HOUSE OF ASSEMBLY

Thursday, October 4, 1973

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

ASSENT TO BILLS

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

Margarine Act Amendment,
Stock Medicines Act Amendment.

PETITIONS: CASINO

Mr. DEAN BROWN presented a petition signed by 238 citizens who expressed concern at the probable harmful impact of a casino on the community at large and prayed that the House of Assembly would not permit a casino to be established in South Australia.

Dr. TONKIN presented a similar petition signed by 112 citizens.

Mrs. BYRNE presented a similar petition signed by 16 citizens.

Petitions received.

QUESTIONS

METROPOLITAN TRANSPORT

Dr. EASTICK: Can the Minister of Transport say what additional information has become available to the Government on subway construction that has led the Director-General of Transport to suggest that the route of the underground railway may move away from the direct line of King William Street? In today's press the Minister is quoted as saying, about the report on public transport in the metropolitan area that was tabled in this House yesterday, "With the one qualification, the availability of money, it will be followed slavishly." In looking at what must be considered a statement of Government policy on metropolitan transportation, we should look carefully at proposals that may differ from those that were documented in the original Metropolitan Adelaide Transportation Study report. Although there are not many changes from the original contents of that report, especially in relation to underground railways, one slight alteration is that the route through the city will now go near Gawler Place. I remind the Minister that the M.A.T.S. recommendation was that the line traverse directly down King William Street, as this would allow for an open excavation system to be used to construct the subway. The latest report suggests that the line may veer off at Victoria Square and take a line near Gawler Place, and this raises several other important questions. We assume that in these circumstances a tunnelling system would have to be used to excavate the subway, because it would be constructed beneath a built-up section of the city, and this would raise the important question of how far down the underground line would be. Many buildings have basements and sub-basements. How far beneath these buildings will engineers have to build a tunnel so that it will not result in structural damage to the buildings? This is another feature that must be of considerable concern to the public and to department stores. Would it be safe to tunnel beneath Myers, the Stock Exchange Plaza, and similar buildings? Even if it is safe, what are the economics compared to the comparatively cheaper open form of construction that was contained in the original report? I understand—

The SPEAKER: Order! The honourable Leader is now starting to comment.

Dr. EASTICK: I appreciate that the Minister of Transport may not have all the details regarding the questions I have posed, but I believe the general importance of the subject is apparent.

The Hon. G. T. VIRGO: I hope the Leader will not criticize me too strongly if I fail to reply to any one of the almost 15 questions that he posed in his explanation. The situation in relation to my comment in the press (and I have not seen it) is that, when I said that subject to the availability of funds we would slavishly follow the proposals, I was referring to the report which I tabled in the House yesterday and which can be described as a blueprint that we have developed and will now seek to continue to implement. I think the Leader would know that some of the projects contained in that report have now been commenced. The classic example is the Christie Downs line, work on which started some time ago. I have no reason to believe that the Commonwealth Government finance made available this year will not continue to be made available for the programme that we have outlined, because much of this programme has already been submitted to the Bureau of Transport Economics for evaluation, and its evaluations have shown that the projects are desirable.

Dealing with the second general point that the Leader made regarding the route of the proposed underground railway, I do not know whether the Leader has yet had the opportunity to read in depth the report that I tabled, but if at some later stage he reads it (I know he will read it with much interest) he will find that the subway is currently subject to a study being undertaken by consultants. To the best of my knowledge, no decision has been reached on the actual route of the subway. However, I think it should be emphasized that when the M.A.T.S. plan was produced in, I think, August, 1968, it visualized the cut-and-cover method and, as such, King William Street would have to be used. If the cut-and-cover method was to be used, there was really no alternative but to use King William Street. To use the cut-and-cover method in any other area would be extremely difficult if not impossible. However, trends over the last five years in the method of tunnelling and burrowing have changed dramatically, and this is one of the factors that became crystal clear during my recent trip overseas.

The cost of tunnelling is now vastly different from what applied prior to 1968 and, although it has still to be established, tunnelling may well be just as economical as the cut-and-cover method previously proposed. We are keeping our options open at this stage, and considerable studies have yet to be undertaken before the details associated with the project are finally determined. The report of the Director-General gives a blueprint for a generalized approach to upgrading the public transport system in Adelaide, and I think that the matter must be looked at on this basis.

Mr. COUMBE: I was telephoned this morning by a lady who was concerned about the possible route of the proposed railway line to Monarto. She had seen the plan exhibited in this morning's press, and was concerned that a house she intended to build could be in the way of the line, and this same situation could apply to many other people. Has the Government considered compensation for people who may be disadvantaged by these proposals? I am referring not to tunnelling projects but to the extension of an existing line or the building of a new line. At what stage will such people be informed of any plan that may adversely affect them?

The Hon. G. T. VIRGO: Relying on memory, I think the Monarto extension in the plan is contemplated fairly late in this century, so there is a considerable time span involved in relation to that project. However, studies are proceeding to find a suitable route to service the new city of Monarto, as well as the South-East and Victoria, with the existing train service. The current route through the Adelaide Hills leaves much to be desired because, as the honourable member will appreciate, it takes 2½ hours to travel by train from Adelaide to Murray Bridge simply because of the nature of the route. It is a winding route with numerous tight curves, and the top speed that trains can attain is extremely low. We have to improve this as transport's contribution to the success of Monarto. The only way the service can be improved is by using a new route.

People who will be affected will be dealt with in accordance with the legislation enacted by this Parliament. The Land Acquisition Act lays down procedures to be followed and, under the terms of that Act, we are currently acquiring property for numerous reasons: in my own district we are acquiring properties for the South-Eastern Freeway and for other roadworks, including road-widening works.

Dr. Eastick: Did you say "freeway"?

The Hon. G. T. VIRGO: I referred to the South-Eastern Freeway, which is currently going through the Adelaide Hills and which will continue to go through the hills to the Swanport bridge and across the Murray River. The rules that now apply to roads will obviously apply to the railway, because the Land Acquisition Act does not relate specifically to a project: it provides for acquisition whatever the project may be. Land acquisition is not only carried out by my department: the Minister of Education and the Minister of Works often purchase property, and the same rules apply in those cases. Whatever rules apply when acquisition is needed (if acquisition is needed), they will apply to the constituent to whom the honourable member has referred.

TAXI-CABS

Mr. GROTH: Has the Minister of Transport a reply to my recent question about taxi-cabs operating in the Salisbury-Elizabeth area?

The Hon. G. T. VIRGO: I have been informed by the Metropolitan Taxi-Cab Board that 33 taxi-cab licences are issued for the restricted area of Salisbury and Elizabeth; 29 are owned by Varney's Taxi Service Proprietary Limited, and the remaining four are separately owned by owner-drivers. The board is currently considering complaints from the Salisbury council and members of the public concerning the lack of service by Varney's, and information compiled by the board clearly shows that at least a third of its fleet is working less than 40 hours a week. The company cannot obtain sufficient drivers to man its taxis, notwithstanding advertising through the press at least three times weekly. The board has requested Varney's Taxi Service Proprietary Limited to take immediate steps to improve its service to the public.

SCHOOL FIRES

Mr. JENNINGS: Has the Minister of Education a report about the recent fire at Mansfield Park Primary School? I inspected this school last Monday morning and, although the teachers and schoolchildren were most upset, they nevertheless seemed to be coping well and the situation was well in hand. This is the third fire in this area in the past few years.

The Hon. HUGH HUDSON: The honourable member did not give me prior notice of his question so, although I have a detailed report from the department, I do not have it with me at present. I will bring down the detailed report next week so that a full reply can be given to the honourable member. The damage done at the school amounted virtually to the complete write-off of three timber classrooms, with serious damage being done to two others. This was the third attempt in three weeks to start a fire under these classrooms, the police having been investigating the previous unsuccessful attempts. Clearly, this is a case of arson: the fire was deliberately started. Unfortunately, despite the police investigation taking place, the culprit or culprits were not apprehended. In one sense the school was fortunate, since some spare accommodation in the school is available. Consequently, the normal educational programme of the school was able to be undertaken on Monday morning with little interruption at all. I congratulate all the officers involved from the Education Department and the Public Buildings Department on making that situation possible. Further action will be necessary to provide accommodation in the school. I will bring down a detailed report as soon as I can.

INDUSTRIAL DISPUTE

Mr. McANANEY: Although I do not deny the right of people to strike, I ask the Premier for how long will the Government accept the situation with regard to pickets at Port Adelaide. I understand that the State Industrial Court has said that picketing must cease, but at least one union has refused to take any notice of the direction. The liberties and rights of individual citizens in the State have been grossly interfered with by the actions of this group of people, who are apparently acting contrary to industrial law.

The SPEAKER: In calling on the honourable Premier to see whether he desires to reply, I point out that this matter does not fall within the jurisdiction of the honourable Premier.

The Hon. D. A. DUNSTAN: It is for the Industrial Court of South Australia to enforce its orders in the proper way, industrial disputes being dealt with before that court. Naturally enough, the Government has tried to help settle the dispute and the Minister of Labour and Industry has been active in this regard. No Government policy is involved here at all.

MODBURY CORRIDOR

Mrs. BYRNE: Has the Minister of Transport a reply to my question of August 23 about the proposed Modbury corridor in the area of Holden Hill and Salisbury Heights?

The Hon. G. T. VIRGO: There has been no change in the alignment of the proposed Modbury corridor in the three locations mentioned in the honourable member's question since the honourable member was last advised on this matter in July, 1971. However, action is being taken to protect a short spur route from the Modbury corridor for possible use as a railway terminating at Tea Tree Plaza. Most of the land is owned by the Highways Department, but negotiations are currently in hand by the Railways Commissioner to acquire a strip of land from the proposed subdivision by Baymore Graziers Limited west of Reservoir Road and some distance south of Crozier Avenue at Modbury. Subdivision plans have now been altered to include the railway reserve, with buffer areas between the railway and adjacent residential development.

MOTOR CYCLES

Mr. MILLHOUSE: Can the Minister of Transport say whether the Government intends to act on the suggestion of the Commissioner of Police that people should not be licensed to ride powerful motor cycles until they reach the age of 20 years? At a press conference dealing with road safety, I think called in view of the coming long weekend, which is always a danger period on the roads, the Commissioner of Police made this suggestion when he said that some motor cycles were so powerful they could easily get out of control. This is a statement of opinion from a man in a senior public position in South Australia who is also in a position to have great weight attached to his opinion, although I make clear that I neither support nor oppose his suggestion. What is the Government's view on the matter?

The Hon. G. T. VIRGO: Obviously the honourable member has not a mind. I expected that the member for Bragg might have asked this question—

Mr. Millhouse: He has other things to do.

The Hon. G. T. VIRGO: —in view of the fact that he touched on this subject yesterday in the House. I told him then that, as the various classes of licence were categorized by this Parliament about 12 months ago, it would seem to me rather premature at this stage to consider alterations in this area without our having something of a more factual nature than had been put forward. The House should be aware that, prior to Parliament's considering categorizing speed limits last session, an *ad hoc* committee considered the types of category that should be established under the new licensing scheme. Discussions took place between the Registrar of Motor Vehicles and senior police officers, and the view that I put forward in the legislation was the view of those people at that time.

I do not know whether the Commissioner of Police has facts now at his disposal which tend to suggest that the view the police expressed then is now different and, in keeping with what I said yesterday, if further information is available I shall be only too happy to look at it. I think we must bear in mind several aspects. First, South Australia once again leads Australia in having licences issued in accordance with the national code: we are the only State in the Commonwealth abiding by the national code to which all other States are party but about which they have never got around to doing anything. Secondly (and this is very important), we do not want to finish up with a large number of categories of licence, because that will make policing all the more difficult. We sought at that stage to put in only those categories considered essential and to try to get the greatest possible uniformity and simplicity. None of us knows at this stage (I certainly do not know, although I do not know whether the member for Mitcham has other information) whether the press report is a reasonable report of what the Commissioner of Police said. Therefore, the first thing I will do is seek from the Commissioner of Police details of the point he has made, not the press report of what he has said. Then I will find out whether any factors have not been apparent. If they have not been, they will certainly be considered.

LICENCE CATEGORIES

Dr. TONKIN: My question is supplementary to one I asked yesterday. Will the Minister of Transport say whether it is intended to place any restriction on the registration of motor vehicles or motor cycles that have more than a certain horse-power rating? I do not think the question needs explaining. Many people are concerned that some cars and motor cycles, such as production-line cars, are over-powered for some persons who drive them. I repeat that I have been involved in many near misses, as I am sure other members of the community have been, involving many young people driving high-powered motor cars beyond the limits of safety.

The Hon. G. T. VIRGO: I am not sure what increased registration fees for vehicles would do to solve this problem.

Dr. Tonkin: I didn't ask that.

The Hon. G. T. VIRGO: I thought the honourable member was referring in his question to a surcharge on the registration of motor vehicles. If he says he did not use those words, perhaps I had better wait until the *Hansard* proof is available so that I can read his question with a view to bringing back a reply.

VESSEL SAFETY

Mr. CHAPMAN: Will the Minister of Marine investigate the practicability of compulsorily requiring all sea-going vessels to carry a permanent marker buoy? Following the loss of the fishing cutter *Cape Jaffa* in or near Backstairs Passage recently, it has been suggested that an automatic gas-filled balloon pack should be fitted to all vessels that put to sea. It has also been suggested to me that, with sufficient nylon cord attached to the balloon, it would serve as an immediate marker in the event of the vessel foundering, irrespective of the circumstances or depth of water. Further, it has been claimed that such a scheme could save search costs otherwise incurred by the State and possibly could save the lives of a ship's crew.

The Hon. J. D. CORCORAN: The honourable member may be aware that I announced, I think late last week, that Captain Hilder, of the Marine and Harbors Department, would conduct a preliminary inquiry into the disappearance of the fishing cutter *Cape Jaffa* and that, following his inquiry, a decision would be made as to whether a full Court of Marine Inquiry would be conducted. Certainly, I will have the honourable member's suggestions referred to Captain Hilder but I point out to the honourable member (and he will probably have experience of this later) that, no matter what items of equipment have been required to be carried on fishing cutters or any other sea-going vessel (and I am speaking of vessels in the category of the *Cape Jaffa),* there has always seemed to be resistance on the part of those in the industry to carry the equipment stipulated. Wherever the department has stipulated that certain safety equipment be carried and has given the reasons for so doing, the department has been held up to ridicule. However, I welcome the honourable member's suggestion; I will refer it to the Director of the Marine and Harbors Department, who is responsible for recommendations to me on matters of survey and safety of vessels; and I will let the honourable member know the result.

