## HOUSE OF ASSEMBLY

Thursday, August 16, 1973

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

## QUESTIONS

### CASINO

Dr. EASTICK: Will the Premier reveal to the House the background details relative to the establishment of a casino in South Australia and, in particular, tell members whether reference of the matter to the Industries Development Committee indicates that the Government intends to underwrite the project? Further, will the Premier say whether the intention to establish the casino outside an area with city status confirms a strongly-held view that the Premier seeks Arkaroola as a possible site for the project? It will be necessary for the Premier to give much more detail to this House and to the public on this matter. Many people are concerned that the Industries Development Committee will be the committee of this House that will examine the matter, because these people know full well that the committee's major purpose is to inquire into an industry for the purpose of recommending that the Government make funds available by way of guarantee. The other feature of the matter is the announcement that there will be a need to build this project outside an area with city status, with no apparent regard for whether further development of the area will produce city status in the future. Many people are concerned that, if the casino is freely accessible by motor car transport or other similar means, there will be a problem for the ordinary working man. On this basis and because of the interest that the Premier has shown in the Arkaroola area, there is a considerable possibility that Arkaroola will be the centre of South Australia's Las Vegas if the project comes to fruition.

The Hon. D. A. DUNSTAN: There is absolutely no intention that the Government should spend a cent on this project or give any guarantee of any kind, so I give the Leader that assurance at the outset: there is no proposal to spend Government money or to make a Government guarantee available.

Dr. Eastick: Not even like dial-a-bus?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: As far as Arkaroola is concerned, I can only say that this is the first time that I have heard that place suggested. I would consider it inconceivable that Government or the Industries Development Committee would think that a conservation area of that kind was suitable for the establishment of a casino. I have not heard it mentioned previously. Certainly, Mr. and Mrs. Sprigg have never mentioned it to me, and I think they would be horrified at the suggestion. This is a figment of the Leader of the Opposition's imagination, just as his extraordinary ideas about the word "may" in the Loan Estimates were.

Dr. Eastick: You have not answered that one.

The Hon. D. A. DUNSTAN: Yes I have, and that was as much nonsense as this one is.

Mr. COUMBE: Can the Premier assure the House that the project will not lead to the introduction of poker machines in South Australia in either the short term or the long term?

The Hon. D. A. DUNSTAN: Yes.

Mr. BECKER: Can the Premier say how many applications the Government has received to establish casinos in South Australia and in what locations?

The Hon. D. A. DUNSTAN: That is rather difficult to answer, because it depends on what the honourable member means by "applications".

Mr. Becker: Well, inquiries.

The Hon. D. A. DUNSTAN: The inquiries have been myriad. The people concerned have been told that, before applications could be considered, legislation would have to be considered in this House; but, at any rate, one would have to look at certain basic matters before any consideration could be given by the Legislature. As to those basic considerations, which were the considerations set forth in my statement this morning, there have been two applications: one by a syndicate in respect of a site near Victor Harbor; and one by A. V. Jennings Industries Limited and Federal Hotels, which are the operators of the Wrest Point casino, in respect of a site at Wallaroo. Inquiries have been made concerning the completion of similar studies and submissions by a group at Mount Gambier and by a group in respect of a site at Andamooka.

Apart from those inquiries, there have been general inquiries from people, all of whom have had the same conditions made clear to them as were made clear to the Jennings group and to the group in respect of Victor Harbor. Whether or not those concerned are proceeding with studies, I do not know. Inquiries were made in respect of the metropolitan area, and I made clear that I would certainly not recommend the establishment of such a facility in an area of large population, because the Government does not believe that such an establishment should be a means of drawing taxation money or profits from the poorer people in the community. In oversea areas many casinos have been established where the local citizenry is not allowed to enter: foreign visitors only may enter. There are considerable difficulties in Australia in making a similar arrangement; distance from large areas of population was thought to achieve a similar result.

Mr. CHAPMAN: Does the Premier intend to adhere strictly to the arbitrary limit of 50 miles (80 km) from the centre of population when proposing to allow the establishment of a casino in this State? I ask the question because I am informed that the only casino in Australia is right in the heart of Hobart. Further, does the Premier consider that Victor Harbor qualifies within these requirements when we consider that, via the new freeway and the proposed extended and re-routed highway to Victor Harbor itself, the proposed site will be within the 50 miles (80 km) road limit from the centre of Adelaide?

The Hon. D. A. DUNSTAN: The legislation will specify 80 km by road from the Adelaide General Post Office. It would have to be decided by the committee whether that limit was to be adhered to. It is not intended by the legislation that provision be made for a casino to be established in a large centre of population.

Dr. TONKIN: Can the Premier say whether the Government intends to hold a referendum to allow the people of South Australia to say whether or not they approve of the establishment of a casino? If it does, will the Government take notice of the opinion expressed at that referendum?

The Hon. D. A. DUNSTAN: We would not hold a referendum without intending to take notice of its result. However, we do not see the necessity to hold a referendum on this matter. The Bill will be brought to the House, referred to the committee, and a report made.

## UNIONISM

Mr. WRIGHT: Is the Minister of Labour and Industry yet able to give the House the details surrounding the eviction of an officer of his department and an organizer of the Australian Workers Union from a pastoral property near Ardrossan this week, when these men were officially visiting that property in order to ensure that the South Australian Pastoral Industry Award was being adhered to? I ask, too, the following questions: (1) Who is the owner of the property? (2) Was the Pastoral Industry Award being adhered to in all respects? (3) Is it a fact that in the process of ordering the officials off the property the owner pushed the Australian Workers Union representative? (4) Did the inspector visit any other property and, if so, who was the owner and was the Pastoral Industry Award being adhered to? (5) Was there any report that weekend shearing was in progress in the district? (6) Does the award provide for overtime to be worked, and is Saturday and Sunday shearing legal under the federal and State Pastoral Industry Awards?

In the country edition of today's *Advertiser* appears an article headed "Union official ordered off to 'avoid trouble' The article is by the Industrial Reporter of the *Advertiser* (Bill Rust) and is as follows:

An Ardrossan grazier said yesterday he had ordered a union organizer off his property this week to avoid trouble among his shearers. The 44-year-old grazier is one of three brothers operating farms in the Ardrossan area. He said he did not want his name to be published because he did not want to be "like Mr. Pratt of Kangaroo Island", the central figure in a confrontation with the South Australian trade union movement over shearing by non-unionists on Kangaroo Island last year.

However, the South Australian Secretary of the Australian Workers Union (Mr. J. E. Dunford), who reported the Ardrossan incident on Wednesday, said it was "a Mr. Lodge" who had ordered the AWU organizer (Mr. E. E. Gehan) and an inspector of the South Australian Department of Labour and Industry, Mr. I. Barry, off his property on Monday. The Ardrossan grazier said that, if the inspector had identified himself, he had not heard him. He was only trying to protect his shearers when he asked the two men after a 10-minute discussion to leave the property. He said, "Our local shearer had a man from Adelaide shearing with him and he proved to be a union man. So far as I can see he is in the pay of the union. That morning he brought out the union book and wanted it signed. His offsider, a local shearer, was not happy about it. After lunch they went on shearing and in came the two union men. I saw them with my two brothers and one of us might have told them that they would be thrown out if they did not leave. We want our shearers to be happy; we do not look for them to be in the union or not, but they do not seem to want the union. I said 'You chaps are going to get the members' money from the shearers if you can; you are just out to gain financially, and what are the shearers going to get out of it?' They did not seem to have the answers. We decided they had better go before our shearer was upset.

We are a non-union shed, except for the ring-in from Adelaide. We asked them to leave before there was trouble. We were half-expecting them here. Kangaroo Island has stuck in our gizzard and we were sort of waiting for them. We won't have a bar of their leader and they can count themselves out here as far as we are concerned."

The grazier said he and his brothers had "not really abused them". He was not essentially anti-union although he did not like them taking over the whole country and telling people when they could or could not work. He was very much opposed to the kind of action—"underhand and domineering"—they had taken on Kangaroo Island. "It is supposed to be a free country, but it does not seem like it," he said. "If shearers want to join the union, that is up to them. And if the union wants to see the men in their own time and at their place, it can."

Mr. Gehan said yesterday he had gone to a property near Maitland for a second time on Tuesday and had been told to "get off" the property. "I don't know why they have turned on us like this," he said. "The property owners said they had an 'arrangement' with the shearers which allowed them to work any hours they liked."

Mr. Gehan claimed that on the Ardrossan property he had been pushed by a man holding a fleece in his arms. "We went because we knew if we didn't it would be on," he said.

The SPEAKER: Order! I think that the honourable member is getting a bit beyond explaining his question.

*Members interjecting:*

Mr. WRIGHT: If I can make myself heard above the joviality of members opposite, I will continue; they do not like this, of course. I have information in my hand that a well known and well respected union shearer named Eddie Wilson went to this property to earn his living. He approached the owner of the property, Mr. Rowntree, in accordance with the State Pastoral Industry Award, asking him to sign an official agreement guaranteeing Mr. Wilson his employment. The owner refused to do so saying, "Are you frightened you will be fined $50?" Mr. Les Newbound, who is well known and is also a union shearer, on contacting the property, was told, "Yes, there certainly is employment here if you require it, but first, do you work on weekends." He said, "No, I am not allowed to work on weekends; that would be breaking the award." He was told, "Weil, we work on weekends here, and there is no job for you." This is discriminating against union shearers.

Mr. Mathwin: You're commenting.

The SPEAKER: Order! The honourable member may not comment while he is explaining his question.

Mr. WRIGHT: I will refrain from doing so, Sir. I am further informed that Mr. Newbound rightly contacted the Secretary of the union (Mr. Dunford), who was able to talk again to the owner of the property. He was also told that if he required work on the property he would have to shear on Saturdays and Sundays to make up for lost time during the week. I hope that the Minister is able to answer my question.

Mr. Gunn: You've answered it.

The Hon. D. H. McKEE: When a question on this matter was asked yesterday by the Leader of the Opposition, I promised that I would obtain a report. I can now state that complaints have been received by my department alleging that farmers on Yorke Peninsula were not abiding by the requirements of the Pastoral Industry Award, which came into force on September 27, 1972. An officer of my department visited the Maitland-Ardrossan district early this week to investigate these complaints. I will refer to only four matters; I have forgotten how many questions the member for Adelaide asked. The important features emanating from this inspection are, first, that there appears to be no underpayment of shearers in the area. Secondly, no agreements are being signed by the employer or the shearer, as required by the award. This is a breach by both parties. Thirdly, weekend crutching is taking place to prepare sheep for sale at markets. Fourthly, non-union labour is being used in some shearing sheds.

My inspector has reported that he was well received in the area, except for two properties. He states that it is apparent that problems stem mainly from lack of knowledge of the requirements of the award, as this is the first shearing since its introduction last September. I must be thoroughly convinced that every farmer who shears sheep anywhere in South Australia and who comes under the State award is familiar with that award, has arranged contracts, and knows exactly how to carry out the requirements of the award. Because this is the first shearing season that this award has been in force, I intend to

arrange for a senior officer of my department to visit the district immediately to explain the requirements and give farmers more information. My officer will be returning to Yorke Peninsula on Monday morning. After that information has been supplied to the farmers, any further complaints will be investigated and the necessary action will be taken where breaches of the award by both parties are found.

