the Party's economic and social objectives.

We know what the A.L.P. means by that: it wants to abolish the Senate; it wants a closed executive with dictatorial and bureaucratic powers. That is why the member for Ross Smith wants to abolish the Legislative Council. I have referred to an unbiased and enlightened opinion that exposes the thinking behind the attitude expressed by the member for Ross Smith.

Mr. Payne: Would you say—

Mr. GUNN: The member for Peake is the best person I know to drive members out of this Chamber, and I think he would be followed by the member for Mitchell.

Mr. Payne: Now you're getting nasty.

Mr. GUNN: No, I am just making observations. Regarding the attitude of the A.L.P. to the Senate, Sir Robert Askin states:

> But the Labor Party policy does not stop at this. It aims to demolish the 900-odd local government municipal and shire councils in Australia and to put in their place some 20 or 30 huge new bureaucracies, all so large and so unwieldy that they would be completely out of touch with local communities.

I link up my remarks by saying that the objective of all these lines of thought that the Socialist Party subscribes to is to ensure that a small group controls the destinies of the people of this country.

Mr. Payne: They will be elected by the people, though.

Mr. GUNN: That is complete nonsense, because the Labor Party believes that we should abolish all Upper Houses, not only those in this country. That opinion is not shared by its colleagues in the United Kingdom. I have researched some statements by Lord Shepherd and Lord Gardiner.

Mr. Payne: If you quote the nobility, it gives it more weight, I take it.

Mr. GUNN: No, I did not cite them because they are supposed to represent the nobility. Either or both of them could be life peers, not hereditary peers.

The DEPUTY SPEAKER: I think the honourable member had better come back to the Bill regarding the Legislative Council.

Mr. GUNN: I was about to say that members on this side are united in their support for the bicameral system of government. We all subscribe to a system where people have safeguards and a system to deal with Governments that may be elected on emotional issues. I ask leave to continue my remarks.

Leave granted; debate adjourned.

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

CONSTITUTIONAL CONVENTION

The Legislative Council intimated that it had agreed to the House of Assembly's resolution and that it had appointed the Hons. D. H. L. Banfield, R. C. DeGaris, L. R. Hart, and Sir Arthur Rymill to be its delegates at the convention.

LAND TAX ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATUTES AMENDMENT (VALUATION OF LAND) BILL

Returned from the Legislative Council with amendments.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Industries Development Act, 1941-1971. Read a first time.

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

That this Bill be now read a second time.

This short Bill is intended to enlarge the purposes for which the repayment of borrowings may be guaranteed under the principal Act, the Industries Development Act, 1941, as amended. At present, an application for a guarantee under that Act may be made only for assistance for an industry. Since the term is not defined in the principal Act, regard must be had to the general law on the matter. An examination of this law suggests that an essential element of an industry is that it must be carried for profit. In the Government's view, this interpretation tends to restrict the application of the principal Act and leaves it unable to encompass a substantial variety of sporting, social or cultural activities which are of value to the people of this State but which are not carried on for profit.

I will now deal with the Bill in some detail. Clauses 1 and 2 are formal. Clause 3 amends

section 2 of the principal Act, which contains definitions necessary for its purpose, by inserting two new definitions, that of "business" and that of "industry". When those two are read together, the enlargement of the scope of the expression "industry" to cover sporting, social and cultural non-profit-making activities is, I suggest, quite clear.

Clause 4 amends section 14 of the principal Act which deals with the giving of guarantees by the Treasurer for the repayment of moneys borrowed for the purposes of establishing or developing an industry as defined. The first amendment proposed is to substitute in section 14 (1) the word "assisting" for the word "enabling". It is thought that in the circumstances of the measure the word "enabling" is perhaps a little too restrictive. The second amendment amends subsection (2) (*b*) of the section and is intended to provide for an alternative form of report on an application where the business concerned is of a non-profit-making nature. Instead of having to report whether or not the business will be profitable, it will be sufficient for the committee charged with the investigation of the matter to report whether or not the business is capable of earning an income sufficient to meet its liabilities and commitments. The third amendment is to recast subsection (2) (*c*), which in its present form requires the committee to pay regard to the employment that will be generated by the industry being examined.

Under the proposed amendment, the committee may pay regard to the general public interest where, in the circumstances of the industry being examined, there is not likely to be a significant generation of employment. Clause 5 amends section 16 of the principal Act by substituting the words "assisting" and "assist" for the words "enabling" and "enable". The reasons for this amendment are the same as those canvassed in relation to the first amendment made by clause 4.

Mr. COUMBE secured the adjournment of the debate.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Metropolitan and Export Abattoirs Act, 1936-1964. Read a first time.

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

That this Bill be now read a second time.

For some time now the Government has been engaged in the planning of a substantial reorganization and rationalization of the meat industry of this State. The benefits that will be obtained from such a rationalization are as follows: (*a*) improvements in the quality and wholesomeness of meat offered for sale for human consumption; and (*b*) the creation of soundly based commercially viable abattoirs effectively serving the needs of all sections of the community. This Bill is the first step in giving legislative effect to the scheme and is brought down at this time to meet the urgent need for a reorganization of this State's principal abattoir, the establishment at Gepps Cross, which is operated by the Metropolitan and Export Abattoirs Board.

The Government has been concerned that large numbers of cattle are leaving this State to be slaughtered at establishments in other States, either for sale in or export from those States or, indeed, in some cases for subsequent sale in this State. The fact that such movements are economically feasible points out the need for a critical examination of our facilities here. The effect of this Bill is to enable the board to operate as a financially viable business, ultimately economically self-sufficient and having slaughtering fees that are competitive with interstate charges. The need for this reorganization is so well recognized in the industry generally that it calls, at this stage, for little elaboration.

In addition, to provide some clear and apparent evidence of the proposed reorganization it is provided in this Bill that the Metropolitan and Export Abattoirs Board will, in future, be known as the South Australian Meat Corporation. This change of name has necessitated a considerable number of formal amendments to the principal Act, and in the consideration of the clauses of this measure I shall refer only in general terms to those clauses that are purely consequential on this change of name.

I will now deal with the Bill in some detail. Clauses 1 to 3 are formal. Clause 4 effects a number of formal and consequential amendments to section 3 of the principal Act which sets out the definition necessary for the purposes of the Act. The only amendment of substance is that proposed in relation to the definition of "stock", which will have the effect of excluding poultry from that definition. It is not felt that, in the circumstances of this Act, poultry should be included within the definition of stock. In addition, a definition of "the corporation" is inserted by this clause. Clause 5 is a formal amendment relating to

the change of name of the Metropolitan and Export Abattoirs Board, and clause 6 is a formal amendment.

Clause 7 continues in existence the present body corporate, the Metropolitan and Export Abattoirs Board, under the name of the South Australian Meat Corporation. This clause also makes certain necessary consequential amendments and transitional provisions. Clause 8 removes from office the present Chairman and eight members of the board and replaces them with a group comprised of a Chairman and five members appointed by the Governor. Members will recall that the eight members represented a number of "sectional interests", the descriptions of which are set out in subsections (3) and (4) of section 10 of the principal Act. The removal from office of members representing these sectional interests is not to deny the valuable part that they have played in the affairs of the board in the past. In fact, it is intended that many of the interests at present represented on the board will secure representation on a proposed authority that will ultimately have wide powers in relation to the meat industry as a whole. However, it is considered that the "new-look corporation" will necessarily have to be more streamlined and perhaps more "commercially orientated", if the plans for the Gepps Cross abattoir are to be made fully effective.

Clauses 9 to 13 are consequential or formal amendments. Clause 14 reduces the quorum for a meeting of the corporation from four to three in view of its diminished size. Clause 15 removes from section 24 of the principal Act a somewhat restrictive provision that enjoins the corporation to meet "at least once in every six weeks". In the Government's opinion the corporation should be free to arrange its meetings as it thinks fit. This clause also makes a number of formal amendments. Clause 16 is again an important provision in that it will enable the corporation to delegate its powers in the interests of managerial and organizational efficiency. Clauses 17 to 21 are formal or consequential amendments. Clause 22 will enable the corporation to enter into superannuation arrangements with the South Australian Superannuation Fund, and also makes some formal amendments, as does clause 23.