RECREATION SURVEY

Mr. SLATER: Will the Minister of Recreation and Sport tell the House the objective of, and details about, the survey to be conducted into recreation needs of the community?

The Hon. G. R. BROOMHILL: I think that this matter was covered fairly well in a press release made available this morning. The objective is, through the State Planning Authority, to ask about 10 000 householders (with their agreement, of course) to list the recreation areas that they consider are lacking in the community so that we can then have available a report showing the areas of weakness in recreation facilities for all members of the

family and people of all ages. Such people will be involved in the survey being undertaken and when it has been carried out we will have a basis for knowing where to direct our priorities.

EYRE PENINSULA SCHOOLS

Mr. GUNN: In view of his recent trip to Eyre Peninsula and the Far North of South Australia, can the Minister of Education now say when new schools will be built at Ceduna, Miltaburra and Karcultaby?

The Hon. HUGH HUDSON: As a result of the inspection of the West Coast area last week, the Karcultaby and Miltaburra Area Schools will be built, at the same time, in Samcon construction, and it is hoped that work will commence about this time next year. The aim would be to complete the work, certainly at Miltaburra (which is a somewhat smaller school) and possibly at Karcultaby, by the end of the second term in 1975. Of course, the honourable member will appreciate that any prediction of dates is subject to the vagaries of the building programme, but certainly those two projects now will be given the top priority for any further building work on Eyre Peninsula. The conditions at Ceduna Area School are such as to necessitate rebuilding of the school. I have asked the department to investigate whether the school should be rebuilt in a staged process, using the present site and keeping as part of the school the girls craft centre, with an upgraded infants block. Alternatively, I have asked the department to investigate whether the school should be built on the same site, but at the back of it, so the rebuilding programme could go ahead while the school was functioning. In the latter case, the rebuilding would not need to be staged, but that alternative involves the ultimate disposal of the girls craft block and either the removal of the infants school building or its use for some other purpose. A detailed investigation of these alternatives and an appropriate recommendation from an architect are necessary. As soon as that has been done, a decision on how the project is to proceed will be made and sketch plans for the proposal will be prepared. I emphasize again that we regard this project as one of some urgency and it would be given the next priority after Karcultaby and Miltaburra. However, as it is a large project, probably involving expenditure of about $1 250 000, it is unlikely to be completed in three years; it may take longer than that but, certainly, it is regarded as urgent.

DOCTORS' SERVICE

Mr. WELLS: Has the Attorney-General a reply to my question of September 20 about some doctors not providing after-hours service?

The Hon. L. J. KING: Various submissions relating to after-hours services and other matters have been made by the Australian Medical Association since it was initially advised on August 2, 1973, of the Government's views with regard to maximum fees that should be charged for medical services in South Australia. With regard to the provision of after-hours services, the A.M.A. was advised on September 6, 1973, that where such services were performed by *locum tenens* there was no objection to a principal recovering from his patient an amount not exceeding the call fee actually payable by that principal for the service of the *locum tenens.* As it became apparent that the ability of medical practitioners to carry out personal after-hours home visits for the standard fee plus surcharge varied considerably, the A.M.A. was advised, on September 27, that a surcharge could be made by each individual medical practitioner at such rate as was considered necessary by him to provide the service.

HANDICAPPED CHILDREN

Mr. MATHWIN: Is the Minister of Education aware that the number of taxi-cabs used by the department to transport children to and from the school at Somerton Crippled Children's Home has been reduced from eight to seven, and will he take immediate action to help these children in their plight? The position is that six children are now transported in one taxi-cab, four in the back seat and two in the front seat with the driver. The Minister would be aware that these children need plenty of room and comfort but, with four children in the back seat and two in the front seat with the driver, this may be difficult to obtain. Also, the child at the end of the list is picked up at 9.20 a.m., although school begins at 9 a.m. After school the children have to face the return trip with six children in each taxi-cab. As the heat of the coming summer will no doubt cause this problem to worsen, immediate action should be taken.

The Hon. HUGH HUDSON: As I am not aware of any change in relation to this matter, I will have it investigated. However, I point out to the honourable member that the total cost of transporting handicapped children to and from school is between $190 000 and $200 000 a year, because of the decision that has been made to provide free transport. This is a substantial cost, and whether anyone likes it or not the department has to pay some attention to the overall economies—

Mr. Mathwin: What about the old buses?

The SPEAKER: Order!

The Hon. HUGH HUDSON: If we are referring to the comfort of crippled or otherwise handicapped children, I am sure that their comfort would be looked after more satisfactorily in a taxi-cab than it would be in a bus, and that the time taken to transport the children from their homes to the school would be less by cab than it would be by bus. I presume that the honourable member does not want me to consider the possibility of replacing all taxi-cabs by buses. However, I will examine his question, namely, the statement that the number of taxi-cabs has been reduced and, consequently, I presume the number of children in each cab has increased.

GLENELG SAND BAR

Mr. BECKER: Can the Minister of Environment and Conservation say whether the Coast Protection Board, as a matter of extreme urgency, will undertake the removal, at Government expense, of the sand bar on the northern side of the groyne at Glenelg? In reply to my question of August 14, the Minister told me yesterday that work had commenced to remove 18 000 cub. yds. (16 460 m^3) of sand from the southern side of the groyne at Glenelg. I understand this work is designed to prevent the build-up of the existing sand bar at the end of the groyne. Last evening the South Australian Sea Rescue Squadron received a call-out at 10.30 p.m. I understand a boat was reported to be on fire near the barges at Port Stanvac. All but one member of the squadron were prevented from launching their boats at the boat ramp at the mouth of the Patawalonga, and were forced to proceed to use the open beach at Brighton.

The small Sea Rescue Squadron boat that was able to launch at the boat ramp at Glenelg suffered slight damage in negotiating the sand bar hazard, even though the water was not at low tide. This boat returned to the recovery area at the Patawalonga at 1.30 a.m. when the search

was called off. The alarm was a false one. Rather than negotiate the hazards caused by the lack of water at the Patawalonga entrance, the boat was brought up to the beach at Glenelg North near the King Street bridge. The Sea Rescue Squadron tractor was used to bring the boat and trailer to the road. In so doing, the front wheels of the tractor were torn off, and considerable damage was caused. The outstanding work of the Sea Rescue Squadron and its volunteer members has been recognized for many years—

The SPEAKER: Order! The honourable member is now commenting.

Mr. BECKER: As a result of my telephone conversation this morning with the Minister's Secretary, can the Minister say what immediate action will be taken to prevent a similar occurrence at the Patawalonga entrance?

The Hon. G. R. BROOMHILL: This matter was drawn to my attention this morning, and the Executive Engineer of the Coast Protection Board told me that, with the general shifting of the sand, it was expected that once the lock had been raised its flushing effect would remove the sand bar in the Patawalonga basin. However, because of the problem that has occurred and because it may be about three weeks before a clearance can be achieved, the engineer is visiting the area this afternoon to ask the contractor who is doing the work whether short-term dredging can be done to relieve the position.

BRANDERS

Mr. VENNING: Has the Minister of Education, in the temporary absence of the Minister of Works, a reply from the Minister of Agriculture to my recent question about branding operations at the Gepps Cross abattoir?

The Hon. HUGH HUDSON: The Minister of Agriculture discussed with the General Manager of the South Australian Meat Corporation the matter raised by the honourable member, and was told that the method of selling and branding cattle in the southern yards and the northern yards is unchanged and has, in fact, remained the same since the southern yards were first commissioned. The corporation has enough trained branders to handle all requirements in normal circumstances, but sickness and absenteeism cause problems. Consolidation of market facilities, in order to improve the operation, is under review by the board of the corporation.

FINE TURF

Mr. DEAN BROWN: Does the Minister of Recreation and Sport intend to establish an authority on fine turf in this State? Many sporting bodies in the community currently grow and manage large areas of fine turf; for example, bowling greens, cricket pitches, golf links and racecourses. Several associations already supply their own technical advice, but this is on a restricted basis. Now that the Government has followed the suggestion of the Liberal and County League and appointed a Minister of Recreation and Sport, several people have recommended to me that, in fact, such an authority on fine turf should be established immediately.

The Hon. G. R. BROOMHILL: I have received no representations to establish such a body. If the honourable member would like to give me further details, I should be pleased to receive them.

PORT AUGUSTA ROADWORKS

Mr. KENEALLY: Will the Minister of Transport instruct his department to re-examine its decision to close off Bond and Mildred Streets, Port Augusta West, from Loudon Road, which forms part of the reconstruction of Highway No. 1? I have received a petition signed by about 250 residents of Port Augusta West protesting at this proposed action. Although the petition is not couched in terms that would make it acceptable to the House, it indicates the concern of these residents at this proposed action.

The Hon. G. T. VIRGO: I shall be pleased to ask the Road Traffic Board, in conjunction with the local council, to examine this matter. However, I suggest that it might be prudent for the honourable member in the meantime to inform the council of the request he has received and of the question he has asked.

TAILEM BEND RACING CLUB

Mr. WARDLE: Has the Attorney-General received from the Chief Secretary a reply to the question I asked on September 25 about Tailem Bend Racing Club dates?

The Hon. L. J. KING: The reply has been furnished by the Chief Secretary on information supplied to him by the South Australian Jockey Club, and I simply retail the information provided by the club. The South Australian Jockey Club Committee is interested in the overall welfare of racing in the district, as distinct from partisan club activities. The committee firmly believes that a merger of Murray Bridge and Tailem Bend Racing Clubs will benefit racing, because it will bring about a more efficient operation, concentrate assets and permit better fiscal operations; it will result in collective Totalizator Agency Board distribution to one club; it will obviate double payment of maintenance, rales and taxes; it will provide better use of moneys from the Racecourses Development Fund to upgrade amenities on one course, and it will result in improved training facilities for trainers in the area. The significant gains to racing may not now be apparent but, to look only a few years forward with the establishment of the new city of Monarto, surely the amalgamation of clubs with the concentration of assets and the efforts of a joint committee must be beneficial.

Even though Tailem Bend has not been allotted dates for 1973, the club has not been deregistered: the South Australian Jockey Club has permitted the club to remain as a registered racing club in the hope that this merger will eventually be proceeded with. Murray Bridge Racing Club has stated that it is willing to amalgamate. I simply stress again that that is the view of the South Australian Jockey Club, which is the body responsible for the administration of racing in this State. It is not a Government decision and. consequently, the Government is not concerned one way or the other to take any responsibility for such a decision; nor is it concerned to express any view on the reason given by the South Australia Jockey Club.

PORT WAKEFIELD ROAD

Mr. HALL: I should be grateful if the Minister of Transport could give me a reply to my long-standing question about work on the Port Wakefield road.

The Hon. G. T. VIRGO: On September 18, the honourable member asked this question, and today (October 4) I have pleasure in telling him that it is assumed that the question regarding the carrying out of work on reconstructing the Port Wakefield road near Virginia refers to work in progress immediately north and south of Waterloo Corner. The new western carriageway from Waterloo Corner to 2 miles (3.22 km) north is in operation, and the eastern carriageway is ready for application of the hotmix surfacing. The eastern carriageway from Waterloo Corner to half a mile (.8 km) south is also ready for hotmix. Both new pavements will be surfaced with hotmix within the next month, and temporary connections will be made

at Waterloo Corner to place them in service. It has not been practicable to complete them earlier, because of wet weather conditions. Completion of the dual carriageway at Waterloo Corner and extending half a mile south is at present not possible owing to inability to obtain entry to one property at Waterloo Corner. Negotiations for this acquisition commenced in November, 1969 and, notwithstanding the fact that all legal processes have been implemented in accordance with the Land Acquisition Act, 1969-72, it now appears that the department will not gain physical possession of the land until at least a further six weeks from September 21, 1973. If access to the land is not obtained at the expiration of six weeks, it will be necessary to move the full construction gang to the Two Wells to Dublin section. The construction of the dual carriageway at Waterloo Comer will therefore be incomplete until the department obtains access to the property in question and the gang can be brought back to Waterloo Corner.

PUBLIC SERVICE

Dr. EASTICK: Will the Premier say why his Government has concluded, at a time when the rate of inflation demands that Government spending be at least held if not cut back, that there is a need to make additional appointments to his own department at a cost exceeding $100 000 a year? The Public Service Board notice dated October 3, which is circulated in all Government departments, lists nine current vacancies in the Premier's Department, the positions ranging from Assistant Director at a salary of $18 000 down to Chief Administrative Officer on a salary range from $13 055 to $13 397, and down further to projects officers, a co-ordination officer, finance officer and several administrative officers. In all, there are nine positions, involving salaries totalling between $102 263 and $105 529. This follows an increase of $126 613 in salary and wage payments in connection with the Premier's office last year, as reported in the Auditor-General's Report. As many people in the community are expressing concern at the continuing growth of the Public Service, will the Premier say why his department considers such an increase necessary, especially having regard to the appointment of a new Minister and to the distribution of much of the work load previously handled by the Premier?

The Hon. D. A. DUNSTAN: The inconsistency of the Leader's statements on the staffing of my department continue to bemuse me. Every so often the Leader on the one hand criticizes increases in staff and then, on the other, criticizes the fact that we do not have staff to deal with matters with which he says we should deal.

Dr. Eastick: I have spoken—

The Hon. D. A. DUNSTAN: The honourable member has referred to an increase in my department in the area that has been transferred to the Minister of Development and Mines. The Leader has previously criticized an increase in the size of the department, but since then he has attacked us for not having more planning officers who were attached to my department and administered by the Minister Assisting the Premier. The Leader wants to have his cake and eat it, too.

Mr. Chapman: No; he wants your cake, and he wants to eat it!

The Hon. D. A. DUNSTAN: True, my—

Mr. Venning: It's time.

The Hon. D. A. DUNSTAN: Yes. Give him time, and it is going to be a ruddy long time!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The reason for the recommendation by the Public Service Board of the creation of those offices is the re-organization of the work of the Ministries and the fact that it is the duty of the Premier to oversee the general co-ordination of policy and priorities in the State. For a considerable period after the accession of the Labor Party to office, I bore the heaviest portfolio load of any Minister in any State Parliament in Australia.

Members interjecting:

The Hon. D. A. DUNSTAN: Guidelines were set during that period and, having been set—

Mr. Gunn: What about—

The Hon. D. A. DUNSTAN: If the honourable member thinks that the discharge of the duties of the Ministries of Education, of Attorney-General, of Transport, of Environment and Conservation, and of Labour and Industry—

The SPEAKER: Order! The honourable member for Eyre is fully aware of the requirements of this House. In view of his continued interjections I warn the honourable member for Eyre.