Mr. RODDA: In view of the Minister's statement that an officer of his department is visiting Yorke Peninsula next week to talk to graziers regarding the implementation of the Pastoral Industry Award, will he consider making this a future permanent State-wide feature of the administration of the department? The award has only recently been brought down, and this is the first shearing season that graziers and sheep station owners will be working under it. Such further liaison would promote a better understanding of the award; I am sure that the graziers in my district want to liaise. Indeed, they do this and there is no fear that there are any under-award payments or that there is any weekend shearing. However, I should be pleased to have the Minister's assurance that officers from his department will continue to liaise with the grazing industry.

The Hon. D. H. McKEE: I appreciate the honourable member's question, especially in view of the reply I have just given. I would certainly be pleased to send an officer to any area of the State to explain the award to any interested bodies. I agree with the honourable member about the situation in the South-East: no complaints have ever been received by my department, to my knowledge, from that area, and it is obvious that pastoralists there are doing everything to co-operate and comply with the terms of the award. I will inquire about having an officer visit areas throughout the State to pass on the information to those who require it.

Mr. ALLEN: Can the Minister say how many graziers referred to in the report he has given are paying over the award rate for shearing? I am sure that the Minister would have received this information from the union organizer. From my experience in this industry, I know that many graziers pay over the award rate. I always did that. I made the pay up to the nearest $1 and gave the shearer a sheep to take home. I know that many other people do likewise. Some of them even provide combs and cutters for the shearers. The result in my case was that over a 32-year period I had only three different shearers. I assure the Minister that a good atmosphere prevails between the employers and the shearers and I should like to know whether he has a reference in the report to any over-award payments.

The Hon. D. H. McKEE: No, I am sorry. I cannot give that information to the honourable member. We have no information about who is making over-award payments.

## RADIO-ACTIVITY

Mr. HOPGOOD: Has the Minister of Works any further information concerning radio-activity levels in South Australian water?

The Hon. J. D. CORCORAN: The Engineering and Water Supply Department, which measures radio-activity levels of rainwater in various locations, has found a significant increase in the radio-activity of rainfall in South Australia. The increase is no doubt caused by the recent French nuclear tests. On Tuesday, August 7, the radio-activity of the rainfall at Hope Valley was 8.5 pico-curies a litre, at Happy Valley it was 4.5 pico-curies a litre, and at Bolivar it was 8.5 pico-curies a litre. On Thursday, August 9, when rain fell, the radio-activity of rainfall at Hope Valley was 14.4 pico-curies a litre, at Happy Valley it was 5.6 pico-curies a litre, and at Bolivar it was 6.2 pico-curies a litre. On Tuesday, August 14, the level at Hope Valley was 98.4 pico-curies a litre, and at Happy Valley it was 46.1 pico-curies a litre—significant increases. However, I point out that there is no cause for public alarm in connection with the safety of drinking water, because it is not expected that the level of radio-activity in the reservoirs will rise above the normal 10 pico-curies a litre, because of dilution. The same point applies to water in rainwater tanks. The Engineering and Water Supply Department will continue its intensive State-wide monitoring of rainfall, rainwater tanks and reservoirs. On Tuesday, in Mount Gambier, where tests are also being made, the level of radio-activity stood at 14.6 pico-curies a litre.

## MARGARINE

Mr. McANANEY: Knowing the Attorney-General's policy of protecting consumers, I ask him whether the Government intends this session to introduce tougher laws on the labelling and advertising of margarine, as has been done in New South Wales. In that State labelling laws have been introduced on all types of margarine to protect consumers; the legislation makes it compulsory that table margarine be made only from oils derived from vegetable oil seeds grown in Australia and it will present misleading promotion of cooking margarines or universal spreads.

The Hon. L. J. KING: I will discuss the matter with the Minister of Health and the Minister of Agriculture and let the honourable member have a reply.

## 35-HOUR WEEK

Mr. HALL: In view of the previous statements of the Minister of Labour and Industry that he and his Government favour the introduction of a 35-hour week, will he say whether, because of the problems involved in controlling inflation, the obvious lack of operatives in industry and the apparent about-face by the Commonwealth Minister for Labour and Industry (Mr. Cameron), who says that now is not the time for a 35-hour week to be introduced, he still maintains his previous view or whether he now agrees with his Commonwealth colleague?

The Hon. D. H. McKEE: This question has been raised on several occasions by various trade union groups throughout the Commonwealth. The matter is still being considered by the Australian Council of Trade Unions and various branches of the Trades and Labor Council throughout the Commonwealth, and until a uniform decision is reached—

Mr. Millhouse: You can't do anything.

The Hon. D. H. McKEE: It would be foolish for any Government on its own to do anything. It would be unwise for any State alone to tackle a 35-hour week. It would not be good policy until agreement was reached, so the situation must remain as it is.

## RESIDENT MEDICAL OFFICERS

Mr. PAYNE: Will the Attorney-General ask the Minister of Health whether any resident medical officer employed by the Government has a working week of 120 hours? Last night I heard a caller on Father Bob's radio programme say that he was a resident medical officer employed by the Government. He said that he worked 120 hours a week and that he had worked six months straight without a day off. This, to me, seems to be undesirable, because it could be injurious to the doctor's

health and could have a possible deleterious effect on the health of his patients.

The Hon. L. J. KING: I think I could anticipate the answer to the question but, as I have been asked to refer it to my colleague, I will do that and obtain a reply for the honourable member.

## ABORIGINAL LANDS TRUST

Mr. MILLHOUSE: Can the Minister of Community Welfare say what is happening with regard to the Aboriginal Lands Trust? I read in the latest *Sunday Mail* that Mr. Nigel Thompson, who was the trust's Manager, is no longer with the trust. The purport of the report was that he left after some disagreement (that was not stated straight-out, but that was the implication I gathered from the report). I read in this morning's *Advertiser* that the residents of Point Pearce are dissatisfied not only with me for the reported comments I made in the House but also with the trust itself. I was present at the meeting of the Point Pearce council, which passed the resolution that Point Pearce should be transferred to the trust. At that time, I had high hopes (and I am sure that the present Minister had high hopes when he came into office) for the success of what was then and still is, I suppose, an experiment in the vesting of rights in land to Aboriginal people. However, it seems to have gone sadly astray, from the reports we have had. I know that the Minister is not directly responsible for the trust, which is independent in its activities, but he is for us in the House the channel of information and communication with the trust. I, for one, seek clarification of the situation and an assurance that things are not really as unhappy and unsatisfactory as they seem to be from the two reports: Mr. Thompson's resignation, and the attitude of the residents of Point Pearce to the trust.

The Hon. L. J. KING: As the honourable member has indicated, the reserve council, which represents the residents of Point Pearce, accepted the position that the reserve should become the property of the Aboriginal Lands Trust. Following that acceptance, the reserve was transferred to the trust. Subsequently, a report was commissioned from a firm of consultants on how the reserve could be developed for the benefit of the Aboriginal residents and of Aboriginal people generally. The report was commissioned at the joint expense of the Commonwealth and State Governments and at the request of the trust, with the full knowledge and approval of the Aboriginal Reserve Council at Point Pearce. The report recommended that Point Pearce be developed by the trust, and that the trust be the operating authority responsible for its economic development. That recommendation was accepted by the Commonwealth and State Governments, the trust, and the council representing the Aboriginal people. Difficulties arose in the course of implementing that report. Perhaps in retrospect it could be said that they were inevitable difficulties, but I hope and believe not insuperable difficulties. It would be useless to attempt to deny that there were difficulties. Tensions and differences of viewpoint have developed between the trust, as the responsible authority for the development of Point Pearce, and the local residents.

There has been a tendency on the part of some local residents to consider that the control of the economic operation should be vested at a rather more local level than in the trust. There are difficulties, and I will not try to resolve them today. I believe firmly that these difficulties should be resolved by the Aboriginal people themselves, and that it would be undesirable for the Government to impose its views (whatever they may be) on the Aboriginal people. I believe that the differences of viewpoint and emphasis that arise in such a situation must be resolved by consultation between the trust (which has a responsibility not only to the residents of Point Pearce but also to all the Aboriginal people of the State) and the local residents. There has been continual dialogue between the trust and the local residents, through their council, without reaching, at present at any rate, an entirely satisfactory solution of the problems.

One of the problems related to the control of the Point Pearce village, but I understand that this problem has been resolved satisfactorily. That was a matter in which I intervened, because my intervention as Minister was necessary to enable it to be resolved. It has now been decided that the village area will be leased on a 99-year lease by the trust (as owner of the freehold) to the council, and that the council will sublease the parts on which houses are situated to a housing society. Commonwealth funds for housing will be channelled through the society, and this means that the society will control the houses and be responsible for deciding on the occupancy, maintenance, and control of the conduct of the occupants. The public part of the village will become the responsibility of the council, which will exercise powers, broadly analogous to the powers of local government, in the public part of the reserve. The trust will retain its control over the rest of the reserve that it is developing as an economic enterprise. However, the position has changed to some extent in the last two or three weeks. As the honourable member has said, the Manager of the trust (Mr. Nigel Thompson) has resigned. He has not communicated with me and I do not know from him the reasons for his resignation.

I have adopted the policy of intervening in the affairs of the trust only to the extent of an absolutely irreducible minimum. It is important that the trust should be responsible for the management of its affairs and not be subjected to undue interference by the Minister. Consequently, I have not considered it to be my function to insist on an explanation about the reasons for Mr. Thompson's resignation. As he has not communicated with me, I am unable to say what reasons he entertained for resigning. However, I have an appointment tomorrow with members of the trust: they sought the appointment, and I expect they sought it in order to discuss these problems. The matter has been complicated to some extent because the very experienced Chairman of the trust (Mr. Tim Hughes) has had to resign because of ill health. I believe that his resignation is unrelated to the matters (whatever they are) that led to Mr. Thompson's resignation.

Undoubtedly, problems exist between the trust and the people of Point Pearce. It may be that the solution is that there must be some modification of the original plan for the trust to develop Point Pearce, and that some means must be found to provide a greater degree of economic responsibility for local residents. They are matters which I shall discuss with the Aboriginal Lands Trust tomorrow, and I can only say at the moment I am quite confident that, given continued goodwill on the part of everyone concerned (the Commonwealth Government, the State Government, the Aboriginal Lands Trust, and the Point Pearce residents), the Point Pearce project will continue and will turn out to be the success we all hope for it.

## INFLATION

Mr. DEAN BROWN: Bearing in mind the current economic state of South Australia, can the Premier say what action the Government will take to increase the real earnings of South Australians while reducing the inflation

rale? What action will the Government take to stimulate the rather depressed state of industrial development in South Australia? South Australians are at present in the rather unfortunate position where their real standard of living is declining when compared to that in the other Australian States. The reason for this decline is the rampant inflation in South Australia and the depressed production of secondary industry. The average weekly earnings of employed males in South Australia have decreased from $96 for the quarter ending December, 1972, to $91 for the March quarter in 1973:

The Hon. Hugh Hudson: As it does every year: it is seasonal.

The SPEAKER: Order! The honourable member for Davenport.