Clause 24 repeals section 32 of the principal Act, a somewhat archaic provision, dealing with what are, substantially, "common informers". Clause 25 makes a formal amendment. Clause 26 repeals section 34 of the principal Act, and deserves some comment. Section 34 of the principal Act gave the old board no option in industrial disputes but to refer the matter forthwith to arbitration. Since the intention of this clause is so clearly contrary to all modern industrial thinking, that is, that arbitration is not the first but the last step in their resolution of industrial disputes, its deletion is obviously called for. Its absence will, of course, not have any other effect on the application of the industrial laws of this State to the corporation.

Clause 27 is formal. Clause 28 repeals section 37 of the principal Act, which gave the board power to promote a Bill before Parliament. A provision of this kind is clearly inappropriate in relation to the reconstituted corporation. Clauses 29 to 33 make certain formal amendments. Clause 34 repeals a provision of section 43 of the principal Act that enjoined the board to present its accounts for audit within 30 days of the end of its financial year. The Government is informed that such a provision is now not practicable. This clause makes some formal amendments. Clauses 35 to 40 make certain formal amendments.

Clause 41 removes from the Act subsections (3) and (4) of section 50, which imposed additional costs on the slaughter of stock for exporters that are considered to be unnecessary. The provisions proposed to be repealed gave a monopoly in this matter to the Government Produce Department. Clauses 42 and 43 make certain formal amendments. Clause 44 is an amendment of substantial and far-reaching importance. In effect, it removes from the principal Act all the board's old borrowing powers together with the inhibiting controls on its expenditure, and replaces them with: (*a*) a power to borrow from the Treasurer (and with his consent, from any other person) for any purposes; and (*b*) a right for the Treasurer to guarantee the repayment of outside borrowings by the corporation. It is considered that access to funds in this manner will enable the corporation to plan its expenditure in a systematic and economically productive manner. All previous borrowings of the old board have been appropriately secured in subsection (3) of proposed section 53. Clause 45 merely removes from section 67 of the principal Act an unnecessary limitation on the location of the offices of the bankers to the corporation, and makes certain formal amendments. Clauses 46 to 56 make formal amendments. Clause 57 by amendment to section 82 of the principal Act makes it clear that the corporation has a right to charge fees

for other services rendered by it in addition to slaughtering.

Clauses 58 to 62 make formal amendments. Clause 63 amends section 91 of the principal Act, which at present gives the board an absolute monopoly in the delivery of meat from its abattoir. In terms of this section the board must impose the same charge for delivery anywhere in the metropolitan abattoir area. The effect of the present section is to involve the board in losses running into tens of thousands of dollars. The effect of the proposed amendments will give power to the corporation to fix more equitable charges in this area. Clauses 64 to 67 make formal amendments. Clauses 68 and 69 amend section 96a and 96b of the principal Act by providing an alternative method of fixing fees by determination of the corporation. The need for this flexibility will be demonstrated in relation to clause 83.

Clauses 70 to 77 either effect formal law revision amendments consequential on the enactment of the Land Acquisition Act or relate to the change in name of the board. Clauses 78 to 82 make formal amendments. Clause 83, as far as possible, gives the corporation power to fix all fees by resolution as an alternative to fixing them by regulation. I make it clear that the purpose of this provision is to place the corporation in a competitive position, in that its charging structure can be rendered much more flexible by this means. It is intended to be a vehicle for encouraging the slaughtering of stock at the abattoir, not discouraging it. A provision of this kind is considered essential in the establishment of a successful commercial basis for the corporation's operations.

Clause 84 is a formal amendment. Clause 85 removes the provision that the corporation's regulations require the approval of the Central Board of Health as well as confirmation by the Governor. Clauses 86 to 95 make formal amendments. Clause 96 is a consequential amendment. As I said earlier, this Bill is but a first step in an overall reorganization of the meat industry. It is expected that, when the Bill to provide for this overall reorganization is introduced, substantially all of the principal Act as amended by this Bill will be re-enacted in that measure. For this reason further amendments that the Government has in mind for the principal Act have not been proposed in this Bill. All that is proposed here is the minimum number of amendments, in the Government's view, sufficient to enable the corporation, as reconstructed, to commence its new tasks armed with a sufficiency of powers and financial resources.

Mr. RODDA secured the adjournment of the debate.

FRUITGROWING INDUSTRY (ASSISTANCE) BILL

Adjourned debate on second reading.

(Continued from September 19. Page 1375.)

Mr. NANKIVELL (Mallee): The Opposition supports this legislation. Unfortunately, it is an essential measure because of the situation of the Australian canning fruit industry and, to a lesser extent, the Australian fresh fruit industry, with the exception of citrus, particularly in view of the possibility of the United Kingdom's becoming fully integrated into the European Common Market soon. Despite a vigorous promotion effort, it has not been possible to develop alternative markets to take up what I understand is about 90 per cent of our export production. That is the proportion which up to this time has been absorbed by the British market. Nor has it been possible to extend the markets for our fresh fruits, many of which are suffering as a consequence of countries such as South Africa having devalued their currency, whilst Australia has not done so. Therefore, in markets where we previously had equal opportunity we are now disadvantaged, and it seems unlikely that we will solve this problem in the foreseeable future.

As a consequence, the Commonwealth Government has seen fit to introduce legislation which is a component part of the overall rural reconstruction legislation and which is designed to assist growers of certain types of fruit (apples, pears, canning pears and canning peaches) to enter into an arrangement whereby a certain area of their present acreage may be taken out of production by the trees being pulled and a compensating figure paid to the producer, based on the age of the trees, the production, and the variety of fruit, a figure that would encourage certain growers to consider reducing their acreage and, therefore, their production of the types of fruit presently causing some embarrassment because of the oversupply.

This measure resembles other rural reconstruction legislation that has been presented to this House in that this Parliament is being asked to pass complementary legislation to endorse legislation introduced into the Commonwealth Parliament, and at the same time to enter into an agreement with the Commonwealth Government over the administration of

this Act. As with the rural reconstruction legislation, here again we are asked in the second reading explanation presented by the Minister of Works, on behalf of the Minister of Agriculture, to give formal authority to the Government to enter into the agreement, and for the Premier to execute the agreement on behalf of South Australia.

Some of us have seen the Commonwealth Act that incorporates the agreement, but not all members have had that opportunity; in fact, few copies have been available. Virtually, we are being asked to accept a principle and to authorize the Premier, as our agent, to sign a contract in order that it may be implemented. Certain aspects of this agreement should be mentioned. South Australia is not a big producer, compared to the Eastern States, of peaches, apples or pears, which are the principal fruits involved in this agreement. The figures for 1970-71 show that New South Wales had 733,000 peach trees, Victoria had 1,332,000 and South Australia had 452,000. In the same year New South Wales had 286,000 pear trees, Victoria had 1,770,000, and South Australia had 206,000. On the basis of 100 trees to an acres one may say that, comparatively speaking, South Australia is a small producer in relation to Victoria, and a much smaller producer when compared to New South Wales, although figures seem to indicate that production to the acre is higher in South Australia than in New South Wales.

This legislation, in common with other rural reconstruction legislation, requires the State to act as the agent for the Commonwealth. The State must bear the financial expense of administration, whereas the Commonwealth is willing to provide a sum of $4,600,000, which must be spent within a certain period. The agreement lays down that applications can be received until June 30 next, but that all trees involved in the tree pull scheme must be removed by October 31 next year to enable landholders to obtain any benefit from the scheme.

It is suggested in the general provisions of the agreement that the initial objective of the scheme should be that $2,300,000 will be applied to the removal of canning peach and pear trees and $2,300,000 to the removal of fresh apple and pear trees. This allocation will be reviewed if the scheme is extended to other fruitgrowing industries but, as I have indicated, at present the application of the legislation has been restricted to certain types of fruit. One of the conditions of a person entering into this agreement is that he must suffer some financial embarrassment as a consequence of his decision to remove trees of the types and varieties scheduled. While no varieties have been mentioned, I understand that consideration has been given to trying to remove those varieties which are less saleable than others, and so there will be, I presume, some priority listed to indicate to the growers concerned the variety and type of fruit which should, if possible, be removed from production by the tree pull scheme.

The object of the scheme is to try to restrict production by the voluntary removal of trees of varieties and types of fruits not readily saleable. The State, as the agent, has prepared documents and has sent to fruitgrowers a circular setting out the objectives and the conditions of eligibility, and indicating who may apply to take part in the scheme. The document states:

> The scheme will be restricted at this stage to those horticultural products which are in continuing over-supply, take at least five years to reach full bearing, and have a useful bearing life of at least 10 years. Initially, the scheme will relate to canning peaches and pears and to apples and fresh pears.