The Hon. D. A. DUNSTAN: This has been an effective team effort.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: If members opposite think that is funny, they had better look at the record of this Government. If they look at their counterparts in other States and the kind of team effort that exists between Mr. Meagher and Mr. Hamer, between Sir Gordon Chalk and Mr. Bjelke-Petersen, and between Mr. Willis and Sir Robert Askin, they had better take a look at themselves.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I am in the happy position in South Australia of leading the best and most qualified team in any Government in this country.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: It is necessary for the welfare of the State that the overall priorities of the Government be properly reviewed and co-ordinated. I have, after setting the basic guidelines for policy in the development area of the administration of the State, given those duties to another Minister and I will concentrate on the job of being the Premier. That involves the constant co-ordination and setting of priorities. The work that was undertaken originally, when I became Premier, in setting up the policy secretariat was bitterly criticized by the Opposition, and it was suggested that these officers were not necessary. However, the work of the policy secretariat in South Australia is now being copied by every other Government in this country. It was a proper work to undertake, and so is the work now recommended by the Public Service Board of properly co-ordinating offices so that general priorities in policy undertaken for the people of South Australia will properly be occurring through the co-ordination of the work of the various Ministries of the State. This proposal has occurred after study, not only of other State Governments but of the work of overseas Governments, including those in the Canadian Provinces.

Mr. COUMBE: Has the Premier a reply to a question I asked recently regarding the expansion of the Public Service?

The Hon. D. A. DUNSTAN: The Chairman of the Public Service Board has provided the following information:

The figures given in the Auditor-General's Report are for persons in the employ of the Government and the most significant increases were as follows:

	June 30, 1972	June 30, 1973	Increase
Hospitals Department (including nurses and ancillary staff)	10 080	11 255	1 175
Education Department (including teachers and ancillary staff)	20 194	23 638	3 444
Engineering and Water Supply Department	6 140	6 347	207
Public Buildings Department . .	2 915	3 226	311
Woods and Forests Department	1 063	1 192	129
			*5 266

* Out of a total increase of 5 705; and staff transferred from National Parks Commission were included for the first time.

Those were the major increases in the Public Service.

The Hon. Hugh Hudson: But the Leader says that the Public Service should not grow.

The Hon. D. A. DUNSTAN: As the Leader suggests that the Public Service be cut back, perhaps he will also suggest where the cuts should take place.

Mr. HALL: Has the Premier a reply to my recent question about salary increases for heads of departments and clerical officers in the Public Service?

The Hon. D. A. DUNSTAN: The Public Service Board has reported that it recently negotiated settlement of a claim for increased salaries for clerical officers lodged pursuant to the Public Service Arbitration Act, and increases were granted to about 3 500 clerical officers at an estimated annual cost of $2 500 000. The board also determined increased salaries for senior administrative officers, and pursuant to section 30 of the Public Service Act has recommended for approval in Executive Council increased salaries for permanent heads of departments. In these two groups 115 officers are included at an estimated annual cost of $271 500. Similar increases have been granted by the board for nine Parliamentary officers at an annual cost of $10 500. Increases totalling $46 000 a year have been recommended by the board for permanent heads and other persons not under the Public Service Act, subject to approval by the Governor in Executive Council or by amendment to Statutes, whichever is appropriate. The total cost involved is estimated at $2 828 000 a year.

Mr. DEAN BROWN: Has the Premier a reply to my recent question about the staffing of the Public Service Board Department?

The Hon. D. A. DUNSTAN: As the reply to the honourable member's question is mainly a statistical table, I seek permission to have it incorporated in *Hansard* without my reading it.

Leave granted.

PUBLIC SERVICE BOARD STAFF

Public Service Board:	Actual 1972-73	Proposed 1973-74
Investigating	$188 579 (25 officers)	$280 390 (40* officers)
Industrial	$101 378 (18 officers)	$127 790 (22 officers)
Personnel	$92 137 (20 officers)	$106 220 (22 officers)
Staff development	$60 757 (7 officers)	$98 630 (13 officers)
Administration and clerical . .	$120 858 (27 officers)	$129 370 (29 officers)
	$563 709 (97 officers)	$742 400 (126 officers)

Increase $178 691

* Includes eight additional work study analysts, one operations research officer, and six additional investigating and office staff.

Information Systems Branch:		
Administrative	$56 801 (7 officers)	$105 840 (12 officers)
Operating	$153 431 (29 officers)	$179 560 (32 officers)
Systems and programming	$167 844 (31 officers)	$190 660 (35* officers)
Overtime	$10 949	$15 940
	$389 025 (67 officers)	$492 000 (79 officers)

* Includes four officers being transferred from other departments.

Increase $102 975

Total increase $281 666

Explanation of increases:	$
(1) Cost of gazetted salary increases	47 600
(2) Full year's cost of new offices created and filled during 1972-73 financial year:	
Board' (29 new offices)	131 000
A.D.P. (12 new offices)	60 000
(3) Cost of normal increments during 1973-74 financial year	43 066
	$281 666

DERNANCOURT INTERSECTION

Mrs. BYRNE: Will the Minister of Transport ascertain when it is intended that short-term traffic measures will be introduced at the intersection of Lower North-East Road and Balmoral Road, Dernancourt, to make it safe? In reply to a question I asked on October 10 last year, the Minister informed me that it was intended to institute short-term traffic measures, by installing safety bars and better delineation at this intersection, as an interim measure, until the reconstruction and widening of the main road was effected, but as yet this work has not been commenced.

The Hon. G. T. VIRGO: I will get a report for the honourable member.

PARKING OFFENCES

Mr. MILLHOUSE: Has the Minister of Transport an answer to the question I asked him weeks ago regarding an apparent parking offence and the Adelaide City Council?

The Hon. G. T. VIRGO: I have the reply to the question which the honourable member asked on September 12 and

which he repeated on September 25, saying that the reply was long overdue and that it was urgent. I am pleased that he agrees it was, because he has known for the past two days that I have had the reply and he has only just asked for it. That is how urgent it was!

Mr. Millhouse: I was—

The SPEAKER: Order!

The Hon. G. T. VIRGO: I referred the honourable member's question to the Corporation of the City of Adelaide and have now received the following report:

On September 11 about 10 cars with "Kingford" displayed on the side were noticed in Grenfell Street and its vicinity during the course of the day. They were engaged in the delivery of a new brand of cigarettes to retailers. The officers in the area during the day were senior inspectors who had new officers under instruction. The vehicle featured in *Newsbeat* had been in the loading zone for 15 minutes and had been engaged in unloading during that period. The allegation that the vehicle had been parked in the area for three hours is not correct. Dispensations from parking controls for promotional purposes are never given. Parking by-laws are administered in similar fashion to all motorists.

PENSIONER CONCESSIONS

Mr. McANANEY: Has the Minister of Transport a reply to my recent question about the allocation of concessions to pensioners for travel on public transport?

The Hon. G. T. VIRGO: The allocation for concessions to pensioners is made up as follows: (1) $650 000 for the Tramways Trust for concessions in the metropolitan area: (2) $108 000 for the Railways Department for concessions in metropolitan and country areas: and (3) $222 000 for private bus operators for concessions in metropolitan and country areas.

POLICE DOGS

Mr. MATHWIN: Has the Attorney-General a reply to my recent question about when a police dog section will be established by the South Australian Police Force?

The Hon. L. J. KING: The Chief Secretary states that two members of the South Australian Police Force are currently undertaking a dog training and handlers course with the Regional Dog Training Centre, Stafford, United Kingdom. At the conclusion of that course on November 30, 1973, they will return to this State with their dogs, and at the expiration of the quarantine period will commence operational duty. Four dogs will be leaving England within three weeks assigned to the South Australian police, and their training and that of four other members of the Police Department will be carried out by a dog and handler training expert from the United Kingdom who will be seconded to the South Australian Police Force for some months. It is expected that the initial complement of the dog section will be on operational duty by March, 1974.

BURSARS

Mr. BECKER: Has the Minister of Education a reply to my recent question about the time involved in appointing bursars to fill vacancies?

The Hon. HUGH HUDSON: The length of time involved in appointing bursars was due to the fact that all 24 positions were called collectively, instead of each position being considered individually. Over 300 applications were received and about 100 applicants were interviewed. This had to take place over many weeks when headmasters and officers of the Education Department were available to carry out this task. Late withdrawal of two nominees caused a further delay to the appointment of the group. It is agreed that nine months in this instance was excessive and, to avoid undue delays in the future where a number of similar positions are called concurrently, appointments will be handled separately. However, in order that full consideration can be given to the relative merits of applicants, some delay is inevitable.

SWINE COMPENSATION

Mr. ALLEN: Has the Minister of Works obtained from the Minister of Agriculture a reply to my recent question about payments made last year from the Swine Compensation Fund?

The Hon. J. D. CORCORAN: My colleague states that $32 940 was spent from the Swine Compensation Fund in the financial year ended June 30, 1973. Of this amount, $20 957 comprised payments for compensation, a $10 000 contribution was made to pig research, while administration charges absorbed $1 983. My colleague points out that an annual allocation of up to $10 000 for pig research is provided for in the Swine Compensation Act. This contribution is pooled with other funds made available by the Commonwealth Pig Industry Research Committee (industry and Commonwealth Government funds), to finance operations at the pig research unit at Northfield. An administrative charge is also provided for in the Act and is calculated to cover the relevant proportion of such costs as accounting and clerical officers' salaries, office accommodation, power, stationery, telephone charges, and postage, incurred by the Agriculture Department in the administration of the fund.

VEHICLE SALES

Mr. EVANS: Yesterday the Attorney-General told me that he had a reply to a question I had asked recently about the sale of Government motor vehicles. Will he give that reply now?

The Hon. L. J. KING: The Chief Secretary states that proceeds of the sale of motor vehicles in accordance with the Government direction, following travelling 25 000 miles (40 234 km) or two years, whichever is earlier, are offset against the purchase price of new vehicles when effecting fleet replacements. The difference of more than $88 000 in the amount voted and that actually spent in replacing 315 motor vehicles in 1972-73 resulted from the high prices obtained for used vehicles at auctions arranged by the State Supply Department. The allocation for 1973-74 is based on the assumption that our used vehicles will continue to bring high prices at the auctions.

PYRAMID SELLING

Mr. GUNN: Can the Attorney-General say when the South Australian Government will follow the progressive lead of the Victorian Liberal Government and introduce legislation to outlaw pyramid selling? Today's newspaper contains an article, headed "Pyramid Sales Leaders Flee from Victoria", which states that stiff penalties will be imposed on any persons who in future conduct this undesirable practice. Tn view of the serious effect the activities of these people have on South Australians, many of whom lose thousands of dollars, can the Attorney assure the House that legislation will be introduced as soon as possible?

The Hon. L. J. KING: It is not intended to follow the lead, progressive or otherwise, of the Victorian Government, or of any other Government in Australia, in this matter. Legislation to deal with the problem of pyramid selling has been considered by the South Australian Government (as indeed it has been considered by the Governments of other States of Australia) for a considerable time. This matter has been the subject of discussion and study by the Standing Committee of Attorneys-General. As I have explained in the House several times, great problems

are associated with it. I noticed that, in explaining his Bill, the Victorian Minister commented that, if his Bill proved nothing else, it would silence those critics who had claimed that the matter was not so complicated as he had been saying it was. In that respect, I can only echo what he said. The form of the South Australian Bill was determined by Cabinet after investigations I made during my recent visit to the United Kingdom, where I had discussions with the Minister responsible for consumer affairs in that country. Certain conclusions were then reached by Cabinet on my recommendation. The Bill has been drafted. It is in its final form at present, and I expect it to be introduced next week.

SAINT BERNARD ROAD

Mr. DEAN BROWN: When will the Minister of Transport inform me of current investigations into a crossing on Saint Bernard Road, about which I have had correspondence with him? In this area 500 elderly citizens live, and they have been asking for some time for a crossing with flashing lights on this road so that their safety may be assured. The problem was first taken up by the former member for Davenport (Mrs. Joyce Steele) last year and, on May 17, I wrote to the Minister requesting that the problem be looked into immediately. On August 2, I received a reply from the Minister saying that he had referred the matter to the Road Traffic Board and that the Chairman had written back saying that he appreciated the problem faced by these people. Two months has elapsed and no further correspondence has been received on what action the Minister or the board is taking to ensure that such a crossing is installed.

The Hon. G. T. VIRGO: I will get a reply for the honourable member.

ELIZABETH TRANSPORT

Mr. DUNCAN: Can the Minister of Transport say whether the Government will consider building, as part of the new metropolitan transport system, a spur railway line from Salisbury North to serve Elizabeth East, Elizabeth Park, Elizabeth Heights and Elizabeth Downs as well as the proposed new Housing Trust development near Craigmore? The people of Elizabeth who are fortunate enough to live near the railway line are well served with rapid transport to Adelaide, which is most necessary for people living in that area. However, people living on the eastern side of Main North Road at Elizabeth are not so well placed for transport to Adelaide. There is a private bus service, but the bus takes a considerably longer time to reach Adelaide than does the train, and the cost is considerably more than that of the railway service. For these reasons it appears to be most essential that a new railway line be provided in this area.

The Hon. G. T. VIRGO: I will ask the Director-General of Transport to analyse the suggestion, and in due course I will bring down a reply.

ESCAPED PRISONERS

Dr. TONKIN: Has the Attorney-General a reply to my question of September 11 concerning the escaped prisoners?

The Hon. L. J. KING: The Chief Secretary states that in terms of regulation 15 II (4) of the Prisons Act Amendment Act (No. 2), 1969, Farnsworth was eligible to apply for parole on October 6, 1972. He did not do so at that time, but in terms of section 42g (2) had been reviewed annually by the Parole Board and reports had been submitted. MacDonald was in a different category. As a Governor's pleasure prisoner, he has the right to apply to the Governor for release at any time, but had not yet done so. However, his progress had also been reviewed by the Parole Board and a report submitted to the Government in terms of section 42g (2) of the Prisons Act Amendment Act (No. 2), 1969.

SCHOOL FACILITIES

Mr. CHAPMAN: Has the Minister of Education a reply to my recent question about additional facilities for school premises?