Mr. DEAN BROWN: It was interesting to see that this did not occur on the same basis in the other States in Australia. These earnings are the lowest of any State, with the exception of Tasmania, and are $10 below the seasonally adjusted average for the whole of Australia. Similarly, the weighted average minimum weekly wage is only $65.70, and this is the lowest of any of the Australian States. By comparison, the cost of living has increased in South Australia at a greater rate than elsewhere in Australia. The consumer price indices for the past four quarters were as follows:

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| September, 1972 | 123.0 |
| December, 1972 | 124.0 |
| March, 1973 | 127.0 |
| June, 1973 | 131.6 |

This represents an inflation rate of 7 per cent for the 1972-73 financial year. Obviously, if the average weekly earnings in South Australia continue to stagnate or decline, and if inflation increases at the rate of 7 per cent a year, then the standard of living of South Australians must decline. Furthermore, I have some facts on the production of certain industries in South Australia. I shall quote figures for the year prior to that in which the present Government came into office (the year 1969-70) and for 1971-72. Iron ore production declined from 7 300000 tons (7 416 800 tonnes) to 6 200 000 tons (6 299 200 tonnes). Coal production declined from 2 100 000 tons (2 133 600 tonnes) to 1 500 000 tons (1 524 000 tonnes).

The SPEAKER: The honourable member is getting a little beyond an explanation.

Mr. DEAN BROWN: With all due respect, Sir, I have been speaking for only five minutes as compared to 10 minutes in the case of a previous speaker.

The SPEAKER: Order! The honourable member has been here long enough to know that he cannot make insinuations against the Chair. The honourable member for Davenport.

Mr. DEAN BROWN: My apologies, Mr. Speaker. Furthermore, the total export value for the principal commodities exported from South Australia has dropped from $417,000,000 to $394,000,000. These are just some of the examples showing that secondary industry in this State is obviously going through a stagnant period; in fact, I contend from these figures that it is declining.

The Hon. D. A. DUNSTAN: The honourable member has proceeded to use selective statistics, as he well knows, to try to knock the situation in South Australia. For him to suggest that secondary industry in this State is stagnating, when in fact we have very good employment and expansion in South Australian industry, is nonsense. Within the last few days I have been responsible for announcing expansion worth many millions of dollars for South Australian industry, and those announcements will continue next week. However, I will pay the honourable member—

Mr. Dean Brown: These announcements—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I suggest that the honourable member listens and I will do him this courtesy: I will have his figures completely examined and duly bring down on Tuesday details of an analysis which will show just how shoddy and selective those figures are.

## DOCTORS' FEES

Mr. NANK1VELL: Will the Premier say whether it is correct that Dr. Whiting is the South Australian President of the General Practitioners Association (a professional organization or union, probably not affiliated with the Trades and Labor Council)? Further, in making his protest against the prices order imposed on him, is Dr. Whiting not acting as an officer of that organization? Would it therefore be in line with Labor policy to prosecute such a gentleman; or, in line with past practice, would it not be proper for the Government to pay any penalties that might be imposed on Dr. Whiting should any action be taken resulting in a prosecution?

The Hon. D. A. DUNSTAN: No.

## PETROL SPILLAGES

Mr. EVANS: My question is directed to the Minister representing the Minister of Transport. Will action be taken to stop fuel being spilt on our roadways by careless motor vehicle operators? On the South-Eastern Freeway, a road that is well known to me, there has always been a problem with fuel being spilt to a minor degree, but now hardly a day goes by without the Highways Department having to display signs (and I give the department credit for this) informing motorists that the roadway is slippery. The fuel spillages are caused mainly by heavy vehicle operators who carelessly overfill their tanks. Petrol does at times cause motor vehicles to slide, but it is usually diesel fuel that is the cause. I believe that on one occasion three police motor cyclists out on an exercise came off their cycles because of a fuel spillage. Fortunately, they were not injured and their cycles were not damaged.

Hills residents have complained that when driving in their cars and intending to go south, they often end up going north, east or south, and luckily not west. A major reason for accidents in the hills causing injury or even death is that the vehicle gets out of control because of fuel spillages. It is against the law to spill fuel on a road, but it is hard to police and the penalty is not high. I believe this practice must be stopped and that some action must be taken. Results may be achieved by erecting signs on the road telling heavy vehicle operators to be cautious and not to spill fuel or they will be fined. Unfortunately, it is hard to detect fuel spilling from a vehicle, but it is happening often, and more so in the last two months than at any other time. Perhaps the Minister will also tell me how many accidents the department believes have been caused by fuel spillage on the South-Eastern Freeway.

The Hon. G. R. BROOMHILL: I shall have the department examine the claims made by the honourable member to determine whether action is required and inform him of the result.

## MONARTO

Mr. JENNINGS: Can the Minister of Works tell me who owns Monarto? Rumours are rife throughout the State that the land at Monarto is owned jointly by the Premier and the Norwood Football Club Incorporated. I have been told the Norwood Football Club is involved in this as an investment and that its involvement commenced when the Premier, as a private member, was legal adviser to the club.

The Hon. J. D. CORCORAN: Members opposite may laugh, but it is true that rumours are circulating; they are circulating in my district. It is reported to me that members of the Liberal Party are promoting the idea in the minds of the people in my district that the Premier in fact owns half of Monarto and that the other half is owned by the Norwood Football Club. This rumour has been circulated so much that a distressed constituent of mine rang me and said that the rumours were so convincing that she almost believed them. I was quickly able to disabuse her when I drew her attention to the fact that the Premier, I thought last year, introduced a Bill that froze the price of land in the area designated to be occupied by the city of Monarto, and I pointed out to her that the Government, up to that stage (to my knowledge, anyway), had not made any approaches to any landholders in the area who owned the land then (and still own it) to purchase the land. However, the effect on this woman was quite marked, and I am pleased that the honourable member has asked the question so that not only her mind but also the minds of other people in South Australia who may have heard the malicious rumour may be easier.

The Hon. D. A. DUNSTAN: I seek leave to make a personal explanation.

Leave granted.

The Hon. D. A. DUNSTAN: Following the question asked of the Minister of Works, I can tell the House that I own no land in the Monarto area. I have no interest in any land in the Monarto area. True, my great great grandfather, George Bailey, settled on a farm in Monarto in the 1840's and it has descended to a distant relative of mine whom I have never seen. I have no interest in that property.

The Hon. J. D. Corcoran: This is the point of the rumour: that that is why you chose the area for the new city.

The Hon. D. A. DUNSTAN: Well, I have no personal interest in the area at all and, like rumours of my death, unusual race, insanity, divorce, sexual bizarreness, and personal wealth, it is not only untrue but also grossly exaggerated.

## MATHEMATICS COURSE

Dr. TONKIN: Will the Minister of Education institute an immediate inquiry into the so-called new mathematics course being taught in South Australian schools? I am sure that all members have seen in the newspaper this morning the reported remarks of Professor Potts (Professor of Applied Mathematics at the University of Adelaide) in which the professor states:

The text of the new maths used in South Australian schools was completely useless mathematical nonsense.

Professor Potts has a high reputation in his field of applied mathematics, and I think his opinion should not be taken lightly. I also have had personal experience with the new mathematics course, which I frankly admit that I cannot understand but which my children can understand. I consider that there is a tendency, with this course, for young people and children to neglect the tables and basic mental arithmetic work and be able to cover up the fact that they do not know their basic skills in mathematics. I consider that this matter should be investigated to find out whether the course is satisfactory and, if it is, people should be reassured about it. If it is not satisfactory, necessary action should be taken to remedy the position.

The Hon. HUGH HUDSON: In the circumstances, I think that the best thing I can do is read a report that the Director-General of Education handed to me a short time ago. I am sure the honourable member appreciates that he is a mathematician of the old school and it may have even been the case that, when he studied mathematics at school (if that is what he did at school), he studied the subject by using a textbook written by the Director-General of Education. In referring to the report in this morning's newspaper, the Director-General states:

Professor Potts told me the same thing at least five years ago. He is an applied mathematician and the new mathematics is largely that of the pure mathematician, so I think the views of Professor Potts should be checked up with the views of some of his colleagues at the university. In fact, the move for the introduction of modern mathematics into the schools came from professors in the universities around the world. Professor Thwaites of the United Kingdom, who has conducted seminars in this country, and Professor Beberman, of the United States of America, were some of the prime movers. In this State when Professor Eric Barnes came from New South Wales he urged us and helped us in introducing more modern mathematics into our syllabuses and, of course, Professor Zoltan Dienes, formerly of the University of Adelaide, is a figure of world renown and he has influenced the content and approach of some of the modem mathematics books in use in the schools. Modem mathematics was introduced to give children a greater understanding of mathematical processes, whereas previously it had been mainly rote learning. Children are certainly happier with their new mathematics, and we have no real evidence of losses in computational ability. All teachers are aware of the importance of knowing number facts and tables, and mental and table work are still prominent in the schools despite greater emphasis being given to understanding processes. I have observed this in my own visits to schools and my deputies and directors report the same in their visits. In old mathematics, grade 2 was not taught seven or nine times tables as implied in the report of Professor Potts' statement. The tables taught in grade 2 were those of two, five and 10 times. Of course, I am an "old mathematician" and I dislike some of the formal jargon, such as "commutativity", "associativity" and "closure" that crept in with the new mathematics, but in my visits to schools and those of my senior officers we see less of this jargon today. Despite my background, I have to admit that modern mathematics has provided more gains in the schools than losses. From the number of oversea visitors coming to some of our schools to see this work and from the number of requests for help in other countries from some of our teachers, this must be a widely-held view.

Teachers from our schools do advise on this very subject in other countries. The Director-General also states:

When modern mathematics was introduced into schools, the Education Department, the Further Education Department and the Workers' Educational Association provided classes for parents and these classes are still available if there is any demand.

The answer to the honourable member's question is "No". However, if he needs to attend a class in modern mathematics, I shall be pleased to arrange that for him. If he needs further instruction, I will arrange that for him also.

## ROAD TRANSPORT

Mr. VENNING: Can the little Minister representing the Minister of Transport say what period of time will be allowed before the proclamation of the legislation dealing with commercial road transport, expected to be introduced when the Minister of Transport returns from overseas? I am particularly concerned about this legislation. It may be that, if it does not come into operation until September, as has been suggested, it will not operate in time for the coming harvest. Is it expected that it will be proclaimed before the coming harvest or will there be a period when people, not only primary producers but also general carriers, will be able to make the necessary adjustments to comply with the legislation?

The Hon. G. R. BROOMHILL: I shall be pleased to get a reply to that question for the fat farmer.

## LEASES

Mr. ARNOLD: Can the Minister of Works, representing the Minister of Lands, say when applications made by farmers to convert from miscellaneous lease to perpetual lease will be dealt with? During the previous Liberal and Country League Government, from 1968 to 1970, the necessary steps were taken to enable farmers to convert their miscellaneous leases to perpetual leases, but they inform me that since that time very little progress has been made in that direction. Since it is necessary for a farmer to have security of tenure by way of a perpetual lease to enable him to borrow against that property for future development and also for the benefit of a house-building loan, will the Minister look into this matter with the object of determining the reasons for the delay?

The Hon. J. D. CORCORAN: I fail to understand the point made by the honourable member that under the previous L.C.L. Government facilities were made available for people to convert from miscellaneous lease to perpetual lease. That has always been the case. I think the honourable member is confusing that with the policy followed in regard to freeholding. I can say that as the result of my experience as Minister of Lands in the previous Labor Government when on several occasions miscellaneous leases, or even annual licences, were converted to perpetual leases. There is nothing in the Labor Party's policy to prevent that. People are given miscellaneous leases over certain areas for a specific reason, not because of the person or anything to do with the person: it is normally because there is some impediment on the land involved and there may be good reasons for the Crown wanting to retain control over a lease.