Regarding those who can apply, the document continues:

> The scheme will operate in two types of circumstances:
>
> (*a*) Where farmers who are predominantly horticulturalists are in severe financial difficulties and wish to clear fell their orchards and leave the industry.
>
> (*b*) Where a grower does not have adequate financial resources to remove surplus trees without assistance but who could continue a viable enterprise if redundant trees were removed and the land put to other uses.

The farm build-up provisions of the rural reconstruction legislation are to apply so that land that is clear-felled and taken out of production, if it is suitable, can be incorporated with other land to build up a viable property for a type of production other than horticultural production.

Mr. McAnaney: Does it include grapevines?

Mr. NANKIVELL: That is an interesting question because, in the interpretation provision of the agreement between the State and the Commonwealth, "tree" is defined as meaning fruit trees, and includes grapevines. I suspect that most horticulturists are thinking in terms of pulling out their deciduous trees such as pears, apples and peaches (apricot trees are not referred to) but no-one who is considering taking advantage of the Act is thinking in terms of vines. On the other hand, it is undoubtedly true that certain types of

grapevine may well be pulled out and replaced by more useful and profitable varieties. Although grapevines are included in the definition, the agreement refers predominantly to fruit trees of the peach, apple and pear types, but it does not specify varieties.

Mr. McAnaney: Can they pull trees out and plant vines?

Mr. NANKIVELL: There is nothing to stop a grower from pulling out fruit trees and replacing them with vines. I understand the only restriction is that any fruit tree that is planted must not come into production within five years. To producers, the most important aspect of the scheme is whether they are eligible for assistance. As I have said, South Australia does not have a large acreage of the varieties concerned, possibly because most of the orchards in South Australia, particularly the irrigated orchards along the river, in which I am more particularly interested, are generally speaking of a mixed variety, growers not being specifically involved in the production of one type of fruit.

Consequently, some growers in my district and, I understand, in Chaffey District (and I have no doubt that the member for Chaffey will speak for them himself shortly) are concerned whether, because of the diverse nature of their production, they will be accepted as being eligible for assistance under the scheme on the basis of viability. Most of the growers to whom I have spoken are concerned that the legislation appears to be designed to help the fellow who is bankrupt and who is willing to fell the trees on his block, make it available for some other purpose, and go right out of the industry. Growers will have to reduce their production: I understand that a circular has been sent to them by the Riverland canning group informing them that production for 1972-73 will have to be reduced by 20 per cent and that size limitations will be imposed on the fruit that will be received. Whether or not growers have been affected in the past is not relevant to this argument, as in the past most growers (not even the pear growers, whose fruit has, I believe, been mixed with other fruit) have not experienced many problems in delivering their fruit to the canneries.

The problem will be that growers will have to reduce their production, and those who have diversified but are willing to reduce production are concerned that they may not be eligible for assistance under the scheme because of the following provision in the agreement:

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. . . the grower does not have adequate resources to withstand the short-term effects on his economic viability of removing the trees without assistance, the surplus of the horticultural commodity concerned is threatening the long-term viability of his property . . .

I think that is understood with these types of fruit. The important part is as follows:

. . . and in the opinion of the authority the enterprise has sound prospects of long term commercial viability after removal of the surplus trees and taking into account other potential use of the land.

Many of these producers have a diversity of production and, although they may have a limited acreage of these fruit varieties, they may not, on the other hand, depend entirely on that for their livelihood. Therefore, although they may suffer a reduction in their income as a result of having to remove trees, the embarrassment they suffer may not be sufficient to affect their viability. This is causing real concern amongst some growers. I have taken this matter up with the Lands Department and I understand that some of the fears held by growers may not be justified, because the State authority has the right to interpret this agreement. I believe that any person who thinks that he has some justification for removing fruit trees or who intends to remove fruit trees of the type and variety referred to, and who is concerned that he is not eligible for assistance, should nevertheless make application to the appropriate authorities for his orchard to be inspected and for an assessment to be made.

It will be then left to the *ad hoc* committee, which will have to be set up to review applications, to determine whether or not he is eligible for assistance under this legislation. The legislation provides for the authority to administer the scheme on a rational basis. The life of the trees involved is relevant, because trees that are just coming into production will attract the maximum rate of assistance, $500 an acre for canning fruit and $350 an acre for fresh apples and pears. Old trees, such as peach trees over 15 years of age might not be considered worth more than $100 an acre, although the instruction to the authority under this agreement is that it should administer the scheme so that the average rate of assistance does not exceed $350 an acre for canning fruit and $200 an acre for apple and pear-bearing trees.

Much responsibility lies with the authority to administer this legislation, to determine the value of the trees and the compensation

payable in carrying out the terms of the agreement, to ensure that the trees are removed by the time stipulated, and to ensure that the overall amount spent in Australia does not exceed $4,600,000, because the Commonwealth has not agreed to put up a cent more than that figure on a first come first served basis. I could continue to go through the agreement referring to various sections, but the Government has indicated that it understands the situation. This is another example of a *carte blanche,* whereby we have to approve legislation before an agreement has been signed.

The Hon. J. D. Corcoran: The agreement came back yesterday.

Mr. NANKIVELL: I thank the Minister for his informing the House that the agreement came back, but even he, in his second reading explanation, asked the House to give the Premier the right to execute the agreement on behalf of the State. I again exhort all those growers involved in the production of the fruits covered by this legislation to make application and allow the committee to be set up to make the decision about whether those who have applied are entitled to compensation, and not to pre-judge the legislation on the basis of the instructions that have gone out, thereby making an assessment on their own account that they do not believe they can obtain any compensation under this legislation. On behalf of the Opposition, I support the Bill.

Mr. CURREN (Chaffey): I support the Bill. I thank the member for Mallee for his contribution to this debate, and I compliment the Government on introducing this Bill prior to the completion of the agreement between the States involved and the Commonwealth, so that when the agreement is finally completed it can be expeditiously implemented. The Premier informed me this afternoon that the agreement had been finalized and that a copy of that agreement had arrived in his office yesterday, and that it is now being studied by departmental officers. I understand that the agreement is little different from that which had been discussed and agreed to at the Canberra conference some weeks ago. I expect that the agreement will be accepted by the Government and implemented at the earliest possible time.

I represent one of the largest fruitgrowing districts in this State and regret that this legislation is necessary. It is not good for an expanding nation to place one of its major fruitgrowing industries in the position where it has to reduce its production and obtain compensation for so doing. The agreement provides compensation for growers who agree to remove excess trees and the compensation will enable them to go into some other form of production. I expect that most of the growers receiving this assistance will change their production to grapes for wine production. I compliment the grower orgainzation, the Canning Fruitgrowers Association of Australia, on the work it has put into this scheme by co-operating with the canners and working out what it considered to be a good scheme to bring production to a suitable level from a marketing point of view.

Unfortunately, the scheme agreed on was not that put forward by the association, but it is the best that could be achieved in agreement with the Commonwealth and the other two States involved. We have been assured by the Lands Department, which will be administering the Rural Reconstruction Act, that the scheme will be administered in the most humane and practicable manner possible, with its prime objective being to remove up to 400 acres of producing trees. It is believed that this move will bring South Australian production to a manageable level which, over a period, will be accommodated in the markets of the world.

This situation has not occurred overnight. Because of currency fluctuations, devaluation of sterling and the other adjustments to international currencies that have been made, the Australian canning industry has been put in a bad competitive position on world markets compared to South Africa and the United States, with the result that the markets that were formerly supplied by the Australian canning industry have been taken over, particularly by South Africa.

The member for Mallee has said that the present agreement is viewed with some apprehension by growers. He has also pointed out that the scheme will be administered under the Rural Reconstruction Act, which lays down a viability condition. I am sure that that provision will be overcome in the administration by the departmental officers. Although the scheme may not be administered right to the letter of the agreement, it will be administered in the right spirit to achieve the ultimate objective of the removal of surplus production.

I have referred to the large amount of work that the Canning Fruitgrowers Association did on this scheme. In co-operation and consultation with its sister organizations in other States, the association has realized that the surplus production must be removed, so it has agreed to this scheme. During the past 12 months the Commonwealth Government has

established the Canning Fruits Advisory Committee, which is studying in depth the problems of the canning fruit industry and, although much money is involved in this scheme by way of grant from the Commonwealth Government, this is the only way in which the industry can be returned to a viable situation in which the growers can make a living.