The Hon. HUGH HUDSON: The question was not about that at all, but the answer I have for the honourable member is probably the one he is seeking, so I will give it to him. The regulations under the Education Act, 1972, provide that the head of each school shall have the power to grant the use of school buildings and grounds outside of school hours, in consultation and agreement with the school council, to various organizations. The regulations give the Director-General the power to determine the scale of rates and to vary or waive the charges, but they also give the right to the schools to fix a rate within the scale for a specific occasion. The following conditions must be observed by organizations using school premises and grounds: (1) the organization shall, in addition to the agreed charge, meet the cost of any additional labour which may be necessary to prepare the buildings or grounds before a function and to place them in proper order after a function; (2) the organization shall be responsible for any damage caused through the use of grounds, equipment or buildings and shall meet the cost of repairing such damage; and (3) the organization must satisfy the head of the school prior to the function with respect to arrangements made for lighting and cleaning rooms, for putting school furniture in proper order, for securing the premises after use and for the proper care of premises and grounds. These conditions are in line with the trend to delegate responsibility in certain areas of decision making to the headmaster and the school council. At the same time, safeguards are provided to ensure that the principal role of the school is not impeded by such outside use.

GLADSTONE HIGH SCHOOL

Mr. VENNING: Before asking the Minister of Education to give me a reply to a question I asked about the disposal of the old Gladstone High School building, I should like to say that tomorrow the Minister will be at Gladstone to open the new school and we look forward to his being there. Will he now give me the reply?

The Hon. HUGH HUDSON: In view of the honourable member's comments I shall be as polite as I can in my reply. Also, I will not make any comments tomorrow concerning the state of the silos in the District of Rocky River. There have been requests from a number of organizations for the use of both the solid-construction and timber buildings at the old Gladstone High School. Because of the need to give full weight to all these applications, considerable inquiries have had to be made. However, I have now approved recommendations relating to this matter. It is intended to make available to the Gladstone District Council the solid-construction buildings and also three timber buildings whose condition is such that they could not be transferred satisfactorily to another site. This arrangement will be subject to the council's accepting responsibility for the payment of all transfer fees. Of course, that means that the district council will take over the site of the old school. A triple timber unit has been set aside for the Gladstone Convent School subject to the usual conditions whereby the convent school will be responsible for transferring the building and cleaning up the site it occupies at present. The shelter

and bicycle sheds are required by the Public Buildings Department for use elsewhere. A dual science laboratory has been allotted to Vermont Girls Technical High School, an art needlework room to Salisbury High School, and a single-unit classroom to Gladstone Primary School. The honourable member made representation on behalf of the Gladstone Pre-School Centre Committee and the Gladstone Troop of the Girl Guides Association. It will now be possible and advisable for these two organizations to negotiate with the Gladstone District Council for the use of rooms that will remain at the site and be transferred to the council.

LAND CONFERENCE

Dr. EASTICK: Has the Minister of Works a reply to my question of September 27 relating to the land conference held in Melbourne last Friday at which the Hon. A. F. Kneebone was the Government representative?

The Hon. J. D. CORCORAN: The Leader has, in making his explanation, answered his question. The original question was as follows:

Can the Minister of Works say which Minister will attend the meeting in Melbourne that has been called by the Tasmanian Minister to discuss various aspects of urban land prices and of implementing land commission legislation? It was stated last Tuesday that a meeting had been called on the initiative of the appropriate Tasmanian Minister and that members of all Governments had been asked to attend. Can the Minister say which member or members of the South Australian Government will be attending this conference?

It sounds like an Irishman's question: the Leader asked a question and replied to it himself.

The Hon. D. A. Dunstan: What is more, general agreement was achieved.

The SPEAKER: Order!

Dr. Eastick: What agreement?

The Hon. D. A. Dunstan: General agreement.

The SPEAKER: Order!

Mr. COUMBE: Can the Premier tell the House the outcome of the Ministerial conference last Friday? We have been told that there was accord at the conference and that general agreement was reached.

The Hon. D. A. DUNSTAN: There was general agreement that the States should proceed, with the co-operation of the Commonwealth Government, in the area of urban land price activity, and the Commonwealth Government will now be requested to meet all State Ministers regarding the matter.

DEVELOPMENT AREAS

Mr. DUNCAN: Can the Minister of Environment and Conservation give an up-to-date report on progress made with development plans for the State's 12 proclaimed planning areas? Recently the State Planning Authority has released the outer metropolitan development plan, which has created interest amongst local government people and, in particular, people in my area. I think it would be valuable if the Minister explained the progress made throughout the State.

The Hon. G. R. BROOMHILL: As the honourable member has pointed out, the State has been divided into 12 areas where development plans will be provided, and at present six of the development plans have been authorized. They are for the metropolitan area, the South-East, Kangaroo Island, Whyalla, the Mid-North, and Flinders Range. At present, both the Eyre district proposal and the outer metropolitan proposal are being considered. The plan for the Eyre district has completed its public exhibition stage, and the State Planning Office at present is collating all representations received so that they can be considered by the State Planning Authority. We have in the process of preparation the plan for the Murray Mallee area, the technical work for which is almost complete. The last chapter in the report regarding Yorke Peninsula is still being finalized. For the Murray Mallee area, the final chapter also is being drafted and the preliminary work has begun on the plan for the Far North.

INTERNATIONAL HOTEL

Mr. GUNN: Has the Premier a reply to my recent question regarding the establishment of an international hotel in Victoria Square?

The Hon. D. A. DUNSTAN: The committee appointed to examine submissions has proceeded to a stage where it became necessary to have discussions with the City of Adelaide Development Committee. The latter committee has now determined general principles that it will require to be observed for the project, and these are being taken up with the consortia involved.

FILM CORPORATION

Mr. EVANS: Has the Premier a reply to my recent question about whether the South Australian Film Corporation could assist Speld by producing a film as a teacher aid?

The Hon. D. A. DUNSTAN: The Chairman/Director of the South Australian Film Corporation has reported that the corporation would be pleased to make its services available to produce a film for Speld. It would be necessary, however, for a sponsor to be found, as the corporation does not receive a grant for charitable purposes. The corporation was approached by Speld on September 13 and the Director will discuss the matters raised by the honourable member with Mrs. Dibden, Honorary Executive Secretary of Speld.

FAMILY COURT

Mr. MILLHOUSE: Will the Attorney-General say when it is intended to constitute the so-called family court in this State? I am prompted to ask the question by the tabling yesterday of the report of the Juvenile Court Judge (His Honour Judge Marshall) and the report of it in the newspaper this morning, which, because of the procedures of this House, is the first glimpse of the contents of the judge's report that I have had. I recall that, besides the appointment of His Honour Judge Marshall, which was made some time ago, Her Honour Judge Murray and His Honour Judge Wilson have been appointed to the bench, I understand ostensibly to form a family court to deal with all matters, not only those concerning juveniles. I understand that His Honour Judge Wilson has gone to New Guinea for some months as an acting judge of the Supreme Court there. Nothing more seems to have been heard of the projected family court to deal with juveniles, maintenance and other matters, apart from those matters under Commonwealth jurisdiction.

The Hon. L. I. KING: November 12, Sir.

IMMIGRATION

Mr. MATHWIN: Has the Premier a reply to my recent question about advertising to encourage immigration?

The Hon. D. A. DUNSTAN: Inquiries of the Commonwealth Immigration Department have revealed that limited advertising has been resumed in Britain, but no special advertising campaign to attract qualified tradesmen is being undertaken at the present time.

PAYMENTS TO PRISONERS

Mr. BECKER: Has the Attorney-General a reply to my question of September 18 regarding payment to prisoners?

The Hon. L. J. KING: The Chief Secretary states that prisoners are paid at rates of 35c, 40c, 45c and 50c a day. depending on the classification of their work. This results in a fortnightly payment of between $3.50 and $7, according to whether the inmate works five or seven days a week. To this a credit is given of $1.34 a fortnight for inmates who do not take an issue of tobacco (50 per cent of inmates are in this category). This results in a gross credit of between $4.84 and $8.34 a fortnight for the inmate. This matter, along with others, will be considered in relation to the Mitchell report.

FIREARMS

Mr. McANANEY: Will the Attorney-General ask the Chief Secretary whether the Government intends to introduce legislation this session regarding the licensing of firearms? Last year, when fauna legislation was introduced, this provision was omitted and there has been no licensing since. I have received complaints about this matter: it is unusual for people to complain because they are not paying for something, but they believe in the principle of licensing firearms. Does the Government contemplate introducing this legislation before the duck season commences?

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

CITY TRAFFIC

Dr. EASTICK: Can the Minister of Transport say how he intends to keep private motor vehicles away from the inner city area? Will it be by lowering fares on public transport, by increasing the cost of city parking, or by installing toll gates on the outskirts of the city? Although the suggestion of toll gates may seem laughable, it is not my suggestion: it comes directly from the report of the Director-General of Transport which has been referred to in the House today. Page 24 of that report states:

The South Australian Government has acknowledged that the pattern of public transport usage will not change markedly in the foreseeable future unless policies and programmes are implemented which will consciously deter the use of the private automobile in peak periods and encourage' the use of public transport. It has therefore decided that public transport will be regarded as an essential public service. Fares will be kept low enough to encourage usage, and ways and means will be sought to obtain financial support in addition to revenues from passenger fares. At the same time the true cost to the community of continued use of the private auto for travel to the central city will be brought home to the public through the implementation of a passenger-transport pricing policy, which in its initial stages will relate parking charges to public transport fares but which, if required at a later stage, could include more drastic measures as charging to use a private car in the downtown area.

It seems from the report that bus, tram, and train fares are to be lowered, parking fees are to be increased, or motorists will be charged to bring their vehicles into the city. Concerning the latter possibility, I ask whether the Government has accepted the concept of toll gates. As the Minister has indicated that this report is a blueprint of Government plans, I ask whether he is serious about the aspect I have raised.

The Hon. G. T. VIRGO: The report is a blueprint for the guidance of the Government. If the Leader will read carefully the reference he has quoted, he will note that the Director-General suggests that, at a later stage, it may be necessary to take some actions to which the Leader has referred. It is futile to believe that public transport can be upgraded and people encouraged to use it whilst at the same time additional facilities are provided for the use of private motor cars. I think that a transport policy, to be successful, has to be tied definitely and clearly to the matter of car parking within the city of Adelaide, at least within the central business district of Adelaide. This has been made abundantly clear in many oversea cities, and it was indicated clearly during my recent oversea tour, because the toll gate is used extensively in many places in an effort to solve traffic problems. For instance, in San Francisco a system at the Golden Gate bridge operates whereby 50c must be paid for each vehicle going through. However, an annual ticket (purchased, from memory, for $12) permits the person to go through at any time, provided that there are three or more persons in the motor vehicle. That is the way they have tried to control the situation in that city.

Dr. Eastick: But not successfully.

The Hon. G. T. VIRGO: It is not successful, because, unfortunately, motorists are cheating. When we were there early in the morning to inspect this operation, it became clear that motorists were cheating, but what they did not know (but what we were told) was that on the following morning the axe would drop. I imagine that there would be thousands of people who would find that it did not pay to cheat. The use of toll gates has been applied overseas, and at some future time we may have to consider this proposition seriously. No plan is contemplated (nor does Dr. Scrafton suggest it in the report) for this system to operate in the immediate future. On the contrary, Dr. Scrafton states that it is to be considered in future. The question is complex and one that involves Government policy. It is the Government's policy to maintain fares at the lowest level possible, and I suggest that in the not too distant future we may see a completely different structure of fare charges.

MAIN NORTH ROAD

Mr. COUMBE: Has the Minister of Transport a reply to my question of September 18 about the programme of the Highways Department for widening Main North Road between Nottage Terrace and the junction of Fitzroy and Robe Terraces?

The Hon. G. T. VIRGO: The reconstruction of the Main North Road between Nottage Terrace and Fitzroy Terrace is expected to commence in April, 1976. However, this is subject to the availability of funds and the completion of the necessary preconstruction activities.

ASSISTANCE TO INSTITUTIONS

Dr. TONKIN: Has the Attorney-General a reply to the question I asked on September 19 during the Estimates debate about assistance to be given to certain institutions?

The Hon. L. J. KING: The Minister of Health reports that he is satisfied that the funds allocated to the Australian Foundation on Alcoholism and Drug Dependence and the Alcohol and Drug Addicts Treatment Board are sufficient.

BRIDGEWATER SCHOOL

Mr. EVANS: Has the Minister of Transport a reply to my question of September 18 about the fence around the oval at Bridgewater Primary School?

The Hon. G. T. VIRGO: The Highways Department is responsible for the provision of an alternative sports area with an adequate boundary fence at the Bridgewater Primary School, because some of the school land was acquired for the South-Eastern Freeway. The work has not been completed pending settlement of filling. However, subject to fencing material being available the work should be completed before the end of the year.

PRISON EQUIPMENT

Mr. MATHWIN: Has the Attorney-General received from the Chief Secretary a reply to the question I asked during the debate on the Appropriation Bill (No. 2) about expenditure on labour prison plant and equipment?

The Hon. L. I. KING: The Chief Secretary states that the underspending on plant and equipment for the year 1972-73 was occasioned by the fact that two large items of equipment ordered for the joinery shop, namely, a thicknesser and an arbor saw did not arrive by June 30, 1973. These items involved $3 350 unspent in 1972-73 which had to be added to the usual amount sought in the 1973-74 year. The remaining $4 000 underspent comprised several small items which were found to be either unprocurable in the type required (for example, $1 000 worth of stainless steel kitchen items) or small tools provided in various workshops as replacement items which were found to be not required in view of the continuing good order of equipment. Also, major repairs were undertaken within the Prisons Department at considerable savings (for example, on a tractor, involving $500). The additional money for 1973-74 includes the $3 350 mentioned above, the purchase of certain safety equipment required under State law ($1 500), purchase of equipment for manufacture of metric items ($3 750), emergency fire-fighting equipment for which no other assistance is received ($2 800), and the purchase of a new tractor for use in the garden for increasing vegetable production for disposal through the State Supply Department ($4 030).

DRUGS

Mr. BECKER: Has the Attorney-General received from the Chief Secretary a reply to the question I asked on September 18 about rewards in connection with convictions involving drug offences?

The Hon. L. J. KING: The Chief Secretary replies that on March 25, 1970, Cabinet approved the offer of a reward of up to $2 500 for information leading to the conviction of any person trafficking in drugs. The approval of the Minister is obtained prior to the payment of any reward to informants or where any reimbursement is requested in respect of the purchase of drugs from pushers. The amount of $630 was distributed as follows: $550 to 11 informants resulting in the arrest of 32 persons for drug offences; and $80 for purchase of drugs from pushers.

BUS SERVICES

Dr. EASTICK: I ask the Minister of Transport what is the significance of the statement appearing on page 48 of the report on public transport in metropolitan Adelaide, wherein a footnote states:

. . . included in the long-term strategy due to the need to ensure a reserve, should the M.T.T. or other authority acquire the private operators.