I am sure the honourable member is aware that an annual licence can be cancelled at any time, with one months notice to the person holding the licence. A miscellaneous lease, no matter what the period of the lease (I think the normal period can extend to 21 years), can be cancelled at any time by the Minister, with six months notice. The conditions accompanying that are that any improvements to that lease, whether it is an annual licence or a miscellaneous lease, that have been approved by the Minister shall be paid for by the Minister.

In many parts of the State it is considered desirable by the Land Board (which, after all, is a statutory body) that certain lands should be held or leased in this manner. It may be for the reason that those lands are considered to be marginal in quality, and there are certain conditions attaching to them preventing them from being converted to perpetual leases because, contrary to popular belief, a perpetual lease means a lease in perpetuity, not a 99-year lease. It is because the department or the Land Board in particular, considers it desirable to maintain some form of control in a miscellaneous lease: for instance, it can be a grazing licence only, which means the leaseholders cannot actually farm or plough the land, or do anything like that. I know that people cannot borrow money on a miscellaneous lease, because there is no security of tenure. However, I suggest to the honourable member that, if he has a specific case to raise with the Minister of Lands, he should take it up to ascertain from the Land Board why it continues to maintain that Crown land as it is or why it let the land on a miscellaneous lease.

Much of the land in my own district that is owned by the Crown is let on a miscellaneous lease because it is subject to flooding from the South-Eastern drainage scheme. If this land was let on a perpetual lease, the lessee would be able to sue the Government for damage, whereas it is made clear to the miscellaneous leaseholder that that condition obtains in the lease. There are marginal lands in this State that come into the same category, where it is not in the interests of conservation to allow anything other than grazing on those properties.

## FARM TRANSPORT

Mr. BLACKER: As the rail system throughout the State is a community service, will the Minister of Environment and Conservation consider making available ancillary equipment to provide a farm-to-terminal service for grain and a factory-to-farm service for superphosphate? With regard to farm-to-terminal service, the rail service is at a disadvantage; because of the cost and inconvenience of double handling, it cannot compete with the service offered by road transport. As rail transport is particularly suited to long-distance large-volume haulage, it is desirable that this system be maintained. If ancillary equipment could be provided so that the railways could provide a farm-to-terminal service at a price that would compete with that offered by road transport the railways would no doubt regain a sizeable portion of the total haulage available in the State. In some areas, a system using ancillary equipment is operating for parcel deliveries. I understand that at Peterborough a semi-trailer provides, from woolshed to rail siding, a shuttle service for wool. If such a system could be widely implemented, I believe that the future of the rail system would be guaranteed.

The Hon. G. R. BROOMHILL: I can recall similar questions being asked of the Minister of Transport in recent years. As I know that he can see some merit in investigating whether or not such a system can be introduced, I shall be pleased to find out what policy has been determined by the department and let the honourable member know.

## MASSAGE PARLOURS

Mr. MATHWIN: Can the Minister of Labour and Industry say whether the Government intends to introduce some form of licensing for masseuses? Many people are concerned about the position with regard to massage parlours in the community. Yesterday's *Advertiser* contains the following advertisement in the "Positions Vacant" column:

Attractive young ladies urgently required for a massage salon, 10 a.m. to 2 p.m.

Then a telephone number is given. Another advertisement states:

Attractive females—

they always have to be attractive for these jobs—

between 18 and 30—

I do not know why they have to be between those ages to give a massage; I am older than that and I think I could qualify for such a job—

four required to work as masseuse, no experience needed as full training would be given.

Several people have approached me about this matter. Parents with young daughters who are seeking employment are particularly concerned. If the young people read this type of advertisement of a vacant position, they may be attracted by the way it is set out. One's imagination does not have to run wild to know what is behind some of these places.

The Hon. D. H. McKEE: The honourable member seems to have made some sort of study of this industry (if that is what it should be called); he seems very familiar with it. I have no intention of registering masseuses. I do not know exactly what type of qualifications a person would require to be registered; perhaps the honourable member may be able to give me that information.

## BROWN COAL

Mr. COUMBE: Will the Premier, as Minister of Development and Mines, give me information about the development by a private mining organization of brown coal deposits in the Far North of the State? This is obviously a matter of vital importance to the future power-generating capacity of the State, especially as I understand there is a limited life for our existing fossil fuel deposits. The railway to be constructed from Tarcoola will be of great assistance in transporting this new fuel. As I believe that this preliminary work should be undertaken without delay (although I realize that a long-term factor is involved in the project), I ask what discussions have taken place between the Government and the company concerned. Is the Government providing technical assistance for the project through the Mines Department? Can the Premier say what time factor is involved with regard to the future development of the deposit, bearing in mind the existing Leigh Creek coalfield?

The Hon. D. A. DUNSTAN: Studies are currently being undertaken on the economics of using coal from the Utah Development Company's deposits on the Tarcoola to Alice Springs railway line, but it will be some time before an evaluation can be made. The full extent of the deposits is not yet known. Given the quantity of overburden, the cost of extracting the coal is still a matter for investigation and debate. The costs of transporting the coal are not yet known, as they still require much study. Consequently, I cannot imagine that we will have a particularly quick answer on the matter. I will, however, get as full a report as I can for the honourable member.

## PIMBA ROAD

Mr. GUNN: Has the Minister of Environment and Conservation a reply to my recent question about the condition of the Andamooka-Pimba road?

The Hon. G. R. BROOMHILL: The Andamooka-Pimba road, which is 76 miles (122 km) in length, is of a very low standard and can be difficult to negotiate in wet and dry conditions. The Highways Department is proceeding with planning and design for the improvements that are necessary in the way of realignment, formation and sheeting. However, in view of the limited total funds available for rural road construction and the need to proceed with works of higher priority, there is little possibility of construction work commencing for a number of years. The Highways Department has a grader permanently stationed on this road, and it is considered that such maintenance is all that can be reasonably undertaken at this time.

## BOATING REGULATIONS

Mr. RODDA: Can the Minister of Marine say whether he intends to introduce this session legislation relating to the licensing of power boats? This question is supplementary to a question on the subject asked by the member for Hanson on August 7. Last weekend, I attended a safety seminar which was organized by the rural youth organization at Naracoorte and at which the matter of licensing and controlling power boats was discussed. It was pointed out that several people had been drowned as a result of power boats being driven in the open sea by people not properly qualified to drive them. Moreover, it was stressed that, with the affluent conditions now obtaining in society, more and more people would be using power boats. Being the only legislator present, I was questioned about the lack of controls; it was said that South Australia was the worst State in the country in this respect. I realize that the Minister said last week that the matter would be looked at. However, in view of the issues raised at the seminar, will he assure the House that South Australia is not the worst State in Australia in this respect and that legislation will be introduced this session?

The Hon. I. D. CORCORAN: Regarding the allegation that South Australia is the worst State in Australia in connection with controls over power boats, I would think that in most respects, despite what the member for Davenport said this afternoon, South Australia is the best State in that respect. In reply to the member for Hanson, I recently said that the Government had prepared legislation last year, but it had been deferred pending a meeting of State Ministers of Marine and the then Commonwealth Minister for Shipping and Transport (Mr. Nixon). Such a meeting had been requested to investigate the possibility of establishing uniform legislation throughout Australia for controlling power boats. Victoria is the only State in Australia with any legislation on the subject. Queensland, Tasmania and New South Wales rely on regulations under Acts such as the Marine Act, as we do in connection with the few controls that we have in this State at present. We rely also on council by-laws, particularly in relation to inland waters. I told the member for Hanson that the meeting of Ministers had established a working committee, which is meeting this month to consider the final recommendations to be placed before the next meeting of Ministers. I think I also told the honourable member that the next meeting of Ministers would be held in Hobart in October, but I am not certain now whether that information was correct. The Director of Marine and Harbors drew my attention to this matter this morning; he said that, whilst that impression was given at the last meeting, no firm decision was made. I will ask the Commonwealth Minister if and when we are to meet, because I am concerned that the legislation should be dealt with as soon as possible. Only this morning I was discussing the matter with the Director of Marine and Harbors (Mr. Sainsbury). If a meeting of Ministers is not proposed, I shall certainly consider the possibility of obtaining recommendations from the working committee in connection with uniform legislation to see whether we can go ahead alone and introduce such legislation in the hope that it will be close to the final result. I am anxious, as is the member for Hanson and his constituents, to see some control over what can be a dangerous situation. There are some difficulties of which the honourable member is probably aware; some people in South Australia are not as keen as are his constituents to see laws implemented on this matter but, in the interests of safety generally, I believe legislative action should be taken. I will keep members informed on the progress made in this connection, so that they will see that the Government is not resting in this matter. No doubt members will ask further questions in this connection. The Government earlier agreed in principle to introduce legislation; indeed, we were ready to introduce it last year. It is just a matter of whether we wait for the uniform measure or go it alone.

## MEALS ON WHEELS

Mrs. BYRNE: Can the Minister of Community Welfare say whether it is intended to commence a Meals on Wheels service in conjunction with the Modbury Hospital? I last raised this matter on November 23, 1972, when I was told that, after the hospital opened, arrangements could be made to supply meals on wheels on request. This service would benefit some residents in the area.

The Hon. L. J. KING: I shall find out for the honourable member.

## MOUNT BARKER CORNER

Mr. McANANEY: Has the Minister of Environment and Conservation a reply to my recent question about eliminating a detour through Mount Barker?

The Hon. G. R. BROOMHILL: The design of the Mount Barker interchange, which forms an integral part of the South-Eastern Freeway project, provides for the linking of the present Adelaide road (Mount Barker to Wellington Main Road No. 15) to the Princes Highway (South-Eastern Main Road No. 1) and to the freeway itself. This link will be by a direct road close to the present alignment of the Adelaide Road, but passing over the freeway. On present indications it is anticipated that this link will be available toward the end of 1974. I have an aerial plan showing the present and ultimate routes which I will make available to the honourable member if he so desires.

## AXLE LOADINGS

Mr. NANKIVELL: Has the Minister of Environment and Conservation a reply from the Minister of Transport to my recent question about axle loadings?

The Hon. G. R. BROOMHILL: It is the practice of the Highways Department inspectors to hand weigh notes to the drivers of all vehicles which are detected as being overloaded, if prosecution is contemplated. In addition, the amounts by which axle loadings exceed the permissible limits are clearly stated on the summonses which are issued.

## MITCHAM HILLS WATER SUPPLY

Mr. EVANS: Has the Minister of Works a reply to my recent question about the water supply in the Mitcham Hills area?

The Hon. J. D. CORCORAN: Having made inquiries, the Engineering and Water Supply Department has no knowledge of any difficulty in maintaining the water supply to consumers in and around Mitcham or in the foothills area near Mitcham during last summer. Some minor problems arose with the supply to a few consumers in the Crafers area on one or two days, but this was promptly overcome. If the honourable member is aware of a consumer having difficulty, I shall have the matter investigated if he lets me have the details.