The grower is the very basis of the industry and must make a living from his efforts. I am sure that the tree pull scheme will achieve the objective desired by the industry and that, in the administration of the scheme, the departmental officers and the administering authority will put it into effect in the way required and desired by the industry.

Mr. GOLDSWORTHY (Kavel): I, too, support the Bill.

The Hon. Hugh Hudson: That must be hard!

Mr. GOLDSWORTHY: No, it is quite easy. The Bill does not tell one much. On reading it when it was first circulated, I found it hard to determine that it had something to do with the removal of fruit trees. That aspect is not mentioned in the Bill, which refers to such matters as financial arrangements. It is when one reads the agreement that one finds what it is all about.

The Hon. J. D. Corcoran: That's why we made available copies of the agreement.

Mr. GOLDSWORTHY: Since I read the agreement about five minutes ago I have known much more about the legislation than I knew from reading the Bill. I live in a fruitgrowing area, mainly an apple and pear district, and I know at first hand the difficulties that these primary producers are experiencing. Some of my friends are on the board of Jon Products, and I know the problems in the canning industry. The over-production of duchess pears is a major problem in fruit-growing areas and, despite the injection of large amounts of Government funds in past years, some canneries have gone out of business and Jon Products is having difficulty in maintaining profitable operations.

Some growers are receiving payment at considerable discount and, even then, payment is made a long time after the fruit has been delivered to the cannery. The market for fresh soft pears and that sort of production is limited. In the locality near where I live a serious situation has developed in the production of soft pears. Second-quality apples are being sold for juicing. This is not profitable. It hardly covers the cost of picking the fruit, let alone the cost of growing and spraying the trees, and so on. The industry has considerable difficulties. One major difficulty is in the production of canning pears.

It is clear that the agreement has been drawn up to try to achieve rural reconstruction in this industry. We have dealt with Bills relating to rural reconstruction in dairying, and more recently we have had rural reconstruction in broad-acre farming and grazing. This rural reconstruction is now being extended to fruitgrowing, so the actions that have been taken point up the difficulties in the whole primary producing field. I consider that this legislation is merely complementary to the legislation seeking a form of rural reconstruction in other industries.

The dairying reconstruction legislation has been in operation for longer than have any of the other measures and seems to be largely successful. I do not know that this is necessarily because of the operation of this legislation, but the dairying industry is not now in the extremely serious position that is was in a few years ago. This is because oversea markets for cheese, and so on, have improved considerably. Doubtless, the reconstruction legislation applying to dairying has had its effect.

I think the other reconstruction legislation that has been operating for a shorter time also will have an effect. It is not having a dramatic effect at present, because markets have been depressed for some time and the whole range of primary producers, not only those who could be regarded as marginal, have been in difficulty. Fruitgrowers are in this category. They are trying to increase their returns by increasing production. This is true in practically every sphere of primary production, although it does not apply so much to meat production.

In the production of grain, fruit and eggs and in dairy products we have faced the problem of over-production and we have not yet reached the Utopian situation where we can have people on the land producing goods and have Governments acquire the produce and give it away. When primary products have been grown, it has been necessary to find markets. In many cases, these markets have had to be found overseas, and home consumption, unlike the position in some other countries such as the United States of America, does not take up what we can produce. However, there is an over-production of grain and other commodities in the U.S.A. We depend heavily on primary industry for export markets. No export market exists for our egg production, so eggs must be sent overseas at give-away prices; this is also true of the fruit industry. Great Britain's entry into the

European Common Market will exacerbate the problems of the canned fruit industry even more; indeed, the export of fruit in general to Britain will be affected. It has been increasingly difficult for applegrowers in the last few years to send their produce to Britain. The apple industry has depended for some time on the export of a certain percentage of the crop to make the home market viable, but this is becoming more and more difficult.

When an industry must send its produce overseas at give-away prices the difference must be made up on the home consumption price, and this creates difficulty for the industry. The fruit industry and other industries in recent years have fallen into this category, and Britain's entry into the European Common Market will create even more difficulties. It is abundantly clear that there is a need for this legislation. Much as I deplore the fact that these trees could produce foodstuffs for a world in which there are many millions of hungry people who need to be fed, we have not reached the situation where we can afford to pay people to produce fruit and foodstuffs at uneconomic prices so that the Government can buy the produce and give it away. There is a need for this scheme. I have read quickly through the agreement, which I have only had since shortly before speaking this evening. The agreement contains the details of what this legislation is all about. The legislation is to enable satisfactory financial arrangements to be made with the Commonwealth Government, which is to provide $4,600,000 to finance the scheme, and the States are expected to administer the scheme. No doubt producers who are in difficulties will make every effort to avail themselves of the scheme.

I am not competent, without making further inquiries, to adjudge the adequacy of the financial compensation envisaged in the schedule, but it seems to me that the kind of money expected by way of compensation will go a long way towards helping producers who intend to get out of the industry or to move into more profitable production. Having lived among fruitgrowers for the past 20 years in the Adelaide Hills (although not a fruitgrower myself, I have been concerned with primary production in a large fruit-growing area and have belonged to organizations to which fruitgrowers belong), I believe I can speak with some degree of authority and with first-hand knowledge of the way of life of these people and their problems. I am acutely aware particularly of what has happened in the canning fruit industry over many years now. There does not seem to me to be much light on the horizon as regards this form of production or the production of soft pears. Although I regret the necessity for this kind of reconstruction in primary industry, we cannot escape the urgency and the necessity for it. It is with those remarks that I support this legislation, which is to assist in some measure the fruitgrowing industry to try to make some of this production more economic, and to keep people in profitable operation.

Mr. McANANEY (Heysen): I have doubts about supporting this legislation, because I do not know what is in the Bill. It amazes me that Government members are supporting the Bill. The problems of our primary producers are that we must have balanced production and that people must pay a reasonable price for the goods we produce. I do not know where this Bill will get us. Certain people will be paid compensation to pull out their trees, but other people will be able to plant trees, thus counterbalancing the trees that are pulled. The member for Mallee said that if pear and apple trees were pulled, vines could be planted, but if ever there was an industry that was sticking its neck out to get into trouble it is the wine industry, which is planting grapes all over the place. Inevitably, there will be an overproduction of grapes. Perhaps what will happen is that people will pull their vines and plant tomatoes.

Mr. Mathwin: We'll get tomato juice.

Mr. McANANEY: Or raise poultry. To me, the Bill is one of the most half-baked schemes I have ever seen in the House, and we have had some half-baked legislation from the Government over the years. We must have stabilized prices and we must have some form of controlled production; also, we must have reasonable interest rates, which we have not had over the last few years. The Government should have spent some of the money it has spent in trying to assist farmers in uneconomic areas to produce on subsidizing interest rates to a reasonable extent to assist primary producers who could not meet the rates on their properties. What is the situation today? Are we to wait until more and more farmers become unprofitable, then help the farmers to get off the land, pull out their trees, or go into some other occupation? That is not looking at the situation as we should be doing. We know that primary producers have not been willing to change. We had the position with wool production where we needed a co-operative form of marketing so that a reasonable price would be obtained for wool

in order to allow producers to continue in the industry. However, if the world trade was not willing to pay that reasonable price (and it would have been), there was not much point in marketing the wool. This time last year I was in Japan and businessmen there were critical of the Australian method of selling wool. They said that all they had to do was pull out of the market for a month or two so that the price would be reduced, because of the lack of competition, and there would be difficulty in getting the price up again. However, if we changed our methods to a co-operative of woolgrowers (which was opposed until recently), we would have a viable wool industry. We should have some form of control of production if there is an excess of wool. I do not know whether we would be required to have up to 3,000,000 bales of wool on hand, but at that stage we would have to control production.

What is the use of producing something for which a profitable price is not received? If General Motors-Holden's produced twice the number of cars that it could sell at a profitable price the company would go broke more quickly than do farmers. The basic problem of this legislation is to work out what the scheme will contribute to people producing pears. If they pull out trees, their problems may be solved to some extent, because the number of pears provided will be reduced. I understand that factories in the Riverland district will not accept the quantity of pears that has been taken in the past, because they cannot be sold. Unless there is an overall co-operative scheme of marketing produce, this industry will not solve its problems, and this scheme will aggravate the problems at a cost of $4,600,000 to the consumers.