An asterisk appears against "private bus replacement", and this would seem to indicate that in the directions given the Director-General it was generally suggested that it could be Government policy to acquire private bus undertakings.

The Hon. G. T. VIRGO: No such direction has been given the Director-General of Transport. However, the Director-General happens to be a fairly intelligent sort of person, and it does not require much skill to realize that the private operators in the metropolitan area are in a fairly difficult position. Whether or not a solution can be found to enable them to continue, it is not possible to state at this stage. Further, at least two of the routes currently operated by private undertakings will become Municipal Tramways Trust routes in, I think from memory, March, 1975. In fact, the initial decision in relation to the resumption of the licences ("resumption" may not be properly descriptive, because it is a matter of the non-reissuing of licences)—

Mr. Becker: What about "termination"?

The SPEAKER: Order!

The Hon. G. T. VIRGO: It is not even that. The licences are issued for five-year periods, and it is a matter of notifying the licensee that a new licence will not be issued after the expiration of the existing one. I might add that that decision was taken by the former Government, prior to this Government's coming to office. We altered the conditions of the notice. A three-yearly notice was given to these private operators, but I held the view that, regarding the period of the notice of non-reissue of a new licence, they were entitled to have the same period as that applying to the licence. These are the factors contributing to that comment by the Director-General. The M.T.T. may well extend its operations into other areas, and it is not a matter of Government policy of pushing out the private operators. We acknowledge the work these operators have done and the value they have been to the transport system, but one must always remember that they are simply operating under licence granted by the M.T.T.

OUTER HARBOR

Mr. COUMBE: Can the Minister of Marine give me the information that I sought recently on the Outer Harbor passenger terminal?

The Hon. I. D. CORCORAN: The expected number of calls by passenger ships at Outer Harbor for the next 12 months is about 30, or about one every 12 days. At present, steps are being taken to publicize the availability of the new passenger terminal and I have approved a system of charging which is competitive with the charges raised in the other capital city ports for the use of their passenger terminals. A new caller at the Outer Harbor this year was the *Marco Polo,* and next year we expect a call by the *Cathay,* a passenger ship of the Eastern and Australian Steamship Company Limited which has never been here before. In addition, the new vessel *Nieuw Holland* of the Konjava-China Line is scheduled to call every 60 days and the *Patris* of the Chandris Line is scheduled to make more frequent visits than formerly. She will be calling regularly every 30 days and at least one other line is likely to follow this pattern. It is hoped that the facilities offered by the new passenger terminal will tempt cruise ships to call at Adelaide and stay several days whilst their passengers make trips into South Australia, using the ship as their hotel. Late last month two ships were at Outer Harbor at the one time, namely, the *Marco Polo* and, I think, the *Hellinis.*

PERSONAL EXPLANATION: PARKING OFFENCES

Mr. MILLHOUSE (Mitcham): I seek leave to make a personal explanation.

Leave granted.

Mr. MILLHOUSE: A short time ago, in Question Time, I asked the Minister of Transport for a reply to a question that I said I had asked weeks ago about apparent parking offences and the Adelaide City Council. In the preamble to his reply the Minister said that I had had notification of the reply for, I think he said, over two days, or since last Tuesday. In fact, I was handed at the beginning of Question Time today the slip of paper notifying me that the reply—

The Hon. G. T. Virgo: And you also had it yesterday.

The SPEAKER: Order!

Mr. MILLHOUSE: —had been received, i did not have any notification at all from the Minister, or from anyone else, until today. I point out to the Minister that in any case we were not silting on Tuesday, so I could not possibly have had the reply then. I reiterate that the first intimation I had from the Minister that the reply to the question was available was at the beginning of Question Time today and, if the Minister were man enough, he would get up and apologize.

UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

APPROPRIATION BILL (NO. 2)

Returned from the Legislative Council without amendment.

COMPANIES ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Companies Act, 1962-1972. Read a first time.

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

That this Bill be now read a second time.

It amends the Companies Act in three respects. First, it provides that the Auditors-General of the Commonwealth and of the various Slates and Territories of the Commonwealth are to be deemed to be registered company auditors for the purposes of the principal Act. This amendment restores the position that existed prior to the passage of the last major amendments to the Companies Act. Secondly, the Bill provides that a company may appoint one or more firms to be auditors of the company. This amendment also arises from the previous amendments to the principal Act. Those amendments were based on a recommendation made by a committee under the chairmanship of Mr. Justice Eggleston. The committee in fact recommended that no more than one firm of auditors should be appointed. Some major companies had, however, prior to the amendments, adopted the practice of appointing two or more firms as their auditors. There does not seem to be any major evil associated with this practice and, accordingly, notwithstanding the recommendations of the Eggleston committee, the Government has decided to restore the right of a company to appoint two or more firms as its auditors. Amendments to this effect have recently been made in New South Wales. Finally, the Bill extends the new provisions relating to company investigations to industrial and provident societies.

Clauses 1 and 2 of the Bill are formal. Clause 3 provides that the Auditors-General of the Commonwealth and of the various States and Territories of the Commonwealth shall be deemed to be registered company auditors for the purposes of the Companies Act. Clauses 4, 5, 6 and 7 make the amendments necessary to allow a company to appoint two or more firms as its auditors. Clause 8 extends the investigatory provisions of the Companies Act to industrial and provident societies.

Mr. COUMBE secured the adjournment of the debate.

LAND AND BUSINESS AGENTS BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to consolidate and amend the law relating to certain kinds of agent; to provide for the licensing and control of land brokers; to repeal the Land Agents Act, 1955-1964, and the Business Agents Act, 1938-1963; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

It largely follows the same form as the Bill that was introduced into the House last year. Much of what I shall say in explanation of the Bill therefore recapitulates what was previously said in the second reading explanation of the previous Bill. The Bill incorporates and amends the provisions of the present Land Agents Act and Business Agents Act. There are four Acts which deal with the licensing of persons who act as agents in the selling of land or businesses or prepare documents relating to the sale of land. They are the Auctioneers Act, the Business Agents Act, the Land Agents Act, and provisions in the Real Property Act dealing with the licensing of land brokers. As the functions of all persons licensed or registered under these Acts are to a marked extent interrelated, it has been thought desirable to bring land agents, land salesmen, business agents, business salesmen and auctioneers of land under the jurisdiction of one board and under one common licensing scheme. It has also been thought desirable to set up a licensing body in respect of land brokers who are at present licensed by the Registrar-General.

The sale of many businesses, including small businesses, involves the transfer of absolute ownership or a leasehold interest in land. The transfer of such interests is intermingled with the purchase of the goodwill and stock in trade of the business. At present, business agents are licensed by the local court. Land agents who were previously licensed by that court were brought under the jurisdiction of a licensing board in 1955. There is no authority in relation to business agents which may effectively inquire into complaints against the conduct of licensed business agents in their capacity as such agents. It would not be appropriate, nor would it be practicable, for the court to make such inquiries except when a formal application for a cancellation of the business agent's licence is made. The present Business Agents Act does not provide for any previous experience or knowledge on the part of an applicant. He is merely required to satisfy the court that his character and financial position are such that he is, having regard to the interests of the public, a fit and proper person to carry on business as a business agent.

Negotiations for sale of a business frequently involve complex financial transactions on which purchasers and vendors expect to receive advice from the business agents engaged. Many business agents are experienced, and are competent by virtue of that experience, to tender such advice but, having regard to the present licensing provisions, it is open to anyone of good character and satisfactory financial position to obtain a licence. One of the purposes of the Bill is to ensure that business agents who, in the future, are licensed for the first time shall be required, as are land agents, to have adequate experience and knowledge to perform competently the functions which the public is entitled to expect of them. The Land Agents Board has in the past received complaints against the activities of persons licensed under both Acts where it has been unable to act, because it cannot be determined where the agent's duties as a business agent in a transaction cease and where his duties as a land agent commence. Both the Land Agents Act and the Business Agents Act require the agent to keep a trust account. Where a person is licensed under both Acts, it is frequently unnecessarily difficult, and sometimes impossible, to determine into which account moneys received by such agents should be paid.

The Bill seeks to bring about a common licensing scheme in relation to land and business agents and auctioneers of land. Such a scheme is in operation in other States and there is an ordinance covering the same object in the Australian Capital Territory. The Bill also provides for a licensing board for land brokers who, as has been previously stated, are at present licensed by the Registrar-General. Although the Registrar-General requires such persons to undertake successfully a course at the Institute of Technology, the only qualification contained in the Real Property Act is that such persons be fit and proper persons to be land brokers. Again, there is no authority having the jurisdiction to undertake investigations into complaints against the conduct of persons licensed as land brokers. Where a person is licensed as a land agent and is also licensed as a land broker, the Land Agents Board has been unable satisfactorily to deal with a complaint concerning a specific transaction, because the conduct as a licensed land agent of a person holding both licences cannot be separated from his conduct as a licensed land broker. There are grounds for holding the view that a person should not be licensed both as a land agent and a land broker. However, the Bill seeks to achieve a compromise between this view and the present situation.

In addition to setting up a common licensing system under a Land Brokers Licensing Board, other provisions in the Bill provide for a fund to meet defalcation by land and business agents and land brokers along the lines of the fund recently set up by the Legal Practitioners Act. At present, land agents and salesmen are required to provide a bond of $4 000 against possible defalcations. This amount is grossly inadequate but a substantially higher amount would involve insurance premiums beyond the financial capacity of many agents. There are other provisions for regulating the making of contracts for the sale of land or businesses and also variations of those provisions of the Land Agents Act and the Business Agents Act which concern the conduct of land and business agents. Auctioneers who simply auction goods and chattels are not affected, but there is no good reason why an auctioneer auctioning land should not be required to be licensed or registered as, in many cases, a contract is negotiated by the person conducting an auction immediately after the land being sold has failed to reach the reserve price.

Careful consideration has been given to suggestions of various interested bodies and, whilst it has not been considered practicable or desirable, by legislation, to deal with all the matters which have been raised, with one exception all the provisions relating to the control of agents meet with the approval of the Real Estate Institute. A considerable proportion of the provisions in this Bill were recommended by the Land Agents Board which has been charged with the licensing of land agents and the registration of land salesmen for the past 17 years.

Part I of the Bill contains saving and transitional provisions, but attention is drawn to provisions which provide that any licence in force under the present Land Agents Act or Business Agents Act before May 1 shall be deemed to be a licence in force under the Bill, and that a person licensed as a business salesman under the Business Agents Act immediately before the commencement of the Act shall be deemed to be registered as a salesman under the Bill. This means that a few persons who do not have all the qualifications required for a land agent will become so licensed by virtue of their having held a business agent's licence. The number of such persons is, however, relatively few and it was thought better to permit these persons to continue to carry on as business agents rather than lose their livelihood or be outside the licensing provisions and the control of the board.

With regard to persons registered as business salesmen, their qualifications are similar to those at present required for land salesmen, and it is not thought unreasonable that they should become licensed as registered salesmen of land and businesses under the new Bill. Again, the number of persons affected is small.

Part II deals with the Land and Business Agents Board. The constitution of this board will be similar to the board under the present Land Agents Act and provisions as to quorum, validity of the acts of the board and allowances, etc., will remain as they are at present.

Part III deals with the licensing of agents relating to dealings in land or businesses. These provisions are similar to those in the existing Land Agents Act. Clause 13 prohibits the carrying on of business or holding out as a licensed land agent without a licence. Clause 14, which provides for applications for licence, follows, as does clause 13, the present provisions of the Land Agents Act.

Clause 15 sets out the qualifications which are required of a person to entitle him to hold a licence. They are based, with some modification in relation to the necessity for practical experience, on the present Land Agents Act, but making allowance for persons who hold a business agent's licence to be licensed under the Bill. Clause 16 provides for a licence to be granted to a corporation. It requires that, in the case of a corporation that did not hold a licence at the commencement of the Act, the persons managing, directing or controlling the affairs of the corporation are to have the same qualifications as a licensed agent or registered manager. The board is given power to exempt certain corporations from the requirement that the persons in control of the business are licensed or registered. At present, completely unqualified persons are able to form a proprietary company and engage a registered manager, who is then subject to their control, in order to carry out the corporation's business as a land agent.

Land agents are offering personal services to the public, and it is considered reasonable, subject to the exemptions, that those who are able to control the affairs of a corporation holding a licence should have sufficient knowledge and experience in the duties of a land agent to guide the corporation in its business. They should not be permitted by the protection of the corporate body in effect to carry on businesses for which they are not qualified. Clauses 17 and 18 deal with the duration and renewal of licences. Clause 19 provides that, where a licensed agent dies, an unlicensed person may, with the consent of the board, carry on the business up to a period of six months in accordance with conditions imposed by the board. Clause 20 provides for the surrender of a licence with the consent of the board.

Part IV provides for the registration of salesmen. Clause 21 provides that a person who is not registered as a manager who is a person required to have the same qualifications as a licensed land agent shall not serve any person as a salesman or hold himself out as a salesman or act as a salesman unless he is registered. The effect of this is that only a registered salesman and a registered manager may be in employment as a salesman engaged in negotiating dealings in land or businesses. This clause follows the present Land Agents Act.

Clause 22 provides, as do the present Land Agents Act and Business Agents Act, that a person shall not employ any unregistered salesman. The clause also provides that, unless the board considers that special circumstances exist, no person shall employ a salesman in his business except

on the basis that the salesman is employed full time in that business. The clause exempts from this latter provision any salesman employed part time within a period of 12 months after the commencement of the Act, and also permits the indefinite continuation of employment of a salesman employed on a part-time basis where he was so employed by a land agent immediately before the commencement of the Act and he continues in that employment. This provision is designed gradually to phase out the present practice of agents nominally employing large numbers of salesmen who, because of the spasmodic nature of their activities, obtain little or no practical experience or knowledge.

It has been found in a number of instances that there has been conflict between the agent and the so-called salesman as to whether or not the salesman is in the employ of the agent. This part-time employment frequently involves lack of any supervision by an agent over salesmen. The Land Agents Board has investigated a number of cases where part-time salesmen, quite inexperienced, were left to their own devices by the agent and obviously were quite unsupervised in the conduct of difficult negotiations with prospective purchasers.

Clause 24 re-enacts section 39 of the present Land Agents Act. It continues to exempt stock and station agents from the requirement that all employees of a branch office should be registered as salesmen or managers. Clause 25 provides for the manner in which application for registration is to be made by a salesman. Clause 26 provides for the qualifications for registration of a salesman. At present, the only requirement is that a person should be a fit and proper person. The purpose of this clause is gradually to require that persons who apply to be registered as salesmen shall have sufficient knowledge in order properly to carry out their functions.