## COOPER CREEK CAUSEWAY

Mr. ALLEN: Will the Minister of Environment and Conservation ascertain what steps the Government has taken to ensure that traffic can cross Cooper Creek on the Birdsville track when that creek is in flood in the near future? Reports at present indicate that the route will be cut by floodwaters soon, and it will be necessary to use the steel pontoon that has previously been used at the crossing. The information given to me is that the pontoon is badly rusted and may need replacing. On October 5, 1971, I asked when work would commence on the causeway across the creek. On October 19, 1971, I was told that the pontoon was ready if the floods reached the crossing and that a sealed causeway would be constructed in 1972. Although we are now well into 1973, up to the present no work has been carried out at the crossing.

The Hon. G. R. BROOMHILL: I shall be pleased to examine the situation, see what the programme is for the project, and let the honourable member know.

## MULTIPLICATION

Mr. BECKER: Can the Minister of Education say whether the 11-times table and the 12-times table will eventually be phased out from the school mathematics teaching programme? Although a new mathematics system was adopted some years ago, some teachers in schools are still insisting on their students learning multiplication tables up to 12. In view of the change to the metric system, I understand that it may no longer be necessary to learn the last two tables.

The Hon. HUGH HUDSON: I know of no move in this direction but, for the special benefit of the honourable member (who may not have yet caught up), I shall be pleased to inquire and to see what may or may not happen. I should have thought that most children would pick up the 11-times table without any trouble whatsoever: it is nothing that really requires much teaching at all.

## SUBMERGED LANDS LEGISLATION

Dr. EASTICK: In the temporary absence of the Premier, can the Minister of Works, as Deputy Premier, say whether the Premier has had any recent discussions with the Premiers of other States about the Commonwealth Government's submerged lands legislation? If no recent discussions have been held, will the Premier discuss the Bill before it is further considered by Commonwealth Parliament, either as a result of an invitation from one of the other Premiers or as a result of his personal initiative? This matter is one of considerable concern to the States. Indeed, the Premier has indicated his concern about the loss of certain rights or privileges to the States as a result of the introduction of the Bill. Further, I believe this was one of the areas the Attorney-General investigated and considered while overseas. During the most recent session of the Commonwealth Parliament, discussion and debate ensued on the Pipeline Authority Bill, 1973, and reference was then made to the Commonwealth taking over the States' responsibilities. On that occasion Senator Durack, at page 2056 in Commonwealth *Hansard,* May 30, 1973, stated:

> As the Senate will recall, that Act is part of the monumental off-shore petroleum mirror legislation which was introduced as a result of the agreement between the Commonwealth and the States for the exploitation of Australia's off-shore petroleum resources. It came into force throughout Australia, by the agreement, in 1967. By that Act the Commonwealth has agreed with the States that it will not move to amend the Act in any way without prior consultation with the States. As I understand it, there is no agreement with the States that the off-shore petroleum mirror legislation should be amended in this way.

He then continued by explaining other aspects of the measure. In reply to a further question on this subject by Senator Young, Senator Wriedt (the Minister in charge of the Bill) stated:

> I am not aware of any discussions which have taken place. I have not been advised of them. This is not to say that they did not take place. I am not aware of any discussions having taken place between the Commonwealth and the States in respect of clause 39.

My question is not so much related to the pipeline legislation, but it is another example of the Commonwealth Government having moved to take action to the detriment of the States without the consultation which is written into the original legislation. It is for this reason that I seek an indication of what action has been taken or is contemplated by the Premier so that, before further discussion on the submerged lands legislation proceeds, this State's responsibilities and rights will have been considered around the conference table.

The Hon. J. D. CORCORAN: I do not know of any conference that has taken place between the other Premiers and the Premier of this State. I will refer the matter to the Premier and see what he can tell the honourable Leader.

## HILTON BRIDGE

Mr. MATHWIN: Has the Minister of Environment and Conservation a reply to my question regarding the width of lanes on the Hilton bridge?

The Hon. G. R. BROOMHILL: The Highways Department has no proposals to reduce the width of lanes on the existing Hilton bridge. The design work for a new bridge is well advanced at this stage. However, as a result of the present planning study of the Corporation of the City of Adelaide by Urban Systems Corporation, doubt has now arisen in connection with the basic planning premises on which this whole project is based. Therefore, it may be necessary to re-examine all of the transportation proposals affecting access to the city.

## ZONE 5 SETTLERS

Mr. CHAPMAN: Can the Minister of Works, representing the Minister of Lands, say why this State and the Commonwealth Government agreed to reduce the rentals applying to zone 5 soldier settlers' holdings in 1971? It has been reported to me that there can be only two reasons for this agreement: first, that the initial rental was improperly fixed; secondly, that economically these rentals were too high when first established and that a reduction was therefore justified following the handing down of the findings of Mr. Justice Bright. I therefore seek the specific reason for the decision.

The Hon. J. D. CORCORAN: I will refer the matter to my colleague and bring down a report for the honourable member.

## PENSIONERS' WATER RATES

Mr. ARNOLD: Has the Minister of Works a reply to my recent question about pensioners' water rates?

The Hon. J. D. CORCORAN: I have been informed by the Minister of Irrigation that the Barmera Homes for the Aged Incorporated is classified under exempted lands and that water rating is on the same basis as that set down by the Engineering and Water Supply Department: that is, a rebate amount of $16 a year and excess water consumed at 7.5c a kilometre. This is a greater concession than would apply under a 50 per cent reduction on normal rating for those units occupied by eligible pensioners, so that they have received it already.

## MAIN CONSTRUCTION

Mr. COUMBE: Can the Minister of Works now give me at last the reply to the question I asked about the construction of the main through North Adelaide?

The Hon. J. D. CORCORAN: The trunk sewer under construction in the park lands near the Adelaide Oval is a 57in. (145 cm) diameter sewer which is being laid in the first stage of the approved scheme for the reorganization of the north-eastern and eastern suburbs sewerage system. Preliminary diversion works on the scheme commenced early in 1973 and approximately 1 350 m of sewer has been laid to date. The scheme will eliminate the overloading of present trunk sewers and eliminate the possibility of overflows into the Torrens River. It will provide for full development of the sewerage system serving the area east and north-east of the metropolitan area from and including portions of the city to the foothills and stretching from north of the Main North-East Road to Greenhill Road. The total cost of the scheme is estimated at $5,000,000 and is expected to be spread over approximately eight years.

## TRANSFER TICKETS

Mr. HARRISON: Has the Minister of Environment and Conservation a reply to the question I asked on August 9 about transfer tickets on buses of the Municipal Tramways Trust?

The Hon. G. R. BROOM HILL: The issue of transfer tickets on M.T.T. buses is not restricted to journeys where the initial fare is 30c. A passenger who could have to pay 20c on each of two buses would save 5c by buying a 35c transfer ticket; this is frequently done. At present, the use of transfer tickets is limited to two vehicles. To extend the system further would cause the issuing, checking and accounting procedures to become extremely complicated. The honourable member quoted a case where a particular journey to Rosewater involved the use of three buses. In this case, the passenger would need to purchase a transfer ticket for two of the buses and pay a separate fare on the third. If the fare is 20c on each, as mentioned in the example, then the saving would, unfortunately, be only 5c by using a transfer ticket for two of the buses. However, this is an unusual case. In most cases, people need to use only two buses, and for long trips the saving can be considerable.

## PORT PIRIE HARBOR

Mr. VENNING: Can the Minister of Marine give the House a report on the deepening of the Port Pirie harbor? Last year the Minister visited Port Pirie to inspect the port and, although reports have been made regarding other ports in the north, can he say what is the present position regarding the Port Pirie harbor? I am concerned in this matter because the grain grown in my district is exported through Port Pirie which, I realize, is in another member's district.

The Hon. J. D. CORCORAN: This project is currently being investigated by the Public Works Committee. Evidence has been taken in Adelaide and, I think, in Port Pirie, and the Director of Marine and Harbors has given evidence. However, as the committee wishes to further investigate certain aspects of the project, I have not yet received its report.

## GOVERNMENT PRINTING OFFICE

Mr. NANKIVELL: Has the Minister of Works a reply to my recent question about the new Government Printing Office at Netley and the demolition of the existing building?

The Hon. J. D. CORCORAN: The project at Netley, known as the Government Printing Office contract, comprises the following six buildings: P.A.B.X./security; canteen; Central Mapping (Lands Department); Government Printer, administration; Government Printer, photomechanical; and Government Printer, main printery. The P.A.B.X./security, canteen and central mapping areas have been completed and are now occupied. The Government Printer, administration building, which has reached the stage of practical completion, is being progressively occupied. It is expected that the photomechanical building will be completed in September, 1973, and that the main printery will be completed towards the end of this year. The Government Printing Department plans to occupy these buildings early in January, 1974. I believe I gave that information to the member for Heysen recently. The honourable member will appreciate that it is not desirable to proceed with the demolition of the existing printing office at the time of next year's Festival of Arts, and a decision on when the building will be demolished will take that factor into account.

## HOSPITAL CHARGES

Dr. TONKIN: Can the Premier say what is the reason for the recently announced steep increase in public hospital charges? I understand that these charges have been increased by about 25 per cent and that the cost of a private room in a public hospital now exceeds $200 a week. Can the Premier say whether the increase is the result of increased running costs, which are only a small part of the cost covered by hospital charges, or is it a means of raising additional revenue?

The Hon. D. A. DUNSTAN: The economics of the operations of the Hospitals Department, like those of other departments, have been examined, and the department has recommended that fees be increased. The Government therefore took such action after an examination of the coverage of hospital fees by hospital fund benefits.

## FRANCES POLICE

Mr. RODDA: Has the Attorney-General, representing the Chief Secretary, a reply to my question of July 31 about the closing of the Frances police station? On that day, I presented a petition to the House on behalf of about 100 of my constituents in the Frances area. Since then, numerous representations have been made to the Chief Secretary by letter. I understand that the police officer has gone on leave and that there is no police officer at Frances at present. As it was intimated earlier that the Chief Secretary was considering the case that had been put for the retention of the officer, I ask the Attorney-General whether a decision has been made on whether Frances is or is not to have a police officer.

The Hon. L. J. KING: I will refer the matter to the Chief Secretary.

## WATER RATES

Dr. EASTICK: Can the Minister of Works say whether he has received a reply from the Commonwealth Government to his request that household water bills be declared tax deductible? A press report of July 17 states:

The South Australian Government has asked the Commonwealth to make total household water bills tax deductible. The Minister of Works (Mr. Corcoran) said yesterday a detailed submission had been made to the Commonwealth. Under present taxation laws householders can claim water rates, but not excess charges. Householders in the Australian Capital Territory are able to claim total charges.

It is on this basis that I ask the Minister whether he has received a reply which is favourable to the South Australian community and which treats the members of our community as the equal of residents in the Australian Capital Territory.

The Hon. J. D. CORCORAN: The Premier placed our case before the Commonwealth Treasurer because, as the Leader knows, individual Ministers do not correspond with the Commonwealth Government except on departmental matters. The Premier has received a lengthy reply from the Commonwealth Treasurer, which has been relayed to me but which is not favourable. I see no reason why I should not make it available to the Leader. Possibly, we may have to introduce legislation to rectify the situation.

## BREAD

Mr. McANANEY: Will the Premier obtain from the Commissioner for Prices and Consumer Affairs the cost factors that have resulted in the increase in the price of bread from 17c to 26c a loaf over the last seven years? As during this time the price of wheat has increased only slightly, I ask him why these increases have been necessary and what is the cost of the wheat required to make a loaf of bread.