Mr. Goldsworthy: They have co-operatives.

Mr. McANANEY: Yes, but not in the form that keeps production down to what they can sell. We should consider the dairying industry.

The Hon. Hugh Hudson: We are not pulling cows or wool; we are pulling trees.

Mr. McANANEY: I have much admiration for the Minister in his own portfolio, but he interjects too often on matters that he has not studied, and he should stick to his restricted field.

The SPEAKER: Order! I cannot hear whether the member for Heysen is speaking to the Bill.

Mr. McANANEY: I have made one of the most profound speeches, containing much solid information, that this Parliament has heard for many years. I am a humble person, especially concerning Bills about which I speak. Sometimes I fill in time at the request of my colleagues, but I have not done that this session. I have had to pinch-hit many times.

The Hon. Hugh Hudson: You have had to what!

Mr. McANANEY: Obviously, the Minister has not played baseball. I am sincere about what I say, but not one speaker to this Bill has said how it will help, has detailed the problems of primary producers, or said whether it will be of permanent value or whether it is a stop-gap method introduced for political reasons.

The Hon. J. D. Corcoran: Who asked us to introduce the Bill? The Commonwealth Government asked us, and that is why we have done it. You are saying it's for political purposes, but you don't know what you're talking about.

Mr. McANANEY: I am a member of Parliament representing people who have elected me. I say what I believe in my district, and so far I have increased my vote at every election, and I hope that I will receive continued support. The only problem is that not enough electors read *Hansard*: they read what is published in the press, and are misled. Those who read *Hansard* in my district are my most ardent supporters, and I have no worries. I have made clear that this Bill is a stop-gap method, no matter which Party introduced it. When the member for Riverina in the Commonwealth Parliament, Mr. Grassby, visited this State it was obvious he was a most outlandish person, and no-one could vote for him.

The SPEAKER: Order! The honourable member cannot get personal.

Mr. McANANEY: He wore some most outlandish clothes and outlined some extraordinary solutions to the problems of primary producers. I hope that they will see through him. No overall advantages to the industry will be provided by this Bill, because there must be a reduction in production so that the supply equals the demand at a reasonable price. I have never seen applegrowers in the Adelaide Hills so happy, although they produced half the crop that they produced last year. However, with a reduced crop in Tasmania, local growers have received about $4 a case instead of $2, although it has cost $1.90 to produce a case of apples. Instead of making a profit of 10c a case they have made $2.10, after paying half as much in

wages to pick the apples. This is an example that primary producers in Australia must follow. It seems that when the producers are making a loss they try to produce more and more to get out of trouble. However, they are now asking for co-operative marketing schemes, and that is not the same as Socialism. Co-operative marketing plans a balanced production that can be sold. I support the Bill, because it has some immediate advantage that may overcome present problems, but from a long-range point of view it is completely—and I cannot think of a polite-enough word to describe the situation. The $4,600,000 being spent should have been spent to help primary producers in a much better way.

Bill read a second time and taken through Committee without amendment.

DAYLIGHT SAVING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 21. Page 1519.)

Mr. CARNIE (Flinders): In opposing this Bill, I realize that I speak for a minority of people in this State. I make no apology for this; minorities very often need someone to speak for them. It is obvious that the minority for which I am speaking is one which is diminishing, and this is shown by the Gallup poll. A Gallup poll published in January of this year showed that seven out of 10 people in four States (Tasmania, Victoria, New South Wales, and South Australia) wanted daylight saving for four months from November 1 to February 28. In September of this year, a Gallup poll on the same subject showed that eight out of 10 people in those States wanted daylight saving for four months. The minority is a diminishing group.

There is no question that seven or eight out of 10 people constitutes a very big majority. One could say that should settle the matter—that in a democracy the wishes of the majority should rule. However, I should like to look at the figure of 70 per cent or 80 per cent as it could be applied in South Australia. The population of Adelaide is 70 per cent or 80 per cent of the population of South Australia. All the Gallup poll tends to prove is that city people are in favour of daylight saving and country people are against it. I do not think that there would be any argument that the big majority of city people would favour it, with a small number in the city opposing it, and that the reverse situation would apply in the country. On that basis I oppose the Bill. I am speaking for country people, the overwhelming majority of whom oppose daylight saving.

While country people are a minority numerically, they are not a minority when it comes to production or benefits to the economy of South Australia. Probably all that members believe about daylight saving was said last year. I do not think any new arguments can be brought forward. Members speaking for and against daylight saving have produced cogent and logical arguments. It is interesting to note, on checking back through *Hansard*, that, apart from the Minister who presented the Bill and had the right of reply, not one member on the Government benches spoke to this Bill in the previous session. All speakers, for and against, were from this side of the House. It is interesting to note that the members with divergent views on this matter were on the Opposition benches. The main point I raised last year when speaking against the Bill before the House at that time was that, the farther the distance west, the greater the effect of daylight saving. This is fine for those who approve of daylight saving, but many people, particularly in the rural community, do not approve, and there is no doubt that the farther west one goes the greater the effect.

I do not intend to raise all the arguments I put forward last year in connection with the meridians on which the time zones are based; I do not think many members listened to what I said or understood it. I shall quote one set of figures to illustrate how the situation does deteriorate the farther the distance west. The meridian on which Central Standard Time is based is 142° 30'E. This runs through Warrnambool, in Victoria, 80 miles over the South Australian border. In effect, South Australia already has daylight saving to some extent. Let me quote the times of some centres in South Australia. At Mount Gambier which, for the purposes of this exercise, is almost on the Victorian border, sun time is seven minutes behind zone time; at Adelaide sun time is 16 minutes behind zone time; at Port Lincoln it is 27 minutes behind; at Streaky Bay it is 33 minutes behind; at Ceduna it is 35 minutes behind; and on the Western Australia border sun time is 54 minutes behind zone time. That is before daylight saving is introduced, on present normal time.

It would be very easy to quote figures using the Western Australian border as an example, but that would be a little unfair because few people live in the extreme west of the State. Taking Streaky Bay as an example, sun time is about half an hour behind zone time. On

the day before we change back to ordinary time, under the provisions of this Bill, on March 3, the sun rises normally at Adelaide at 6.3 a.m. Streaky Bay is 17 minutes behind Adelaide, so sunrise at Streaky Bay will be 6.20 a.m. After we add one hour of daylight saving, the sun will not rise at Streaky Bay on that day until 7.20 a.m., about the same time as sunrise in the middle of July, mid-winter.

The arguments last year against daylight saving revolved mainly around schoolchildren and farmers. No doubt many schoolchildren throughout the State will be disadvantaged or inconvenienced by this measure. I refer to those who must catch buses, and I often wonder if city members realize how early in the day many children catch school buses. The earliest of which I have heard is a constituent who came to me during daylight saving last summer and told me that her children caught a bus at 7.15 a.m. At the spot, just west of Port Lincoln, sunrise on March 3 is 7.15 a.m., the time the children would be catching the bus. They would have had to get up while it was still well and truly dark.

The Hon. Hugh Hudson: Do you know we will agree to schools adjusting their starting time?

Mr. CARNIE: The Minister said that last year, but I hope he realizes that it is not terribly practicable, particularly for parents who work in shops or offices.

Mr. Langley: Even in Streaky Bay?

Mr. CARNIE: Yes, people work, even in Streaky Bay. I know that the Minister has said this, but headmasters found that it was impracticable. I should be interested to know whether any schools did this last summer.

The Hon. Hugh Hudson: I do not know of any. The only school I know of is Booleroo Centre, which, prior to daylight saving, brought forward its starting time from 9 a.m. to 8 a.m. They started daylight saving on their own.

Mr. CARNIE: That was probably done for temperature reasons.

The Hon. Hugh Hudson: There is a tremendous temperature problem there.

The DEPUTY SPEAKER: Order! Interjections are out of order.

Mr. CARNIE: Although the Minister permitted schools to alter their starting time last year, I think I am correct in saying that none found it practicable to do so. It is all very well to say that, although a child has to get up in the dark and catch a bus when it is barely daylight, he will get an extra hour's daylight at the other end of the day. If we are dealing with young children, however, it is a difficult matter because they need far more sleep than do older children. In this respect I am referring to children of six to eight years of age. Last year, many parents contacted me (as, I am sure, they did other members) complaining that their children were tired and irritable, were not receiving enough sleep, and had to rise in the dark. Also, members who are parents know that it is difficult to get a child to sleep while it is still daylight outside. In country areas, children have a long day, at the best of times, because of bus travel. The children of whom I have been speaking and who had to catch a bus at 7.15 a.m. did not arrive home until 6 p.m. If members compound that with the difficulty of getting those children to bed while it is still daylight they will see how much inconvenience is caused. I am not saying that it is a serious inconvenience, but it can disrupt the normal family life.