The duties of a salesman are often crucial in the negotiation for sale and purchase of land. It is the salesman who communicates with the purchaser, shows him the property and usually writes up the contract note which is ultimately signed by the purchaser and the vendor. It is the salesman who communicates any offers from the purchaser to the vendor, and frequently it is only when a contract has become binding on both parties that the land agent, or business agent, the employer of the salesman, becomes aware of it. It is regarded as essential that the qualifications for salesmen should be upgraded and that the requirement to be registered is that such a person shall not only be a fit and proper person but that he has also passed such examinations or obtained such educational qualifications as may be prescribed.

The Bill exempts from educational requirements any person who was registered as a land salesman under the Land Agents Act or licensed as a business salesman under the Business Agents Act immediately before the Bill comes into effect. It is thought that this adequately preserves the rights of persons holding an existing registration and, although as previously pointed out it is perhaps giving a business salesman some advantage which he did not previously have, it is only reasonable that such persons who could in most instances, by application to the existing Land Agents Board, now be registered as land salesmen should have their position preserved. It also exempts from the educational requirement any person who, within 10 years before the date of his application, was registered as a salesman or registered as a manager under the Land Agents Act before the commencement of the Act contained in this Bill or held a business agent's licence under the Business Agents Act.

Clauses 27 and 28 provide for renewal of registration as a land salesman. Both these clauses are in similar terms to the existing Land Agents Act and Business Agents Act. Clause 29 provides that a salesman may surrender his certificate of registration. It also provides that, while he is not in the service of an agent, his registration is suspended. Both these provisions are contained in the existing Land Agents Act. This clause requires that a registered salesman shall give notice to the board of the commencement or termination of his employment. This provision is contained in the existing land agents' regulations, but it is considered sufficiently important to incorporate it in the Bill as its requirements have in the past frequently not been observed, the usual excuse being ignorance.

Part V deals with nomination and registration of managers whom a licensed corporation is required to have in its service and actual control of the business conducted in pursuance of the corporation's land agent's licence. Clause 30, in addition to providing for the control of its business by a registered manager, also provides that a licensed land agent, not being a corporation, whose usual place of residence is outside the State, must have a registered manager in control of his business. Clause 30 (3) exempts from the requirement to nominate a registered manager during a period of one month after the happening of certain events. Other provisions in the clause are evidentiary, dealing with the usual place of residence within the State of a person and a prohibition on remuneration to a registered manager who is not in the service of a licensed agent.

This clause substantially follows the existing provisions in the Land Agents Act, but the last mentioned provision relating to remuneration has been considered necessary because of the practice of licensed land agents paying commission to registered managers not in their employ. This has been found to be most unsatisfactory, as a registered manager may nominally be in the employment of several agents, a practice which may give rise to conflict of interest against both the interests of the public and of the agents themselves.

Clause 30 (6) provides for a manager to be employed full time. This is directed against the case of one registered manager being nominally in the employment of several persons or corporations who are licensed as land agents. This practice has been observed where unqualified persons promote a proprietary company, become directors of it, and obtain a land agent's licence in respect of that company. Although there has in the past been the requirement that they must employ a registered manager, it has been found that a licensed land broker for example, who is also a registered manager, is nominally appointed as registered manager, but in fact he plays no part in the business and carries on some other business or is engaged in other employment. In addition, it has been found that such a person is the nominated registered manager of more than one corporation holding a land agent's licence. This situation is most undesirable. Clause 30 (7) is complementary to subclause (5).

Clause 31 lays down the manner in which application for registration as a manager is to be made. Clause 32 provides for the qualifications required for a person entitled to be registered as a manager. Those qualifications are similar to those provided for by clause 15 in relation to land agents' licences. As has been previously pointed out, a registered manager stands in relation to a corporation, or a land agent whose usual place of residence is outside of the State, in the place of the person holding a licence. Clauses 33 and 34 provide

for duration of registration and for renewal. Clause 35 provides for surrender and suspension of registration of a manager whilst not in the service of an agent. It also provides for notification to the board of commencement or termination of employment.

Part VI deals with the conduct of the business of an agent. Clause 36 requires a licensed agent within 14 days after commencing or ceasing to carry on business to give to the secretary of the board notice in writing of that fact. Clause 37 provides for an agent to have a registered office for service of notices at the registered office and for registration and for giving notice of situation and change of situation of a registered office. Clause 38 provides for registered branch offices and follows the existing provisions in the Land Agents Act.

Clause 39 requires the agent to exhibit a notice as to his name, the fact that he is a licensed land agent and the name or style under which he carries on business. It also provides for notification to the board of alteration of the name or style under which he carries on business. Clauses 36, 37, 38 and 39 substantially follow the existing provisions in the Land Agents Act.

Clause 40 provides for a licensed land agent to keep prescribed particulars of employees engaged in his business and to produce the record of those particulars. This provision has been found necessary because of the occasions on which land salesmen have failed to notify the board, as required by the existing regulations, of their change in employment or ceasing to be employed, and also by the fact that in some instances, as has previously been pointed out, agents, through failure to keep proper records, have not been able to inform the board whether or not certain salesmen were employed by them. A number of agents nominally employ upwards of 20 to 30 salesmen on a commission only basis.

Clause 41 prohibits the publication by licensed agents of advertisements which do not state the name of the licensed agent, his address and the fact that he is a licensed agent. It also prohibits a registered manager or salesman from advertising except in the name of the licensed agent by whom he is employed. The clause further requires that a person shall not advertise any transaction relating to the sale or disposal of a business without the consent in writing of the owner of the land or business. This clause has its counterpart in the existing Land Agents Act.

Clause 42 requires an agent, upon demand, or in any event within two months after the receipt by the agent of moneys in respect of any transaction, to render to the person for whom he has acted as agent an account setting out particulars of such moneys and of their application. Substantially similar provisions are contained in the present Land Agents Act and Business Agents Act. Clause 43 makes it an offence to render false accounts and is similar in terms to provisions contained in the Land Agents Act.

Clause 44 provides that an agent shall supply to any person who has signed an offer, contract or agreement relating to a transaction that has been negotiated by the agent a copy of any such document. This provision is considered to be necessary because of the difficulty sometimes experienced by purchasers, and even vendors, for whom the land agent has been acting, in obtaining a copy of the documents which they have signed. Clause 45 requires an agent to obtain an authority in writing before acting on behalf of any person in the sale of any land or business. At present, a land agent is required to obtain an authority in writing before advertising any land for sale, but there have been instances where agents have purported to offer a property for sale (other than by advertising) without the instructions or consent of the owner of that property, causing unwarranted embarrassment to the owner.

Clause 46 differs materially from the corresponding provision of the previous Bill. It provides, first, that a licensed agent must not have any direct or indirect interest in the purchase of any land or business that he is commissioned to sell. Secondly, it provides that a registered manager, salesman or other person in the employment of a licensed agent must not have any interest in the purchase of any land or business that the agent has been commissioned to sell. This provision does not affect any interest which arises merely by virtue of the agency relationship. The clause further provides that an agent, salesman or registered manager who acts in contravention of the clause, in addition to being liable to a penalty, may be ordered to pay over to the principal, who is usually the vendor, any profit that he has made, or is likely to have made, from the purchase. Furthermore, the licensed agent is not to be entitled to receive any commission where the agent or any employee has been found to have an interest in a transaction in contravention of this clause.

The Government takes the view that it is improper for an agent to have an interest in the purchase of land which he has been commissioned to sell. However, this view is not widely known amongst agents and it has been thought better to make specific legislative provision so that there will be no doubt of the duties of persons engaged in selling land and businesses, and also to provide for the protection of persons where an agent has acted in contravention of this clause. The practice of land agents, who have been commissioned to sell a property, of inserting a name of a nominal purchaser in the contract and then proceeding to have the land transferred to themselves or to a company in which they have an interest has come to notice for many years but has increased substantially lately. There have been instances where the agent, or his employee, has clearly acted to the detriment of the vendor for whom he is acting. The vendor ought to be able to expect the agent to use his best endeavours to obtain a proper price for the land or business being sold. The agent should not act where there is a possible conflict of interest between his principal and himself.

Clause 47 prohibits a licensed agent from paying any part of the commission, to which he is entitled as agent, to any person other than to a licensed agent or to a registered manager or registered salesman. There have been several cases in which a licensed land agent has permitted his licence to be used as a front by persons not, in fact, employed by him, particularly registered salesmen over whom he has no actual control. Substantially similar provisions are contained in the existing Land Agents Act.

Part VII deals with the licensing of land brokers who are at present, as has been adverted to, licensed by the Registrar-General. Clause 48 contains definitions. Clause 49 sets up a Land Brokers Licensing Board and provides for it to be constituted of five members, one of whom is to be a legal practitioner of not less than seven years standing and one of whom is to be a licensed land broker. This clause follows substantially the constitution of boards under the provisions of the present Land Agents Act and the Land Valuers Licensing Act.

Clause 50 provides for term of office and removal of members of the board. Clause 51 provides for the

procedure of the board. Clause 52 contains the usual provisions as to validity of the acts of the board and the immunity of its members. Clause 53 provides for allowances to members of the board. Clause 54 permits the board to obtain legal assistance. Clause 55 prohibits a person carrying on business or holding himself out as a land broker unless he is licensed, but following the present situation this does not prohibit a legal practitioner carrying out work in the practice of his profession.

Clause 56 provides for applications for licences. Clause 57 sets out the qualifications that are required for a person to be entitled to a licence as a land broker. Any person at present licensed as a land broker will automatically be entitled to receive a licence if he is still regarded as being a fit and proper person. The clause also enables the rights of persons who have qualified for licences under the present legislation, but do not in fact hold licences, to be preserved. Under the Bill, applicants for licences will have to hold prescribed qualifications which will be based upon the present qualifications that, in practice, applicants are required to obtain before the Registrar-General will issue a land broker's licence. Clauses 58 and 59 deal with the term and renewal of brokers' licences.

Clause 60 enables a licensed land broker to surrender his licence with the consent of the Land Brokers Licensing Board. Clause 61 prohibits a person, for fee or reward, preparing instruments relating to any dealing with land unless he is a legal practitioner or licensed land broker. This clause is along the lines of a similar provision in the present Land Agents Act. It will be noted that, in addition to the present provisions of the Land Agents Act, by subclause (2) an agent, or any person who stands in a prescribed relationship to an agent, is prohibited from preparing any instrument (for example, a transfer) relating to the dealings in land. A prescribed relationship exists between an agent and another person if that other person is (a) an employee of the agent (b) a partner of the agent or (c) an employee of, or person remunerated by, a corporation where the agent (i) is a director of or shareholder in the corporation (ii) is in a position to control the corporation or (iii) is also an employee of, or person remunerated by, the corporation.

However, by virtue of subclause (4), a solicitor or a licensed land broker who has been in a prescribed relationship to the agent from September 1, 1972, is not prevented from preparing such a document. Subclauses (5) and (6) prevent agents from entering into arrangements with legal practitioners or land brokers under which the agent would receive a commission for passing on Real Property Act work. Subclause (7) prevents an agent, or a person who stands in a prescribed relationship to an agent, from procuring or attempting to procure the execution of a document whereby any person is requested or authorized to prepare a Real Property Act instrument. Subclause (8) makes void any clause in or appended to a contract whereby any person is requested or authorized to prepare any instrument in connection with the transaction to which the contract relates. This is designed to prevent touting for business on behalf of land brokers or solicitors and to make it more probable that the purchaser will engage a broker or solicitor of his own choice.

This clause makes a substantial change in the present conveyancing arrangements in South Australia. At present, instruments relating to a Real Property Act transaction may be prepared by either a solicitor or a licensed land broker. The legal costs are paid by the purchaser who is entitled to expect to have his interests in the matter protected. Very often, however, the land agent who is handling the sale obtains the purchaser's signature to an authority for a named land broker to prepare the documents. All too often this land broker turns out to be an employee of the land agent. A charge is made for the documents of about the amount which would be charged by a solicitor for the same work, but the land agent collects the fee. The land broker has an irreconcilable conflict of duty.

The purchaser is entitled to have some protection for the fee which he has paid, and in particular to have independent advice as to any traps in the transaction and as to whether he should proceed to settle. The land broker, however, must serve the interests of his employer, the land agent, whose interest it is to have the settlement proceed so that he may earn his commission. All too often the transactions find their way to solicitors or to members of Parliament after the damage has been done. It becomes clear that, had the purchaser had independent advice, the settlement would never have taken place. No-one should be placed in the situation in which the land broker now finds himself. This clause is designed to ensure that a land broker is not placed in that position.

The Bill is designed to establish land broking as a semi-professional calling with independence, status and security. It will have its own licensing and disciplinary authority with the appropriate protections and rights of appeal. There has never been in the past any machinery for the investigation of complaints or the conduct of proper inquiries into the conduct of land brokers. There are proper trust account and audit provisions appropriate to such a calling. The severance of the tie with the land agents will provide the opportunity for the development of a clearer sense of responsibility to the parties to the transaction, and in particular to the purchaser.

Ethical principles and standards of conduct suitable to the calling will be developed and will be underpinned by the surveillance of the Land Brokers Board. In this way there will be established by degrees a semi-professional, independent body of land broking practitioners capable of providing the public with a genuine freedom of choice as to whether to engage a solicitor or a land broker for the preparation of documents relating to Real Property Act transactions. The provisions of the Real Property Act that at present deal with the licensing of brokers and the regulation of fees for Real Property Act work will be repealed by a provision that has already been passed by Parliament for that purpose.

Part VIII concerns trust accounts and the consolidated interest fund and has as its purpose the setting up of a fund in lieu of the present fidelity bond system to protect persons who suffer from misappropriations or defalcations by agents or brokers. In the following comments relating to this Part, references to an agent include references to a land broker.

Clause 62 is formal. Clause 63 follows in substance the provisions of the present Land Agents Act and Business Agents Act. It requires an agent to pay all moneys received by him in his capacity as an agent into a trust account and prohibits him from withdrawing money except for the purpose of completing the transaction in the course of which the moneys were received. The agent is required to keep a full and accurate account of all trust moneys and to keep them separately and at all times properly written up so that they can be conveniently and properly audited at any time.

Clause 64 gives protection to banks and is in similar terms to an existing provision in the Land Agents Act and Business Agents Act. Clause 65 provides for the establishment by an agent of an interest-bearing account. An

agent must, on or before each first day of July commencing on July 1, 1974, invest, in an interest-bearing trust security, the prescribed proportion of the lowest balance of all moneys in his trust account during the previous 12 months and in each period of 12 months thereafter invest such further sums as may be necessary, so that the total amount so invested is not less than the proportion prescribed of the lowest aggregate of the balance of the amount invested and the balance of his trust account during that period.