The Hon. D. A. DUNSTAN: I will get the necessary information.

## ROAD TAX

Mr. GUNN: Can the Minister of Environment and Conservation assure the House that, before the Government receives the recommendations of the Flint committee in regard to the effects of loading, hours of driving, and other matters, it will not introduce legislation concerning the ton-mile tax and the general provisions of the Road Maintenance (Contribution) Act? As the Minister is aware, this tax is rather discriminatory, and it is an honesty tax: the Auditor-General has reported several times that only about 70 per cent of the revenue that should be collected is now being received. Because of the importance of this report, will the Minister allow the House to consider both matters at the same time?

The Hon. G. R. BROOMHILL: I will consider the request, and inform the honourable member of the result.

## NEWSPAPER ADVERTISING

Mr. CHAPMAN: Has the Minister of Works a reply to my recent question about newspapers advertising concessions available to pensioners?

The Hon. J. D. CORCORAN: Advertisements for concessions available to pensioners on council rates, land tax, and water rates were placed in the *Advertiser, News* and *Sunday Mail,* I consider that this is adequate coverage, as the scheme is also advertised on current quarterly water and sewerage rates accounts and annual land tax accounts. The honourable member would know that, with each account, we send an application form, and an explanation is given so that those eligible can apply. I think the most effective method is to send an application form and an explanation with the account, rather than to use advertisements.

## MOTOR VEHICLES DEPARTMENT

Mr. ARNOLD: Has the Minister of Environment and Conservation a reply to my recent question about establishing an office of the Motor Vehicles Department at Berri?

The Hon. G. R. BROOMHILL: Premises have been selected at Berri for the establishment of a branch office of the Motor Vehicles Department. At present negotiations are proceeding between the owner of the building and officers of the Public Buildings Department for the provision of the necessary office facilities. Provided that negotiations can be satisfactorily completed, it is expected that the office will be ready for occupation by the department staff by the end of this year. Applications for staff for the office have been called already.

## OODNADATTA SCHOOL

Mr. ALLEN: Can the Minister of Works say what was the cost of repairing the new Samcon school at Oodnadatta as a result of floodwater damage early this year, and what precautions will be taken to prevent a recurrence? The Minister may recall that I spoke at length on this matter in the Address in Reply debate, pointing out that the school had been flooded before being occupied, despite warnings given by the local residents that this could happen, and local residents are concerned that flooding could occur in future.

The Hon. J. D. CORCORAN: I shall be pleased to obtain a detailed report for the honourable member. It must be unusual for a flash flood to occur at Oodnadatta,

but apparently it can happen, so I will have the matter examined and tell the honourable member what we are going to do and how much it will cost.

## OAKLANDS PARK FLY-OVER

Mr. MATHWIN: Can the Minister of Environment and Conservation say when it is expected that the building of a fly-over at the Oaklands Park railway crossing will commence? Much conflicting information has been given about this matter, and in another debate yesterday the Minister seemed to have misunderstood me, as he seemed to believe that I knew when the work would begin. As I have had no details about this matter, will the Minister ascertain when construction will begin?

The Hon. G. R. BROOMHILL: I shall be pleased to obtain this information for the honourable member.

## LAND TAX

Mr. NANKIVELL: Has the Premier a reply to my recent question about officers of the Valuation Department assisting landholders to complete land tax return forms?

The Hon. D. A. DUNSTAN: The Valuer-General has reported that the forms referred to by the honourable member in his question are not land tax return forms but landowners returns as provided for in the Valuation of Land Act. Their purpose is to assist the Valuer-General in gathering preliminary information about each property to be valued in an area of general valuation prior to inspection and valuation by the valuer. Issuing of landowners returns to landholders for 1973-74 has been completed in the areas of proposed general revaluation, and their return by landowners has been most encouraging. From 100 to 150 are daily being returned to the Valuation Department.

There is merit in the suggestion of an officer's being available to assist persons having queries regarding the filling out of the returns, but it is an additional expense and, since the valuers will most certainly discuss with landowners any particular problems or queries arising from the returns when inspecting the properties and when making the valuations, it is hoped that this should be all that is needed at present. From 1974-75 landowners returns, when issued, will be accompanied by a covering circular letter explaining their use and containing some helpful instructions with regard to filling them out.

## RAILWAY MATERIALS

Mr. NANKIVELL: Has the Minister of Environment and Conservation a reply to my recent question about disposing of materials from the Wanbi-Yinkanie railway line?

The Hon. G. R. BROOMHILL: It is expected that a Bill will be introduced this session to close formally the Wanbi-Yinkanie railway line.

## YOUNG MEN'S CHRISTIAN ASSOCIATION OF PORT PIRIE ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read.

THE REPORT

The Select Committee to which the House of Assembly referred the Young Men's Christian Association of Port Pirie Act Amendment Bill, 1973, has the honour to report:

1. In the course of its inquiry your committee held one meeting and received a written submission from the Young Men's Christian Association of Port Pirie (Inc.).
2. Advertisements inserted in the *Advertiser,* the *News* and the *Recorder* inviting interested persons to give evidence before the committee brought no response.
3. Your committee is of the opinion that the amendment of section 8 of the principal Act, re the power to mortgage, will be beneficial to the association and enable it to carry out the planned improvements in the area.
4. Your committee is satisfied that there is no opposition to the Bill and recommends that it be passed without amendment.

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

That the report be noted.

The committee received written submissions from the organization concerned. As the matter seemed to be clear to the committee, there was no reason to call oral evidence, so no request was made to the organization concerned to bring its representatives to Adelaide for this purpose. The usual advertisements were inserted, but no person indicated a desire to bring evidence before the committee, as a consequence of which the committee did not hear any oral evidence.

The only provision of the Bill is to remove the limit that now exists on the borrowing powers of the organization. It has been in existence for some considerable time, the principal Act having been passed in 1918, and there is no reason to doubt that the committee in charge of the organization will exercise its powers responsibly for the benefit of the organization and without any danger to its members or to the community.

Motion carried.

Bill taken through its remaining stages.

## MONEY-LENDERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 7. Page 200.)

Mr. COUMBE (Torrens): I support this short Bill. It is, of course, consequential on the Consumer Credit Act passed in this House some little time ago. It has been found that certain transactions have been caught up because the Act passed last year repealed the Money-lenders Act, 1940, the Money-lenders Act Amendment Act, 1960, and the Money-lenders Act Amendment Act, 1966. Having taken something out of the Act we are now putting it back to enable things to go on during the transitional period.

I cannot refer at this stage to the amendment that is on our files, although once again we are in a position that, before the member who has secured the adjournment has spoken in the second reading debate, amendments are placed on file by the mover. However, this Bill is quite simple; it merely provides that the person who is licensed under the Consumer Credit Act shall be deemed to be licensed under the Money-lenders Act. The effect is simply to avoid the inconvenience of dual licensing requirements and to see that certain persons are not excluded. This is simply a Bill to put a few things straight, and it will be of a transitional nature.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Transitional provision."

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

In new section 5a (a) to strike out "licensed" first occurring and insert "who was, immediately before the commencement of the Money-lenders Act Amendment Act, 1973, licensed as a money-lender under this Act and is for the time being licensed".

The purpose of this Bill is to maintain in operation the provisions of the Money-lenders Act during a period when certain of the provisions of the Consumer Credit Act will be suspended. As the Bill stands at the moment, all credit providers would be deemed to be licensed as money-lenders during this transitional period. A question has been raised regarding credit providers who are not licensed as money-lenders under the existing Act. There is no reason why they should be deemed to be money-lenders during this transitional period. It is not at all certain that any adverse consequences would result from the Bill as drafted, but to allay the fears of some people that they could be caught up in some provisions not really applicable to them, the amendment is designed to make it quite clear that the continuance of the licence under the Money-lenders Act during the transition period will apply only to providers licensed at present under the Money-lenders Act.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

## CONSUMER TRANSACTIONS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 7. Page 200.)

Dr. EASTICK (Leader of the Opposition): The position concerning this Bill is similar to that concerning the measure just passed: even before we have the opportunity to debate the measure, we know that the Minister is to move amendments to it. However, basically we accept that these provisions will upgrade and improve the existing Act and that, in the main, they will benefit the community. I draw to the Attorney-General's attention two or three clauses on which he might comment, if not at this stage certainly in Committee. We acknowledge that clause 3 is a machinery clause enabling certain provisions to be introduced in stages. Clause 4(*b*) contains a retrospective provision and refers to Part VI of the principal Act under which relief is provided in respect of the consequences of a breach.

1 have previously explained on behalf of the Opposition that any retrospective provision must be considered closely by this House and not simply taken as a matter of course, as the Premier would suggest that it should be taken in regard to the legislation that he has already indicated he will be introducing. I suggest that an unjust situation may arise here, because people who have already entered into contracts may now become bound by a provision of which they had no knowledge when they entered into those contracts. In order to be fair, I suggest that the amendments should be given maximum publicity so that the people concerned will know what sort of contracts they are entering into and whether they are involved. Indeed, the Attorney-General may be able to say whether the Government intends to give a fair degree of publicity in this matter so that people will not suddenly find that, to their disadvantage, retrospectivity has been applied.

Clause 5 brings under the Act the position concerning banks; it is interesting to note that neither the Rogerson committee nor the Molomby committee included in their recommendations sums of more than $10,000 or securities over land. One may then ask what mischief this provision is supposed to cover. Has the Attorney-General a specific case or specific cases in mind requiring the legislation to go further than the recommendations of those committees? Is he suggesting that there have been instances of shilly-shallying or actions by banks or building societies which warrant including these institutions in the definition? Indeed, as banks and building societies, etc., are responsible for nearly 97 per cent of house mortgages (I have no reason to doubt this figure that has been brought to my attention), surely they have their reputations to consider and are not likely (I do not imagine the Attorney-General is suggesting that they would be likely) to take any action that would blacken their name or harm their future operations, yet suddenly they are brought under the legislation.

Clause 6 protects South Australian consumers from problems that might arise through the activities of sellers from other States. Recent "Can-I-help-you?" sections of the press have contained many reports of persons complaining about companies in other States and, on this basis alone, one must accept that this provision is aimed at helping the situation and that it warrants total support. However, I ask the Attorney-General whether he will tell the House how successful he expects this measure to be, having regard to the overall Commonwealth situation and to the many factors that may prevent the effective introduction of this provision and its recognition in a court of law.

Concerning clause 7, we find the right of rescission being extended from 7 to 14 days, but this matter is covered by proposed amendments. In effect, the Attorney-General is accepting that consumers can be expected to be just as intelligent in 1973 as they were in 1972. It seems quite unreasonable to extend this period from 7 days to 14 days and, even though we are not proceeding with this provision, one asks whether such an extension may apply in future and whether, either later this session or in the next session, the Attorney-General will move to extend the period. Clause 8, especially paragraph (*b*), relates to information prescribed concerning the variation of a consumer lease. It is especially difficult for anyone in the community to keep up to date with various regulations. Regulations can be changed frequently, and people often find that, having adopted a certain approach, at a later stage they are suddenly confronted with a set of regulations different from those that applied at the time of purchase, say, six months or 12 months previously.