The other people who object most strongly to daylight saving (and with very good reason) are the farmers. Farmers generally work by the sun, so theoretically there is no problem: they can to a large extent work to suit themselves. However, the people with whom they deal (the stock firms, banks, shops and silos) do not work by the sun. Last year the member for Rocky River said that the matter of silo intakes had been discussed and that the General Manager of Co-operative Bulk Handling Limited foresaw no problems with his company, which would continue working according to the clock as it did in the past. He continued:

> The co-operative's hours for taking grain from the primary producers will be extended as the need arises. True, the company will have to meet certain overtime costs, but it does this in most years in any case.

Although the member for Rocky River said that the company would meet certain overtime costs, I suggest that all these costs are ultimately passed on to the farmer. Although they may be only minimal, extra costs are involved, particularly in relation to C.B.H., which is a co-operative organization. Although any savings made by it should be passed on to the farmer, any costs incurred by it will be passed on to the farmer. I therefore question the statement that daylight saving would not affect costs to farmers with regard to the silo intake. Members may have seen in the press (although I am not sure whether it reached the press in Adelaide) a suggestion that, in the event of daylight saving being reintroduced, Eyre Peninsula should go it alone and remain on Central

Standard Time. Although I am opposed to the reintroduction of daylight saving, I cannot support that type of thinking, as it does not need much imagination for one to foresee the complete chaos that would result. The member for Eyre raised this matter when he asked the following question of the Minister of Environment and Conservation on September 19:

Can the Minister of Environment and Conservation say when legislation will be introduced to implement daylight saving in South Australia and whether the Government has considered allowing Eyre Peninsula not to adopt daylight saving? I have recently been approached by some of my constituents, in particular the local branch of the United Farmers and Graziers, to see whether it will be possible for Eyre Peninsula to "go it alone" and not adopt daylight saving. Will the Minister consider this request?

In reply the Minister said:

When a decision has been made by the Government, the public will be informed so that they will know what the position is for this summer. Regarding the suggestion that the people on Eyre Peninsula apply their own time, I suggest to the honourable member that they can well do that, whether or not daylight saving is in operation: they can adjust their clocks for work an hour different from the rest of the State, if they so desire.

The rest of the reply is not relevant. The point arising from this matter is that apparently there is no legal impediment to any area's having its own time if it so desires. However, I can foresee serious confusion and chaos arising in any area that decides to do this. It would also necessitate one's ascertaining the opinion of all the people in the area. In the case to which I have referred, United Farmers and Graziers of South Australia Incorporated raised the point, but it could not say, without consulting everyone in the area, that the time in that portion of the State should be different from that in the rest of the State.

I can see practical difficulties in ascertaining the wishes of the majority of people in an area but, unless that is done, one cannot have a separate time zone for a certain part of the State. Many problems exist, one of which relates to school radio and television broadcasts, most of which are at 9.30 a.m., 12 noon and 1.30 p.m. If those times were adhered to in the rest of the State and Eyre Peninsula was one hour behind the rest of the State, those programmes would be seen at 8.30 a.m., when the children would not be at school, 11 a.m., which would be recess time, and 12.30 p.m., which would be lunch time.

The Hon. Hugh Hudson: They could be recorded.

Mr. CARNIE: That is so, but it would present unnecessary difficulties. Children whose bed time was 8.30 p.m. would be watching television in adult viewing time and children who arrived home at 5.30 p.m. would be arriving home at 6.30 p.m. Adelaide time, having missed the children's television programmes and perhaps watching news services. I do not wish to persist with this aspect. Airway timetables and commerce generally would be thrown into a fair amount of confusion. I cannot therefore, with apologies to the many people who have asked me to do so, support this exception. Nor can I support daylight saving, inconveniencing as it does so many people in this State—a minority, I admit, but nevertheless an important minority. I ask members to consider that this Bill now being debated makes daylight saving a permanent situation. The period of daylight saving from the last Sunday in October until the first Sunday in March will, if this measure passes, occur each summer in this State until Parliament determines otherwise. Therefore, the votes of honourable members on this matter will be making permanent this change and another Act of Parliament will be required to alter the situation. I cannot support this Bill because the people whom it most affects are those in my district and those in the District of Eyre. As I earlier pointed out, the effect of daylight saving is greater in the outlying western areas of the State. For those reasons I oppose the Bill.

Mr. MILLHOUSE (Mitcham): I support the Bill and I regret that I have to differ from my good friend the member for Flinders.

The Hon. Hugh Hudson: But you don't mind differing with the member for Eyre.

Mr. MILLHOUSE: I regret any difference with any of my colleagues.

Members interjecting:

Mr. MILLHOUSE: I am afraid that I missed a gem in one of those interjections.

The DEPUTY SPEAKER: Interjections are out of order.

Mr. Payne: I think someone said that you are a very regrettable character.

The DEPUTY SPEAKER: Order! The honourable member cannot solicit interjections.

Mr. MILLHOUSE: I fully appreciate the difficulties of the people mentioned by the member for Flinders, but even he in his heart of hearts, does not believe that we should all bend because of the inconvenience caused to a minority. As a matter of plain common sense and looking at the situation in which South Australia is placed, we have no alternative but to accept daylight saving as long as it is adopted by Victoria and New South Wales. We are simply not strong enough

commercially, or in any other way, to differ by an hour and a half in time from the Eastern States, because we do so much business with those States during the day. To me that is absolutely conclusive. True, it may be regrettable that we must follow the lead of the two largest States, the two largest States commercially, but that is the situation. Whatever else we should like to do, we can do nothing else. The attitude of Queensland may be raised. That State is to go it alone, but I can only say that Queensland is foolish to adopt that attitude. Even though it is comparatively stronger than South Australia is commercially, this attitude is causing trouble to the people of that State. I certainly do not believe that that is practical politics, and I do not believe that any other members believe that either.

Mr. Coumbe: What about the Northern Territory?

Mr. MILLHOUSE: It is bad luck for the Northern Territory if it does not change. We should not be bound by the Northern Territory any more than we should be bound by minorities to the west of this city. That is the position and, to me, it is absolutely conclusive, and anything else that is said will not count at all. I confess that, in saying what I have said, I will be in as much trouble as my colleagues, but I do not know whether I can be in any deeper trouble. However, I will certainly be in deep trouble at home. I will be scolded for what I have said and I will not be allowed to forget it until March 3, 1973, and probably even after that I will be reminded of what I have said in advocating daylight saving.

The Hon. Hugh Hudson: As long as you don't get sent to bed.

Mr. MILLHOUSE: I was going to say that that would be the "ultimate" disaster, but worse things can happen in married life. The reason why it is unpopular at my home is the same as in any other household where there are young children: it is hard to get them to bed and they still get up just as early. However, I will have to bear this cross just as many of us will have to bear it. I support the Bill for the reasons given.

Mr. GUNN (Eyre): I join with my good friend the member for Flinders in strongly opposing the Bill. I am sorry that on this occasion I have to disagree with the member for Mitcham.

Mr. Payne: Is it worrying you very much?

Mr. GUNN: I do not think that I will go into that argument at all. The basis of my opposition to this Bill is the unfortunate effect that daylight saving has on country people, especially those people living in the western part of South Australia. That well-known West Coast publication, the *West Coast Sentinel,* well known for its integrity, honesty and unbiased criticism—

Mr. Clark: It's a fairly radical paper.

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

Mr. GUNN: Thank you, Mr. Deputy Speaker. I was about to say that the newspaper recently conducted a survey amongst many of its readers, and, of the 171 people who took part in the survey, 150 were opposed to the reintroduction of daylight saving.

Mr. Payne: Is that its total circulation?

Mr. GUNN: For the benefit of the member for Mitchell, that is not its total circulation. The honourable member, like all of his colleagues, has no regard for country people, especially isolated country people.

Members interjecting:

Mr. GUNN: The main area of disagreement with this legislation is the effect it has on small schoolchildren who have to catch school buses travelling many miles. The member for Flinders has elaborated on this point. Indeed, the Minister of Education has said this evening as he said last year that headmasters can alter the times that schools commence.