The proportion of the trust account moneys that is to be invested is one-half, or such lesser proportion as may be prescribed by regulation, of the lowest aggregate of the balance of the account during the previous 12 months. Moneys invested in the interest-bearing trust security must be payable on demand so that in the event of the moneys in the trust account being, because of the investment of the prescribed proportion in interest-bearing trust securities, insufficient to satisfy claims upon the trust moneys, the agent may draw upon the trust security for the purpose of satisfying all claims. These provisions are along somewhat similar lines to those applying to legal practitioners, except that the agent is responsible for all investment in the interest-bearing trust security which must be repayable on demand.

Clause 66 requires an agent to pay to the board all interest that has accrued to an interest-bearing trust security during the preceding 12 months. Where, for any reason, an interest-bearing trust security is realized, the agent is to pay to the board forthwith all interest that has accrued. The board must pay all moneys paid to it into the consolidated interest fund, which may be invested in the usual authorized trustee investments. Interest derived from such investments also goes into the consolidated interest fund. Because the consolidated interest fund will not for some time build up to an amount sufficient to meet defalcations by agents, agents will be required, pursuant to clause 5 (9), to pay an annual sum of $20 during the period which intervenes before the consolidated interest fund is considered to be sufficient. This amount is less than the usual annual premium which agents at present pay to insurers for a fidelity bond of $4 000.

Clause 67 exempts from liability the board or an agent for any acts which are done in compliance with Part VIII. Clause 68 refers to fiduciary defaults on the part of agents and empowers the consolidated interest fund to be applied for the purpose of compensating persons who suffer pecuniary loss from a default on the part of an agent. In cases where an agent has made payment to a person in compensation for loss and the board is satisfied that the agent acted honestly and reasonably, and that it is just and reasonable to do so, the board may accept a claim from the agent in respect of that payment by him. The consolidated interest fund is to be applied only in respect of defaults occurring after the commencement of the Act.

Clause 69 provides the manner in which the board shall deal with claims. Clause 70 gives a person who has suffered pecuniary loss in consequence of a fiduciary default by an agent to take action in the Supreme Court to establish whether or not he has a valid claim in the event of the board's disallowing it. Clause 71 empowers the board to call for documents that are relevant to any claim. Clause 72 provides that the amount of a claim shall not exceed the actual pecuniary loss suffered by a person, less any amount that he has or may be reasonably expected to receive otherwise than from the consolidated interest fund. A person whose claim has not been settled within 12 months from the day on which it has been lodged is entitled to interest at the rate of 5 per cent from the expiration of that 12 months.

After the board has fixed a day by which claims must be brought in respect of fiduciary defaults by a particular agent, the amount of claims upon the consolidated interest fund is not to exceed more than 10 per cent or such other proportion as may be prescribed of the balance of the consolidated interest fund. The clause further provides for the board to apportion the amount available between various claimants, if that amount is not sufficient to satisfy all claims in full, and, further, the clause provides that, with the approval of the Minister, the board may make further subsequent payments to any person whose claim is not satisfied in full.

It is pointed out that at present the only moneys available to satisfy claims against a land agent who has defaulted, apart from any moneys or assets which he may himself have available, is the amount of his fidelity bond, which is $4 000. This has, more often than not, proved to be insufficient to meet claims for misappropriation. Clauses 73 and 74 enable the board, where any payment has been made out of the fund, to recover that amount from any person who is liable for the default.

Clause 75 provides for payment out of the consolidated interest fund of the cost of administering that fund and for moneys recovered by the board to be paid into that fund. Clause 76 requires the board to keep proper accounts of all moneys and to have those accounts audited at least once in every calendar year by the Auditor-General.

Part IX relates to investigations and inquiries. It deals with the powers of the Land and Business Agents Board in relation to matters affecting land and business agents and the Land Brokers Licensing Board in relation to matters affecting land brokers. The powers of each board are similar. Clause 78 provides that the board may, on the application of any person, or of its own motion, inquire into the conduct of any person licensed or registered under the proposed legislation. The clause provides, by subclause (3), the cases in which the board may take disciplinary action and, by subclause (2), empowers the board, where proper cause exists for disciplinary action, to reprimand, impose a fine not exceeding $100 or cancel the licence or registration.

Apart from the imposition of a fine, these provisions follow the present scheme of the Land Agents Act. It has been thought appropriate to empower the board to impose a fine because there are some cases which, being more serious than simply calling for a reprimand, are not sufficiently serious to justify the cancellation of a licence or registration. Clause 79 provides that the board shall give to the person licensed or registered, who is affected by an inquiry, notice of the time and place when the inquiry is to be conducted and gives such person an opportunity to call or give evidence or to examine or cross-examine witnesses and to make submissions to the board. This follows the present procedure set out in the Land Agents Act.

Clause 80 gives the board power to summons witnesses to give evidence or produce documents, and to answer relevant questions, and provides that failure to comply with the lawful requirements of the board shall be an offence punishable in a court of summary jurisdiction. This provision has its counterpart in the present Land Agents Act. Clause 81 gives the board power to make an order as to costs of an inquiry and provides for the recovery in a court of summary jurisdiction of a fine or costs ordered.

Clause 82 gives a right of appeal to the Supreme Court against any order of the board.

Clause 83 empowers the board or the Supreme Court where an appeal has been instituted to suspend the operation of the order of the board. Clause 84 empowers the board to request the Commissioner of Police to make investigations. Clause 85 gives the board power to authorize a person to inspect books, accounts, documents, etc., and to make copies thereof. Clauses 81 to 85 are similar provisions to those already in the Land Agents Act.

Part X deals with contracts for the sale of land or businesses. Clause 86, which deals with obligations in relation to offering vacant subdivided land for sale, has its counterpart in section 66 of the Land Agents Act. Clause 87, which renders voidable a contract into which a person was induced to enter by unreasonable persuasion on the part of a vendor, has its counterpart in the present Lands Agents Act. Clause 88 provides for a cooling-off period. The purchaser may not later than two clear business days after the contract, or document which may become a contract, has been executed by the vendor or the purchaser, whichever is the later, rescind the contract.

It also provides that no deposit or other moneys shall be received until the period for rescission has expired. To the ordinary man in the street, the purchase of land or a house property is usually the biggest financial transaction which he enters into during the course of his life. Even where no undue persuasion is used, a salesman will sometimes use every reasonable means of encouragement to persuade potential purchasers to buy a property and forthwith to sign an offer or contract to purchase. Many contracts are so signed immediately after the purchaser has inspected a property and without any proper opportunity for reflection upon the financial consequences to him of so signing, or to investigate or check the title as to identity of the land or to receive advice about the condition of the property.

The clause will not apply in relation to persons who, generally speaking, are qualified to look after their own interests. Where the purchaser is a body corporate, or an agent, or registered manager, or registered salesman, a licensed land broker or legal practitioner, he will not have the benefit of the provision. Again, where the purchaser, before executing the contract, has received independent legal advice in relation to the purchase of the land or business, he will not have the benefit of the provision.

With regard to auction sales, it would be impracticable for the cooling-off period to be applied. The holding of an auction is usually made known some time before it occurs. The salesman is not involved in inducing a person to buy as he is in the case of a sale by private treaty. The purchaser usually has ample opportunity to consider the nature of the transaction and his financial and other responsibilities if, at the subsequent auction, he is the successful bidder.

Clause 89, in effect, provides for the abolition of instalment purchase contracts, except that an amount by way of deposit may be paid in a lump sum or in not more than two instalments towards the purchase price before the day of settlement. There has, unfortunately, been a number of instances where instalment contracts (that is, where the purchaser does not obtain title until he has paid the full price in a considerable number of instalments over a period of years) have been entered into very much to the detriment of the purchaser.

Although it is possible for the purchaser to enter a caveat on the title, in fact many purchasers do not realize that they have this right and many others simply refrain from doing so. Consequently, although the purchaser may have paid almost the whole of the purchase price, his name does not appear on the title and the original vendor can deal with the land without the knowledge of the purchaser. Instances have occurred where the vendor has mortgaged many allotments of land sold on instalment contracts. He has failed to keep up the mortgage payments and the mortgagee has exercised his rights and sold the land. The original purchaser has thus lost both the money he has paid and the land which he was purchasing.

Clause 90 provides that, before any document which is intended to constitute a contract or part thereof for the sale of any land or business is executed by the purchaser, the vendor shall annex to that document a statement signed by or on behalf of the vendor containing particulars of mortgages, charges and prescribed encumbrances affecting the land or business which is the subject of the sale and also particulars of all mortgages, charges and prescribed encumbrances that are not to be discharged or satisfied on or before the date of settlement. In the event of circumstances arising where it is impracticable for the vendor to annex the statement, he is required to serve it personally or by registered post at least 24 hours before the contract is executed so as to become binding on the purchaser. A new requirement of the present Bill is that, where the vendor of the land himself acquired his title within 12 months of the sale, he must disclose to the purchaser all sales that have taken place during the previous 12 months, together with details of the consideration for which the land was previously sold during that period. In the present circumstances where there is a strong demand for real estate, some unscrupulous speculators have adopted the practice of buying houses and placing them on the market immediately at inflated prices. The new provision will ensure that where this occurs the prospective purchaser will receive proper notice of that fact.

The clause further requires that an agent shall, before presenting to a purchaser for execution any document that is intended to constitute a contract, make all prescribed inquiries and do all such things as may be reasonable to obtain particulars of all mortgages, charges, and prescribed encumbrances, and shall deliver a statement of such particulars with a certificate that the particulars disclose that all mortgages, charges, and encumbrances, which are prescribed and which affect the land or business which is the subject of the proposed sale, have been ascertained after reasonable inquiry. If a purchaser suffers loss by non-compliance with the provisions of this section, he may apply to a court for an order awarding such damages as in the opinion of the court may be necessary to compensate him for his loss arising from the default; or alternatively, it may make an order voiding the contract and such other orders as may be necessary to restore the parties to their respective positions.

It is a defence to such proceedings that failure to comply with this section arose, notwithstanding that the person alleged to be in default exercised reasonable diligence to ensure that such requirements were complied with. At present it is usual to refer in contracts to any registered mortgages or encumbrances which affect the land, the subject of the sale. There are, however, several other orders and charges which can affect the land and which are not required to be registered on the title. In some instances these would be known only to the vendor, and the purchaser would have no easy way of ascertaining whether or not they exist. It is intended that the prescribed encumbrances should only relate to matters of which the vendor knows, or ought to know, and it is

pointed out that the agent is only responsible to disclose mortgages, charges, and prescribe encumbrances as have been ascertained after he has made the prescribed and other reasonable inquiries.

This clause serves a very important purpose. It is well known that the system of conveyancing in South Australia differs very materially from the traditional English system and from the system obtaining in the other States. In the other States, the parties are referred to solicitors at a relatively early stage in the transaction. The agent finds a purchaser, brings the parties together, and negotiates the terms of the transaction. The parties then go to their solicitors for formal contract documents to be prepared and exchanged. During this process, the vendor and purchaser are represented by different solicitors whose duty it is to protect the interests of their respective clients. Generally speaking, the solicitor for the purchaser will satisfy himself by requisitions to the vendor's solicitor that there is no encumbrance or restriction on the use and enjoyment of the premises, before settlement takes place.

This conveyancing system provides the maximum protection to the parties, and minimizes the danger, in particular, of the purchaser paying out his money and acquiring a defective title or a title which is affected by some restriction as to use or enjoyment. For this protection, however, the parties have to pay fees which are substantially higher than the fees payable on a land transaction in South Australia. The South Australian system is much simpler and cheaper but, unfortunately, does not provide the protections which exist where both parties are represented by solicitors. In South Australia the land agent tends to carry the transactions through to the stage at which the Real Property Act instruments must be prepared. These are then prepared by a land broker or solicitor who not infrequently acts for both parties.

The system is inexpensive, but the protections given by the more formal and elaborate system of having the parties separately represented and by the exchange of requisitions is lost. Certain of the provisions of this Bill are designed to endeavour to give the public of South Australia more of the protections which are enjoyed under the more formal conveyancing system without the loss of the economies inherent in the South Australian system. This clause is an important provision in this regard. It seeks to protect the purchaser against the danger of paying for land which is subject to encumbrances or restrictions which affect its value and utility. As there is no separate representation of the parties and no requisitions in most cases, it is thought to achieve this result by imposing on the land agent an obligation to take reasonable steps to ascertain the existence of such encumbrances and restrictions and to disclose them to the purchaser.

It is intended to prescribe by regulation certain inquiries which must be made by the land agent in order to discharge his duty. It is believed that the provisions of this clause will greatly reduce the number of cases in which purchasers suffer loss, and often crippling loss, as a result of paying the purchase price for a house or other real estate, only to find when it is too late that the title is defective or the land is subject to encumbrances or restrictions which greatly reduce its value.

Clause 91 provides that a person who desires to sell a small business shall, before the contract or agreement for the sale of the business is signed or a deposit is paid, give to the intending purchaser a statement in the prescribed form containing prescribed particulars in relation to the business. A small business means any business which is to be sold for less than $30 000 or such other amount as may be prescribed. If a statement is not given or it omits any material or particular, or is false or inaccurate, any contract or agreement for the sale of the business shall be voidable at the option of the purchaser for a period and until the expiration of one month after the purchaser obtains possession of the business.

There has been a considerable number of cases where misrepresentations have been made as to the turnover of small businesses. Inspection of the books has failed to reveal a misrepresentation of the true position. It is not until after the purchaser has entered into possession and has had time to assess and see for himself the actual turnover that the misrepresentation comes to his notice. The provisions of this clause should protect purchasers against the unscrupulous or careless vendor, but will not affect the honest person who is disposing of a small business.

Concerning Part XI, clause 92 provides for the keeping of registers, and this is in accordance with the present legislation. Clause 93 provides for the publication of lists of licensed and registered persons under the Act, and provides for evidentiary matters. Clause 94 provides for proceedings by or against the board, and clause 95 is an evidentiary provision. Clause 96 prohibits a person being simultaneously licensed and registered as a salesman or a manager under this Act, or to be simultaneously registered both as a salesman and a manager under the Act. The responsibilities and obligations of managers as such and salesmen are quite distinct, and it would be inconsistent with the responsibilities of a manager for him to be also registered at the same time as a salesman and be nominally responsible to a manager. This clause will not prevent a manager acting as a salesman as he does now.