I raise this matter not to suggest that regulations should not be altered but to highlight what I believe to be a crying need in the community for the Government to undertake an education programme for the benefit of people who may be affected by changes in legislation. A suggestion was made only a few months ago that, as a service provided by Government to the community, it would be desirable, when the daily activities of people in the community might be affected by alterations to Acts or regulations, for the South Australian Film Corporation or some other agency, on behalf of the Government, to inform members of the public of the pertinent facts, so that they will have full knowledge of any change that occurs. The Attorney-General may be willing to agree that he, too, recognizes the need for educating the public in this regard and for providing the relevant information as easily as possible. Indeed, the consideration of this measure may well be the starting point for such a scheme.

No objection is raised to clauses 9 to 13, which are reasonable provisions, implementing the necessary changes that the Attorney-General has outlined. Clause 13(*b*) makes a simple change of phraseology in contracts and is to be applauded. It simplifies the situation and can be supported completely. I indicate to the Attorney that replies to some of these queries that have been raised would

assist the passage of the second reading and quick agreement in the Committee stage. If he cannot provide the information now, I ask him to consider the matters I have raised and, where necessary, make announcements later.

The Hon. L. J. KING (Attorney-General): I will deal briefly with the points that the Leader has raised. In general I agree, of course, that any provision in any Bill having retro-active operation needs to be examined to find out whether it will do an injustice to those who may be affected by it. The retrospective operation provided for in this Bill relates solely to Part VI of the principal Act, so it does not affect any vested rights. That Part merely confers jurisdiction on the tribunal to give relief against the consequences of certain breaches of consumer credit contracts, consumer leases, and consumer mortgages.

Basically, the provisions of Part VI are that, where some unforeseen circumstance has arisen by which a consumer cannot carry out the provisions of the contract, the tribunal is able to look at all the circumstances and give some relief if that is proper. That is an essentially desirable jurisdiction. It should apply to all consumer contracts, whether they were entered into before the principal Act came into operation or not. All that is asked is that the credit provider be willing to submit to the jurisdiction of the tribunal to enable the tribunal, where it is fair to do so, to give some relief to people who are in difficulties about carrying out their contracts, so it is the sort of retrospective operation that is essentially a desirable operation.

Certainly, publicity will be given to the provisions of the principal Act generally. Of course, the situation here is curious. This provision is for the benefit of the consumer, or the borrower, and the only ones who could be affected adversely would be the credit providers, so it is a case in which publicity would, if anything, tend to operate more against the credit provider than otherwise, because publicity would acquaint borrowers under consumer contracts entered into before the principal Act came into operation of the rights that they would now acquire to seek relief from the tribunal if they were in difficulty with their contracts. It is not the ordinary publicity that is required to alert people whose rights may be affected adversely. It would have the other effect and would tend to increase the number of instances in which the credit provider might be affected. For all that, I agree that this provision should be given the widest possible publicity.

Regarding clause 5, this Parliament already accepted the principle, when it passed the principal Act, that these protective provisions should extend to house purchase loans, to mortgages in respect of land, and here we are increasing the limit from $10,000 to $20,000. That merely recognizes the position that exists now, in 1973, namely, that many, if not most, house purchase loans are for amounts in excess of $10,000, so the $10,000 that may have been appropriate when the reports to which the Leader has referred were submitted are less appropriate at present.

This is a simple provision to give realistic effect to extending the protective provisions to this type of loan. The Leader has referred to clause 6, which deals with the applicability of the principal Act to transactions having some interstate element. Section 6 of the principal Act at present provides:

This Act shall apply to every consumer contract, consumer credit contract and consumer mortgage—

(*a*) of which the law of this State is the proper law; or

(*b*) that relates to goods or services that are delivered or rendered within this State.

Therefore, the principal Act recognized that it was desirable that the protective provisions should be extended to contracts to which the law of the State might not ordinarily apply but in which the goods were delivered or the services rendered in this State. This is of the utmost importance, for the reasons that I explained when I introduced the original Bill. The law of contract can be fixed on the letter of the contract itself, and it is easy to insert a provision that a contract is to be governed by the law of New South Wales, New Zealand, or anywhere else, and thereby escape the provisions of the Act. It was necessary to insert the provision to ensure that, where there was any real connection with South Australia, in that the goods were to be delivered here or the services rendered here, the Act was to apply.

On examination, it has been found desirable to be more specific than that, and that became confirmed when the committee drafting the regulations looked closely at the operation of the procedures. There are ways in which there can be direct connection with South Australia, other than in the delivery of the goods here or the rendering of the services here, and they are the matters that we now seek to include in section 6 by this Bill. Clause 6 provides:

Section 6 of the principal Act is amended by striking out paragraph (*b*) and inserting in lieu thereof the following paragraph:

(*b*) where—

(i) in the case of a consumer contract, the goods or services are, or are to be, delivered or rendered in this State;

(ii) in the case of a consumer credit contract, the consumer receives the credit, or the use or benefit of the credit, in this State;

or

(iii) in the case of a consumer mortgage, the goods subject to the mortgage are situated in this State.

That brings in all the cases in which there is a real connection with South Australia in the transaction, although the proper law of the contract according to the ordinary rules of private international law would indicate that normal South Australian law did not apply. Regarding the Leader's final remarks about education of the public in these matters, honourable members know that the Prices Act permits the Commissioner for Prices and Consumer Affairs to engage in publicity in these matters, and he has made a practice of doing so. In regard to each of the consumer protection measures that this Parliament has passed, the Commissioner has published a booklet to acquaint the public with the provisions of those Acts, and those booklets have been welcomed by the community. They have had extremely wide circulation.

Certainly, he will take similar action regarding the Consumer Credit Act and the Consumer Transaction Act, and every effort will be made to acquaint the public and credit providers with the provisions of this Act and the machinery of its operation. There has been the closest consultation with the business interests that the legislation will affect, such as finance companies, banks and retail stores. They have all been closely consulted at each stage and ought to be well aware of their rights and obligations under this legislation.

It is not easy, of course, to educate the public in this regard but every effort will be made to do so by publications authorized by the Commissioner for Prices and Consumer Affairs. There may well be merit in the Leader's suggestion regarding the use of the South Australian Film Corporation in this regard. It is a matter of priorities. The Government has a programme for film publicity in relation to various matters of government and doubtless these matters will be discussed when the

Budget is before the House. I think we may well consider whether we cannot at some stage soon produce some film publicity about consumer protection measures.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Commencement."

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

In new subsection (2) after "section" to insert "and notwithstanding that a proclamation has been made under that subsection".

By this provision, the Governor has power to suspend the operation of certain sections of this Act. The new subsection has been inserted because of some difficulties encountered by organizations connected with industry in having the necessary printing of forms done in time for the Act to come into operation at the date at which it must come into operation for the purposes of the licensing provisions. This amendment makes it clear that that suspension may take place notwithstanding that there has already been a proclamation about the commencing date of the Act. A proclamation has been issued for the Act to commence on September 3; so it will be necessary, when this Bill becomes law, to proclaim the suspension of certain provisions of the Act, notwithstanding that the proclamation of the commencement of the Act has already been made.

Mr. BECKER: The Attorney-General says that the Act will come into operation on September 3. Will it be proclaimed by that date?

The Hon. L. J. KING: A proclamation has already been promulgated fixing the commencing date of the Act as September 3. When this Bill becomes law, it will be possible, before September 3, to suspend the operation of those sections of the Act that create the difficulty about immediate operation. So, when it is done, what will happen on September 3 is that all those parts of the Act that have not been suspended will commence on September 3, which means that the licensing provisions will come into effect on September 3 but the other provisions requiring the giving of notices, etc., to consumers will be deferred to a subsequent date, which I think will be November 1.

Mr. BECKER: There will now be two "notwithstandings" in this new subsection. Is it necessary to have them both in?

The Hon. L. J. KING: It is merely a matter of drafting. It makes it doubly clear that two separate "notwithstandings" are involved: it is "notwithstanding" each of two separate things. I do not think we can improve on the draftsman's effort. If we each tried to draft these things, we would each do it slightly differently. The meaning is clear.

Amendment carried.

The Hon. L. J. KING: I move to insert the following new subsection:

(3) Any provisions whose operation has been suspended under subsection (2) of this section shall come into operation on the day fixed for the expiration of the suspension by the suspending proclamation, or if that proclamation provides for that day to be fixed by subsequent proclamation, on the day fixed by the subsequent proclamation.

This simply makes absolutely clear just how the suspension will operate.

Amendment carried; clause as amended passed.

Clause 4 passed.

Clause 5—"Interpretation."

Dr. EASTICK (Leader of the Opposition): The Attorney obviously has a good reason for wanting to change the original definition of "consumer credit contract". Can he say specifically why this new definition is better than the one it replaces and whether the original one was deficient in the areas now covered by this definition?

The Hon. L. J. KING: The original definition of "consumer credit contract" simply made it a contract where the benefit under it did not exceed $10,000, and that applied whether it related to goods or to real estate. Because of the increased prices of land for houses and of houses, it is desired to increase the limit for housing loans to $20,000, but it is not thought appropriate to increase the amount in the case of goods to $20,000, because that would bring in a much larger area of transactions which would take us beyond what are normally regarded as consumer type transactions. Consequently, it is necessary to redefine clearly that in the case of goods the limit is $10,000. The definition states:

(*a*) under which the principal does not exceed $10,000 and in respect of which no security is taken over land.

So $10,000 is for non-land transactions. Then we see:

or (*b*) under which the principal does not exceed $20,000 and in respect of which security is taken over land.

There is no statutory declaration that the land is to be used other than for the erection of a dwellinghouse.

Mr. BECKER: I doubt whether this is really necessary, because we are involving the banks in a sphere where they make advances that are secured by means other than land—by shares, debentures, and so forth. The type of person who would be obtaining this sort of credit would be in the professional classes. The whole purpose of these measures, initially, was to protect the middle-class people. I challenge the Attorney on the need for the figure to be increased further. Has he obtained the views of the associated banks on this?

The Hon. L. J. KING: As I understand it, the honourable member is suggesting that the amount should be higher than $20,000. At present, the limit is $10,000. If the application of the protective provisions to house loans and mortgages is to be realistic, $10,000 is too restrictive: it would not include many loans to house purchasers. Consequently, if we are to be genuine about extending mortgage provisions to these people, it is necessary to increase the limit to $20,000. There could be an argument for increasing the sum further or for having no limit at all in the case of a house purchase. However, the original limit was $10,000, and we have now increased that to $20,000. We believe the sum should be increased at this stage. Although there may be a case for saying that there should be no limit, that would be a more drastic step, one that we are not willing to take at present.

In other words, we are saying that if a person is buying a house at such a high price that he will have a single mortgage (this is not an aggregate of all mortgages but relates to the first mortgage) in excess of $20,000, presumably he will be likely to seek some sort of advice (hopefully, legal advice) and will not need the protection of this legislation. Experience may show that this is not correct and that the limit should be raised further or removed altogether. Many aspects of this legislation can be seen only in the light of experience. However, I believe we should proceed cautiously. We will see how the new limit works out over a couple of years. If it seems that people who are borrowing more than $20,000 for houses need protection, and if that is what the tribunal reports, Parliament will have to consider raising the limit or removing it. At the moment, I think that the limit of $20,000 will cover most cases of the ordinary house purchaser who is unlikely to obtain the sort of independent advice that would render the protection in this provision unnecessary.