The Hon. Hugh Hudson: With the agreement of parents and the support of the local community.

Mr. GUNN: School broadcasts are another area which cause a problem.

The Hon. Hugh Hudson: The broadcasts can be recorded.

Mr. GUNN: There has to be someone at the school to record them, and many of the teachers drive the school buses, which is another problem.

Mr. Goldsworthy: You have him cold.

The Hon. Hugh Hudson: Obviously, if you alter the time for starting school you also alter the time for running the school bus.

The DEPUTY SPEAKER: Order! The honourable Minister cannot make four or five speeches. Interjections are out of order.

Mr. GUNN: To substantiate what I have been saying, I should like to quote a letter from an organization in my district strongly opposed to daylight saving, the Women's Agricultural Bureau, Caralue branch.

Mr. Goldsworthy: Where is that?

The SPEAKER: Order! I suggest that interjections cease and that the honourable

member confine his remarks to the Bill. The honourable member for Eyre.

Mr. GUNN: I was confining my remarks to the Bill and was about to read a letter from a constituent opposed to the Bill. I have been getting assistance from my colleagues.

The SPEAKER: Order! Interjections are out of order.

Mr. GUNN: The letter, signed by the Secretary of the organization, states:

I have been instructed by the members of the Caralue Branch of the Womens Bureau of Agriculture to inform you that they strongly object to the recent daylight saving scheme. They feel that the disadvantages of this scheme outweigh the advantages in rural areas. Nor is it any advantage to tired children, especially the young ones, many of whom are doing long tedious trips to school by bus.

I have a file of representations on daylight saving, including a letter from the Stock-owners Association. If the member for Glenelg was in the Chamber, he could substantiate what I and the member for Flinders have been saying. Late last year I took the honourable member for Glenelg on a tour.

The SPEAKER: Order! There is nothing about tours in this Bill.

Mr. GUNN: When the member for Glenelg accompanied me, we spoke to three or four meetings and at all of them people were so strong in their condemnation of daylight saving that the member for Glenelg would have had no doubt about where they stood.

Mr. Goldsworthy: There won't be a split in the—

The SPEAKER: If honourable members want to have a meeting, they are welcome to go outside and have it. They should not be wasting the time of other honourable members.

Mr. GUNN: This matter has caused much concern and hardship to many people, particularly those with small children. I know that commercial interests in South Australia will receive advantages from daylight saving. They would also receive advantages if we adopted Eastern Standard Time, but I cannot discuss that matter because it is not dealt with in the Bill. The Government should not provide for daylight saving to continue indefinitely. A Bill should be introduced on each occasion. I know that that takes time, but it is our duty to legislate for the people of this State. The advantages of daylight saving are of little value to country people.

The SPEAKER: The honourable member has made that point about 20 times in the last five minutes.

Mr. GUNN: I sincerely hope that honourable members will take a realistic approach to this measure and oppose it.

Mr. RODDA (Victoria): I record my opposition to the Bill. There is strong opposition to daylight saving in the part of the State in which I live. Some expert has told me that we were seven hours ahead of the clock. I have some appreciation of the disabilities suffered by the member for Eyre on the Far West Coast. I think it is still dark after sunrise there, with daylight saving! The rural community does not like daylight saving, despite the overwhelming support for it throughout Australia. It is interesting to note that the forward-looking Premier of Queensland (Mr. Bjelke-Petersen) has seen the light.

Daylight saving affects the rural community in many ways, and we would be failing in our duty if we did not place this objection before the House despite the fact that it is a hopeless cause. We seem to be losing some of the strong support we had for our objection last year.

Mr. Payne: Why don't you—

Mr. RODDA: Is the suggestion likely to assist in doing something for the farmers?

The SPEAKER: Order! The honourable member is speaking to the Bill. He cannot converse across the Chamber.

Mr. RODDA: I thought the member for Mitchell was offering a helpful suggestion.

The SPEAKER: He is not helping at all.

Mr. RODDA: Perhaps his suggestion would not make a great contribution. The dairy farmers in my district raised Cain about this issue last year. I understand that the cows took a long time to get used to daylight saving. They object to giving milk after being got up at an ungodly hour. There is this awful business that the hottest part of the day occurs before lunch.

The Hon. Hugh Hudson: It's the other way around.

Mr. RODDA: It is not where I come from. Let us hope that we are progressively ahead of the sun and, by putting the clock forward, the sun is a real roaster before lunch, during lunch, and after we start again. This is a problem for shearers.

The Hon. Hugh Hudson: At what time would you have lunch?

Mr. RODDA: We have lunch at the appointed hour.

The SPEAKER: Order! There is nothing about lunch in this Bill.

Mr. RODDA: With great respect, the Minister asked an intelligent question, so I gave an intelligent reply.

The Hon. Hugh Hudson: Do you realize that, under daylight saving—

The SPEAKER: Order! Does the honourable Minister of Education realize that he is out of order in interjecting?

Mr. RODDA: The practical people who suffer in the heat where I come from have pointed out that lunch time is in the hottest part of the day. The fairer sex have also had much to say. I was accosted by some angry women, one of whom told me that daylight saving had had an undesirable effect on her husband. He had to rise at an ungodly time and then, being a good farmer, he worked hard for about 16 hours. Therefore, he was not much good at earning a living or anything else. All of this came from daylight saving and she blamed Mr. Broomhill—

The SPEAKER: The honourable member must not refer to the honourable Minister by name.

Mr. RODDA: This lady did not refer to him as the Minister of Environment and Conservation. I gathered that she had a poor opinion of him and she was blaming the whole matter on daylight saving. I oppose the Bill and am pleased to support the member for Flinders.

Mr. BECKER (Hanson): Under the Bill, from the last Sunday in October to the first Sunday in March we will live under the benefits of daylight saving. As this permanent arrangement has many advantages, this Government and other State Governments should be complimented for taking this step. Having a permanent arrangement of daylight saving will assist sporting organizations in arranging their programmes well in advance, and people who arrange entertainments will be able to plan well in advance. It will also assist the public generally, particularly the white-collar worker. I took the line some years ago that it was all very well to work in an office from 9 a.m. to 5 p.m., but all people like to be able to take advantage of our summer. Daylight saving will give people the opporunity to share extra benefits with their families. I appreciated the opportunity to experience daylight saving for the first time since the war and I know that my family (unlike the family of the member for Mitcham) would be disappointed if I did not support the Bill.

Representing a beachside district, I know that the people down there obtain maximum benefit from our beaches. Many people own boats and there are many amateur fishermen, and it is a matter of using the time available to obtain the maximum benefit one can get. Any society that can improve its standards by making a greater use of daylight hours for the benefit of man is taking a step in the right direction. I sympathize with my country colleagues who oppose the Bill, but I find it difficult to accept all their arguments. I noticed last summer that all the guesthouses, holiday flats, hotels and motels were filled with country people enjoying the benefits of West Beach and the Glenelg beach. Probably only a small number of country people would be forced to stay home throughout the whole of summer, because most of them like to spend their holidays near the beach after harvest.

Mr. Coumbe: Aren't the school holidays in summer?

Mr. BECKER: Yes, and most parents like to be with their children during the summer school holidays. The community as a whole benefited from daylight saving last year. As the Government needs the support of those Opposition members who have the courage of their convictions to support it, I have pleasure in supporting the Bill.

The SPEAKER: The honourable member for Kavel.

The Hon. Hugh Hudson: Are you going to speak for your old school mates?

Mr. GOLDSWORTHY (Kavel): I have a letter from what will be an unnamed schoolteacher complaining fairly bitterly about daylight saving and the effect it is having on children at his school. In some way I think I am speaking for the Minister's chalkie mates, as he refers to them. One cannot help concluding that metropolitan members are lining up on one side and country members on another. This happens rarely in this House, because most members on this side take a responsible view about the community as a whole, including the people living in the metropolitan area. Those people who have spoken to me about this Bill have opposed it. If the benefits of its provisions have been widely enjoyed, it seems that none of the people who have enjoyed them have approached me, but I have had fairly strong representations, particularly from dairy farmers who find the operation of this legislation most inconvenient for them.