Dr. EASTICK: Is this provision tending to limit the types of security that a person may offer for different transactions? Paragraph (*a*) of the new definition states:

under which the principal does not exceed $10,000 and in respect of which no security is taken over land.

What about the case of a person who wants to use land as a security for a purchase that does not involve land? With regard to paragraph (*b*) of the new definition, what if a person offers, as credit security, other forms of negotiable instruments? Are these people precluded from protection under this provision? I think that the provision may mean that land is not acceptable as security if the transaction is under $10,000 or if it is a transaction that does not involve land, and I do not think that is what is necessarily intended. It also appears that other forms of negotiable instruments are not valid when the principal is being obtained in respect of land.

The Hon. L. J. KING: The position is that if no security is taken over land the limit is $10,000. If security is taken over land, and the land is land on which there is to be a dwelling for the personal occupation of the borrower, the limit is $20,000. The test is in relation to the land over which the security is taken. In other words, if a person is giving security over his house or over land on which he will build his house, the limit is $20,000. If that is not the case, the limit is $10,000. I think that this provision will cover almost every case. It is a rare case indeed in which a person who is borrowing to build or buy a house does not give security over the land on which the house is to be built or on which the house in which he is to live has already been built. If people are engaging in that type of transaction they should seek advice.

The reason we chose this type of provision was that we wanted to avoid (and all reports recommended we avoid this) the problem of defining these transactions in relation to the purpose for which the loan was to be obtained. Grave difficulties are associated with definitions involving purpose. People have different intentions and purposes; they do. not always want to declare their purpose. Later, when the matter comes to litigation, there are often disputes about what the purpose was. Therefore, we adopted, generally, a monetary limit relating to transactions up to $10,000. We did this rather than try to define it in relation to consumer purposes, which would have been another but unsatisfactory way of tackling it. To avoid the difficulties I have described, in fixing an arbitrary monetary limit we have considered it far more satisfactory to distinguish between the $10,000 and the $20,000 limit on the basis of the security given: either dwellinghouse-land or not dwellinghouse-land.

Mr. BECKER: I do not think the Attorney has covered the question we have raised. It is not uncommon for someone to borrow more than $10,000 and offer security other than land. In my past experience in the bank, we made several advances above $10,000 and the securities offered were debentures, shares, fixed deposits, and so on. The reason for the loan could have been for a person to buy a motor car (admittedly this is getting into the luxury class) or a yacht, or to buy something as an investment. There could be the case of a person who wanted to buy, without security, a delicatessen, or something of that nature.

The Hon. L. J. KING: The illustrations given by the honourable member reinforce the point I have been attempting to make. If the money is being borrowed for non-consumer purposes (in other words, to buy a business or something of that sort), this consumer protection legislation is not intended to apply. It would be inappropriate for this legislation to cover those transactions, as it was designed for the ordinary member of the public who is buying some consumer article. A limit has to be set somewhere. Perhaps there is an argument that a person who buys an expensive yacht costing more than $10,000 needs to be covered by consumer protection legislation, but if he is buying an article as expensive as that he is really outside the ambit of the transactions for which the legislation was designed.

Clause passed.

Clause 6 passed.

Clause 7—"Rescission of consumer contract."

The Hon. L. J. KING: With considerable reluctance, I ask the Committee to oppose this clause. When the original legislation was before the Chamber, I moved that the maximum time to be allowed to consumers in which to rescind a contract should be 14 days after delivery. That provision was adopted by this place. It went to another place, which sent it back with an amendment reducing the time limit to seven days and providing that the notice rescinding the contract must set out the grounds of rescission. As I pointed out then, a requirement that a consumer must set out the grounds of rescission in the notice renders the provision nugatory. To set out the grounds of rescission, the consumer would have to get legal advice. By way of reaching a compromise with another place, the Government accepted a time limit of seven days, and the Legislative Council did not insist on its provision regarding the grounds of rescission. That is how we got the time limit of seven days. Further examination of the matter has only confirmed my view that the time limit ought to be 14 days. The notice that the credit provider must give to the consumer can be given at any time within 14 days, but the notice acquainting the consumer with his rights must be given within seven days, so he may not get the notice from the credit provider until after the seven days has expired.

So, I strongly believe that 14 days is the appropriate period. However, we accepted the position as a matter of compromise when the original legislation was before Parliament. This Bill is designed for procedural purposes. Amendments have been suggested as a result of minute examination of procedures, and I do not want to raise controversial issues that will only start off again the arguments that were settled for the time being when the original Bill went through. The Leader of the Opposition reads my mind correctly: I do believe that 14 days is the correct period and, if experience confirms my view, I will probably adopt the course that he suggests I will adopt, and I will come back with further amendments; the idea had crossed my mind. However, at this stage, we are anxious to put through a Bill confined to procedural matters that can operate by September 3. Matters of policy will be best reconsidered when the legislation has been operating for some time and when we have all had experience of its operation. I therefore ask the Committee to oppose the clause.

Dr. EASTICK: The Attorney-General has done nothing to allay the fears felt on this side. In fact, he has motives beyond those that he is willing to express. He has clearly indicated that his purpose is to confine the amendments to procedural matters. I have noted his comment, and we look forward in due course to another set of amendments, which can be opposed then.

Clause negatived.

Remaining clauses (8 to 13) and title passed.

Bill read a third time and passed.

**CONSUMER CREDIT ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from August 7. Page 201.)

Mr. BECKER (Hanson): This Bill, like the two previous Bills, has been introduced on the recommendation of the committee under the chairmanship of Judge White. The Bill is necessary because the original legislation was introduced in a hurry, and we now have to plug up the loopholes. I wonder whether we are really achieving what we want to achieve—the protection of consumers. We do not want to cause consumers to pay high legal fees to enable them to get their rights. Clause 3 is a machinery clause. Clause 5 is warranted because it provides a strict mathematical method of calculation and it favours the consumer. I therefore support that clause. The remaining clauses plug loopholes and establish machinery to make the Bill work more smoothly. Clause 17 deals with advertisements. We still see advertisements such as the following advertisement, headed "Easy Finance":

With our own finance company we can offer the easiest finance in Adelaide, even if you are bankrupt or have had a repossession. Please give us the opportunity to finance you on one of our late model, genuine, mechanically-guaranteed cars. We have helped hundreds who have had finance problems to get a better car.

That advertisement relates to Doug Rowe's Car Corral at Edwardstown; I do not mean to give him a plug, but I have mentioned him before. This is the unfortunate part of this type of advertising: that there are many people who, regrettably, do have difficulty in obtaining credit easily. They are attracted by such advertisements and find they get into further trouble. I only hope that the amendment to this clause will stop that sort of advertising and that type of money-lending, because it is obvious that it is a lucrative form of advertising and one way of selling cars. Another advertisement in this evening's *News* states:

Wanted. Bankrupts or people with bad previous credit. Immediate car finance available. Nobody refused. Phone now till 7 p.m. 44 1349.

In my opinion that type of advertisement should be banned. That type of soliciting in respect of finance or used cars should be completely outlawed, and I hope that we are on the way to achieving exactly that. I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Commencement."

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

In new subsection (2) after "section" to insert "and notwithstanding that a proclamation has been made under that subsection"; and to insert the following new subsection:

(3) Any provisions whose operation has been suspended under subsection (2) of this section shall come into operation on the day fixed for the expiration of the suspension by the suspending proclamation, or if that proclamation provides for that day to be fixed by subsequent proclamation, on the day fixed by that subsequent proclamation.

These amendments are for the same effect and purpose as the amendments to the Consumer Transactions Act Amendment Bill.

Amendments carried; clause as amended passed.

Clauses 4 to 8 passed.

Clause 9—"How Tribunal is to be constituted."

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

In paragraph *(a)* after "passage" second occurring to strike out " 'either under this Act or under any other Act in' " and insert "(either under this Act or under any other Act) in respect of".

This is merely a drafting amendment.

Amendment carried; clause as amended passed.

Clauses 10 to 12 passed.

Clause 13—"The Registrar."

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

In paragraph (*b*) to insert the following new subsections:

(6) The Attorney-General may, by instrument in writing, authorize any special magistrate to exercise the powers, discretions and functions of the Registrar in respect of any matters arising in a part of the State specified in the instrument.

(7) A special magistrate to whom such an authorization has been given, shall have, and may exercise, the powers, discretions and functions of the Registrar in respect of any matters to which the authorization relates.

Clause 13 confers certain powers on the tribunal's Registrar to dispose of minor matters without the necessity of engaging the attention of the Chairman or the whole tribunal. It will assist to dispose of the official business of the tribunal efficiently, and with the minimum of expense for members of the public. The amendment is designed to provide a like service to country residents. Obviously, there are difficulties for people living in the country in getting access to the tribunal itself. This is perhaps unavoidable if sittings of the full tribunal are involved, although the tribunal will be prepared to move around as required. However, the everyday minor matters coming before the tribunal which will be discharged by the Registrar in Adelaide ought to be discharged in the country on the spot. The purpose of this amendment is to enable the Attorney-General to authorize a special magistrate or magistrates to exercise the powers of the Registrar, and this will enable the Attorney-General to authorize the magistrates who visit the country areas to discharge the functions of the Registrar in those areas.

Amendment carried; clause as amended passed.

Clause 14 passed.

Clause 15—"Form of credit contract."

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

In paragraph (*b*) to insert the following new subsection :

(11) This section does not apply to a credit contract under which credit is provided without any credit charge.

The reason for this amendment is that the protective provisions including the notices which have to be given of consumer rights would apply to a credit provider where some part of his business consists of lending at a rate of interest above 10 per cent. If that condition applies, then the protective provisions apply to all the credit contracts into which he enters. This applies to retail stores because their budget accounts carry interest charges that considerably exceed 10 per cent. However, they also give the ordinary 30-day credit, without any interest charge. Obviously, it is unnecessary that, simply because credit is extended, the protective provisions should operate where no credit charge is made. The amendment excludes the ordinary credit transaction from the operation of the Act where no credit charge is exacted for that transaction.

Amendment carried; clause as amended passed.

Clause 16 passed.

Clause 17—"Advertisements."

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

In new subsection (1) to strike out "by newspaper, circular, letter, radio or television".

The Bill as it stands refers to advertisements by newspaper, circular, letter, radio or television. These probably cover most types of advertisement, but it is always possible that someone might advertise in some other way, if only for the purpose of avoiding the provisions of the Act. On reflection it was considered desirable to omit the limiting words and provide that the section should apply to all advertisements.

Mr. BECKER: I refer the Minister to page 44 of today's *News,* namely, the "Readers' car mart", under the bold heading "Wanted". Can he say how these advertisements are permitted to appear in the press?

The Hon. L. J. KING: I do not know of any law that prevents their appearing in the press. When the Act is proclaimed (particularly when it is amended), assuming that the Bill becomes law, the Commissioner will be empowered to deal with advertisements of this kind, and I hope that he will deal with them in a very effective way.

Amendment carried; clause as amended passed.

Remaining clauses (18 and 19) and title passed.

Bill read a third time and passed.

## PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 15. Page 361.)

Mr. WARDLE (Murray): I support this Bill, which was prepared by the Commissioner of Statute Revision and which rectifies certain anomalies that occurred when the Bill was before the Upper House last year.

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

## ADJOURNMENT

At 5.20 p.m. the House adjourned until Tuesday, August 21, at 2 p.m.