The member for Victoria pointed out that it seems to have thrown their day out of gear: during the period that daylight saving operated last year they could not adjust to the change, and it has also affected some of their

domestic arrangements. The member for Hanson said that we should have the courage of our convictions. Speaking personally (which I usually do not do in this House), daylight saving suits me well, because it gives me more time, particularly when the House is not sitting, to do things that members are expected to do. As there is only one member of Parliament in my district, I cannot say that I am speaking for a majority when I give my opinion. Apparently, daylight saving does not work well for most of the primary producers who have approached me. I intend to record a vote in accordance with what I think are the wishes of most people in my district, certainly the unanimous voice of those who have spoken to me. I oppose the Bill for reasons similar to those given by other members who oppose it.

Mr. VENNING (Rocky River): I, too, oppose the Bill, but when I heard the debate tonight of Carnie *versus* Millhouse I was not sure what my thoughts should be. In the meantime—

The SPEAKER: Order! There is nothing in this Bill about personalities, and the honourable member knows that he cannot refer to members by their names. In this Chamber he must refer to them by the district they represent.

Mr. VENNING: I am well aware of that situation. In opposing the Bill I am concerned, because many petitions have been presented to the House from rural people opposing daylight saving. Daylight saving presents a problem to rural people. They are unable to come to town to lobby, like metropolitan organizations, when legislation is discussed in this House. If it were possible for rural people to be here the galleries would be packed tonight with people wanting to hear the debate and to bear witness to their thinking on the matter of daylight saving.

Recently in this House we discussed the Budget and what the Government intends to do with the money made available. I pointed out that it was only able to carry out its programme because of private enterprise and primary production, making it possible, by working 16 hours a day and possibly seven days a week, for this Socialistic Government to do what it can do. I am concerned that the expressions of the rural people have not been heeded one iota by this Government. When we asked about daylight saving, there were no replies in the House to questions on when it was likely to come into effect. Government members dilly-dallied with the situation, knowing full well what they intended to do, irrespective of what was said by members on this side.

For these several reasons I am disturbed about the situation. One of my colleagues said tonight that South Australia had no alternative but to fall into line with the Eastern States. On the other hand, the Minister of Education said that schools could adjust to the position if parents and teachers got together; they could adjust the hours to suit themselves. In the same way, South Australia could have adjusted if it had wished. It was not necessary for South Australia to introduce daylight saving simply because that was being done in the Eastern States. I do not believe that is an argument in favour of daylight saving.

When the previous Bill was debated in this House last year, I said that there had been certain problems in the receiving of grain. In the districts where growers are delivering early grain there is a problem because the silos are not open at times to suit the growers. It is regrettable that, with the season developing as it is, we will be lucky to have very much grain to put into the silos, irrespective of whether or not we have daylight saving. With a Labor Government we cannot afford to have droughts; we must have record years all the time to stand up to the increased taxation.

I regret that the Government has asked the House to pass this legislation, irrespective of what the primary producers have to say about it, when in fact those people are producing the life blood of the finances of Australia. Over 50 per cent of export earnings comes from the hands of the primary producers who make it possible for the people of Australia to enjoy their present standard of living.

Mr. EVANS (Fisher): I wish to speak only briefly to the Bill. When a similar measure was introduced last year I said I was willing to support it for a trial period to see what the effect would be and to see what attitude the people in my community would take.

Mr. Clark: What about your own attitude?

Mr. EVANS: It was a clouded issue at that time in my thoughts. My thoughts are still the same: I became more tired, mainly because I found that I had less sleep. It is by habit that one wakes by the sun at the same time each morning, as I do. Representations made to me in my district have favoured the reintroduction of daylight saving. Some people, particularly young mothers, have said that they find it difficult to get their children to settle down and that, during the period of

daylight saving, their children become irritable. Although I do not regard daylight saving as being completely satisfactory, I cannot offer any alternative. As I believe that most people in the State support it and that it is to their benefit for recreation purposes, I support the Bill.

Mr. WARDLE (Murray): Representing as I do the richest part of this State, in the form of the dairying flats (in fact, it is the richest dairying country in the world), I voice—

Mr. Clark: It would be the backbone of the State!

Mr. WARDLE: By far. A substantial portion of the milk coming into the metropolitan area is produced in that area. The metropolitan area is, therefore, dependent on my district not only for its water but also for much of its milk supply. Representing much of the dairying industry in this State, I cannot support this Bill.

Members interjecting:

The SPEAKER: Order! The honourable member for Murray is trying to voice his opposition to the Bill, and he is entitled to be heard in silence. It is grossly unfair of honourable members on the back benches continually to speak while an honourable member is addressing the Chair.

Mr. WARDLE: Thank you, Sir. I make my formal protest on behalf of the people to whom I have already referred. Although it was only a trial period, members would confess that most of the complaints they received regarding daylight saving in the last 12 months came from mothers of young children. By the end of the daylight saving period I am sure the average family was happy to see the return to normal conditions. I have no doubt that on this occasion families with young children will be disturbed by daylight saving. I therefore protest at the reintroduction of this legislation.

The House divided on the second reading:

Ayes (29)—Messrs. Becker, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Coumbe, Curren, Dunstan (teller), Evans, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, Mathwin, McRae, Millhouse, Payne, Ryan, Simmons, and Slater, Mrs. Steele, Messrs. Tonkin, Virgo, and Wright.

Noes (10)—Messrs. Allen, Carnie, Eastick, Ferguson, Goldsworthy, Gunn (teller), McAnaney, Nankivell, Rodda, and Wardle.

Pair—Aye—Hon. D. H. McKee. No—Mr. Venning.

Majority of 19 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Clause 2—"Advance of time."

Mr. CARNIE: A press report in the *Advertiser* of August 11 states:

The New South Wales Cabinet yesterday rejected a recommendation that daylight saving end on the first Sunday in March. Cabinet agreed yesterday that daylight saving in New South Wales would start at 2 a.m. on the last Sunday in October and end at 2 a.m. on the last Sunday in February.

Can the Premier say whether in the other States daylight saving will end on the first Sunday in March, or whether New South Wales is adhering to the decision to end it on the last Sunday in February?

The Hon. D. A. DUNSTAN (Premier and Treasurer): So far is I am aware, the position in the other States is as we arranged it.

Mr. Carnie: New South Wales seems to have backed down on it.

The Hon. D. A. DUNSTAN: I am not certain about that, but no-one else has changed, so far as I know.

Clause passed.

Clause 3—"Repeal of s.6 of principal Act."

Mr. COUMBE: The present Act provides for a trial period of 12 months and there must be some reason behind the Government's decision now to make daylight saving a continuing matter.

The Hon. D. A. DUNSTAN: It is obviously necessary to repeal section 6 of the original Act, which expired on October 15 last.

Mr. Coumbe: You are not putting an expiry date in now.

The Hon. D. A. DUNSTAN: No, because the trial period has concluded and it is evident that the other States intend this to be a permanent feature of their legislation. In those circumstances, we do not intend to have further trials. We will have to go with the other States.

Clause passed.

Title passed.

Bill read a third time and passed.

POLICE REGULATION ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

The Government has received a report from the Commissioner of Police in the following terms:

I have examined the organizational structure of the South Australian Police Force with particular concern for the span of control between the Commissioner and Deputy Commissioner of Police and the superintendents commanding the various regions. The span at present is obviously too wide causing a tendency towards a lack of co-ordination between functions whose activities are related. In addition, the proliferation of administrative detail with which the two top executive officers are immersed should be delegated to more junior officers who, in turn, have a co-ordinating function rather than isolationist approach. The appointment of assistant commissioners would obviate both these problems with the creation of co-ordinating commands in operational areas and thus permitting the Commissioner and Deputy Commissioner the opportunity for concentration on organizational and administrative planning, assisted by information and advice from the assistants on matters related to operational spheres.

In the Government's view it is desirable that assistant commissioners should be so appointed and this short Bill is intended to provide for this. It is intended that two assistant commissioners should be appointed under the powers sought to be given under this Bill.

Clause 1 of the Bill is formal. Clause 2 provides for a commencing day to be fixed by proclamation; this will enable certain consequential amendments to be made to the police regulations. Clause 3, which is the operative provision of the Bill, provides for an additional rank of assistant commissioner and for appointment to that rank to be made by the Governor.

Dr. EASTICK (Leader of the Opposition): As the Opposition has had the opportunity of studying this Bill, which was introduced in another place, I see no need to delay its passage.

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

ADJOURNMENT

At 10.5 p.m. the House adjourned until Thursday, September 28, at 2 p.m.