Clause 97 gives a court power to cancel or reprimand a licensed or registered person or the director or manager of a body corporate who is a licensed land agent. Similar provisions are contained in the present Land Agents Act. Clause 98 makes it an offence to make a false representation in connection with the acquisition or disposal of any land or business. Many complaints regarding licensed land agents, registered salesmen, licensed business agents, and registered business salesmen under the existing legislation relate to false representations made. Such representations have been made usually with the intention of inducing a person to buy the land or business. In some cases the representation has been found to have been made by the vendors of the land or business, and it is considered reasonable that not only persons licensed and registered should be subject to the prohibition but also other persons who are involved in the acquisition or disposal of any land or business.

Clause 99 extends liability of a corporation for offences against the Act to directors and other persons in control of the affairs of the corporation, unless they prove that they did not consent to or have prior knowledge of the commission of the offence, and also imputes to the corporation intention or knowledge of any officer or servant of the corporation. Clause 100 extends liability for an offence against the Act on the part of one member of the partnership to other members of the partnership, unless they prove that they did not have prior knowledge of the commission of the offence or did not consent to it. Clause 101 is procedural, and clause 102 provides that, where a person who is licensed or registered under the Act has been reprimanded within a period of five years

on three occasions, his licence or registration shall be cancelled. A similar provision is in the existing Land Agents Act.

Clause 103 preserves the usual civil remedies that a person may have against an agent. Clause 104 prohibits contracting out of liability in respect of misrepresentation. A clause to a similar effect is in the existing Land Agents Act. Clause 105 provides for service of documents under the Act, and clause 106 is the usual financial provision. Clause 107 empowers the Government to make regulations for the purposes of the Act. It is along the lines of the present regulation-making powers in the Land Agents Act. It adds a power to prescribe a code of conduct to be observed by persons licensed or registered under the Act.

Dr. EASTICK secured the adjournment of the debate.

MOTOR FUEL DISTRIBUTION BILL

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

In Committee.

(Continued from October 3. Page 1049.)

Clause 25—"Powers of Inspector."

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move to insert the following new subclauses:

(5) An Inspector who intends to exercise any of the powers conferred on him by this section shall not refuse or fail, at the request of a person in relation to whom he intends to exercise those powers, to produce to that person the certificate of appointment furnished him under subsection (3) of section 24 of this Act.

Penalty: Fifty dollars.

(6) In this section—

"premises" means any premises, place, vehicle, ship, vessel or aircraft the subject of, or proposed to be the subject of, a licence or permit and includes any other premises, place, vehicle, ship, vessel or aircraft entry upon which would, in the opinion of an Inspector, be reasonably likely to afford evidence as to whether or not the provisions of this Act are being complied with.

Following representations made last evening, I have examined this clause. Generally, it is necessary that inspectors should be able to enter premises and make inquiries. Where people are trying to avoid licensing provisions they have taken documents away or hidden them in premises other than those to which the licensing provisions apply. I appreciate that there should be due restriction on the activity of inspectors so that they cannot be at large but must justify that whatever they do is in relation to the detection of offences under the Act. In relation to new subclause (5), the provision in the Act is that an inspector must have a certificate of authority, and he must be able to identify himself as an inspector rather than that he should enter and not have to produce any kind of authority to anyone he might wish to question.

In relation to new subclause (6), premises are to be more narrowly defined. The inspector would have to justify his opinion, and that will confine the generality of the existing clause. I draw the Committee's attention to the terms of subclause (1), under which the inspector may enter any premises, it now being more narrowly defined as to the purpose for which he may enter premises to ascertain whether or not the provisions of the Act are being complied with. The inspector may require the production of a book, and it must be a purpose relating to ascertaining whether or not the provisions of the Act are being complied with; therefore, the intrusion cannot be at large. I think that the new definition goes some way towards meeting the objections which some members raised last evening.

Mr. MILLHOUSE: It is such a fractionally small improvement in the legislation as to leave it unacceptable to me. However, at least it shows that the Premier acknowledges the strength of the objections which some members made last evening. New subclause (5) merely obliges the inspector, if asked, to produce some means of identification. There is no question of having a warrant, in the way that some police officers have a general search warrant or special warrant; it could merely be a "dog tag" kind of identification. I acknowledge that the inspector would be foolish not to carry his means of identification, but he does not have to produce it automatically before entering any premises. Only a person who was bewildered or upset by a person at the door would say, "Please produce your identification." That might happen in about 50 per cent of cases. I think it would be incautious of the Committee to expect it to happen in more than half the cases in which entry was required.

The definition of "premises" in new subclause (6) is still very wide because it includes "any other premises, place, vehicle, ship, vessel or aircraft", entry upon which would, in the inspector's opinion, be reasonably likely to afford evidence as to whether or not the provisions of the Act were being complied with. That immediately widens the definition considerably. It may at some time in the future, after the inspector's entry, be necessary for him to justify his opinion. However, it is not difficult to justify an opinion of this kind. It does not have to be a well-defined opinion, merely that the opinion was held. Even with these two amendments, the power given under clause 25 would still be very much greater than the power we give to police officers, who are trained men with a lifetime of experience.

Many people in the community (and the Premier has said this on many occasions) believe that the powers of entry and search, even of police officers, are too wide because of the power of the Commissioner of Police to issue general search warrants. Such warrants are issued to certain senior police officers and detectives who have been sworn in as such, but they are not issued to every policeman. The legislation would allow every inspector, with such assistance as he considered necessary, to enter without any warrant at all. That is something we will not give to our police officers, and many people believe that, even so, police powers are too wide.

Yet, people who may be taken off the street and appointed inspectors under the Act may then call up their friends to help them (they may not even be employees or officers of the board); they will be able to enter without justification, except their own opinion or the inspector's opinion that they should enter. I do not believe that we should have a power such as this in any Act of Parliament. If it has been done in the past, that is scant justification for repeating the same mistake now. Furthermore, I do not believe that this power is necessary in the Bill. That is why, despite the fractional improvement by the inclusion of these two new subclauses, I am still not willing to support the clause.

Mr. GUNN: Even with the inclusion of two new subclauses I am still not satisfied, because the inspector's powers would be too wide. Subclause (1) *(b)* provides that the inspector may question any person whom he finds in or upon the premises. That provision could apply to, say, a visitor or a person who may not have any connection with the running of the business. I believe that the provision is too wide. For a long time the Premier and his colleagues have talked about protecting the individual, but now the Premier is being a complete hypocrite. After last night's exhibition,

I do not think he is sure of what is contained in the Bill; it is obvious that he has not paid sufficient attention to its drafting. I therefore suggest that he consider further this totally unsatisfactory provision, which will adversely affect people who are trying to operate small businesses.

Mr. COUMBE: I am pleased the Premier has acknowledged that the points made last night deserve consideration and that the clause needs to be amended. The amendment goes only some way towards meeting the objections that have been raised. New subclause (5) deals with the certificate of authority, and I have examined this in relation to industrial legislation that is already on the Statute Book. I remember when I was Minister of Labour and Industry signing many certificates of authority enabling inspectors to enter factory or shop premises in the course of their duties. As the Bill originally stood, no certificate was necessary. Now, however, a certificate will have to be obtained.

The definition of "premises" in the Bill is similar to that in the Industrial Code, and I object to the inclusion here of "any other premises", especially as it may include a private house. This provision is causing Opposition members much disquiet because of its wide implications. For security reasons, some garage proprietors take their books home at night and lock them up, and this is not an improper practice. Surely, an inspector should not be able to go to that person's home merely if he thinks that the Act is not being complied with. Perhaps this aspect could be overcome by providing that private residences shall not be included.

Mr. DEAN BROWN: Last evening, I expressed certain views regarding this clause, and I am pleased to see that the Premier has revised his thinking on the matter. However, his amendment is totally unsatisfactory. I am concerned about two matters. First, inspectors will be able to enter a home if they believe evidence can be obtained therefrom, without their having to justify that action. My second point concerns the questioning of individuals. Under subclause (4), any individual may be questioned, but even the police must give individuals the right to have a solicitor present when answering questions. That right is not provided in this clause. Inspectors will have greater power than have police officers. As the amendments are totally unsatisfactory, I will vote against the clause.

Mr. MILLHOUSE: I am disappointed that it seems that no Government member will be bothered speaking to the amendment. For what it is worth, I intend to support the amendment, but I will still vote against the clause. A flaw in the new subclauses in the amendment is that, although they provide that an inspector must carry some form of identification, no provision is made with regard to an inspector's assistants, who could thus be anyone.

Mr. GUNN: Surely the Premier should pay the Opposition the courtesy of replying to the criticisms made.

The CHAIRMAN: Order! I ask the honourable member to confine his remarks to the amendment.

Mr. GUNN: I think they are relevant.

The CHAIRMAN: Order! The honourable member must resume his seat. I ask him again to confine his remarks to the amendment.

Mr. GUNN: I was trying to make the point that, as several important issues have been raised by Opposition members, surely the Premier will reply. We are entitled to an answer to the questions we have raised. We are greatly concerned about the wide powers given to inspectors, who will be able to enter premises almost at their will and question anyone on those premises, whether or not such people carry on the business of a service station.

Amendment carried.

The Committee divided on the clause as amended:

Ayes (21)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wells.

Noes (18)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown (teller), Chapman, Coumbe, Eastick, Evans, Gunn, Hall, Mathwin, McAnaney, Millhouse, Russack, Tonkin, Venning, and Wardle.

Pairs—Ayes—Messrs. Duncan, Langley, and Wright. Noes—Messrs. Goldsworthy, Nankivell, and Rodda.

Majority of 3 for the Ayes.

Clause as amended thus passed.

Clauses 26 and 27 passed.

Clause 28—"Certain existing establishments may be licensed, etc."

Mr. COUMBE: We have already discussed the matter of who will be able to operate under existing licences and permits. We are trying to define the difference between a licence and a permit. Am I right in the assumption that a permit is given to a business that is predominantly garage work, where petrol selling is secondary? How does one go about working out which business is predominantly concerned with the selling of fuels? If it is a borderline case, does the applicant have the opportunity to apply for either a licence or a permit?

The Hon. D. A. DUNSTAN: There may be one or two borderline cases, but they would be few and they would have to be investigated by the board. Where a case was right on the borderline, the board would be likely to take the application for either a licence or a permit as being appropriate. In those circumstances, it would be a matter of evidence, and the person concerned could put his evidence before the board.

Clause passed.

Clause 29 passed.

Clause 30—"Grant of licence generally."

Mr. COUMBE: Subclause (2) *(b)* provides that the board shall have regard to—

the number of premises the subject of a licence within the distance of three kilometres of the premises proposed to be the subject of the licence.

This deals with the number of premises within a certain radius of the premises proposed to be licensed and the possible future reduction of the number of outlets after a certain time. As I read it, the board shall have regard to the number of premises within that area. Will the board look at the number of outlets or at the number of brands? Each oil company would desire to have at least one outlet in a certain area, particularly in a built-up metropolitan area or a large country town. Will the board, therefore, consider not only the number of premises but also the number of brands or the representation of brands?

The Hon. D. A. DUNSTAN: The honourable member will see that subclause (2) (f) provides that the board shall have regard to—

the extent to which fair and reasonable competition within the industry of retail selling of motor fuel will be affected.

That leaves it open to the board to use its powers to return to multi-brand petrol selling, so I hope the board will do something about that in due season. This was sought under the original New Zealand legislation.

Mr. GUNN: Subclause (2) *(a)* provides that the board, in determining whether or not to grant a person a licence, shall have regard to the suitability of the

premises proposed to be the subject of a licence. In most country areas there are several privately owned premises not in the same class as those owned by the fuel companies. Most privately owned service stations have given service for many years and it is only in the past few years that company-owned stations have been built, which have adversely affected the small privately owned organizations. I hope they will not be discriminated against when the board is determining whether or not a licence should be granted. Will the board consider the length of service of those people, many of whom pioneered the service in their locality?

The Hon. D. A. DUNSTAN: Yes. Several factors cited in these paragraphs would assist the board in that matter. I can think of no exceptions to privately owned premises for petrol reselling being allied with a major repair business. That, of course, is a business of long standing and is catered for under paragraph *(d)*. Also, paragraph (g) requires the board to take into account whether or not the applicant himself intends to carry on business in the premises proposed to be the subject of a licence.

Mr. GUNN: I appreciate that answer, but there is a further point. I know of one specific instance in my district of a person who has operated a service station for a company for some years, but recently that company set up its own premises and is now operating in direct competition with that person. What would be the position there?

The Hon. D. A. DUNSTAN: All existing premises get licences, anyway.

Clause passed.

Clause 31 passed.

Clause 32—"Form of licence."

Mr. COUMBE: This clause provides:

A licence shall be in the prescribed form and shall set out—

(a) the name, address and description of the person to whom the licence is granted.

I take it that will be the owner of the outlet. Of course, the owner could be an oil company; it could be a private person who had a tenant as the operator; or it could be an operator-owner. It has been suggested that other names and addresses should appear on the licence—not only that of the owner but possibly that of the operator, who of course may change during the year. This would assist the operator himself perhaps against an owner who might wish to indulge in a specific type of practice. As I understand it, the name, address and description provided for here are really those of the owner of the outlet. Can the Premier see any merit in having the name, address and description of the operator, too, on the licence? If, during the year, the operator changed, they would of course have to be altered.

The Hon. D. A. DUNSTAN: No. The matter of the name, address and description of the operator being on the licence rather than those of the owner of the premises was looked at by the working committee on this Bill, but the committee recommended against it. It was found difficult to operate in all the circumstances. Whereas we would have liked to make a protective provision by way of licences for operators, it was found difficult to work it out and to administer. That is why it is in this form. We looked at this matter but could not devise a means by which it could be done.

Clause passed.

Clauses 33 and 34 passed.

Clause 35—"Payment of prescribed annual fee."

Mr. COUMBE: This is only a procedural matter. This clause deals with the licence period. Will the board, when it is in operation, send out each year, prior to the expiration of the licence, a renewal notice to the holder of the licence, the same as does the Registrar of Motor Vehicles?

The Hon. D. A. DUNSTAN: I should imagine so. That is what is normally done in cases of this kind.

Clause passed.

Clauses 36 to 38 passed.

Clause 39—"Grant of permit in respect of certain existing premises."

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

In subclause (1) *(b)* after "more" to insert "and that the selling of motor fuel by retail had been carried on from that shop continuously since the month of December, 1972".

Where, in relation to permit purposes, there has been a closure and the business has not been in operation since December, 1972, it does not automatically get *a* permit at the time the Bill comes into operation. It would completely undo what has taken place under the voluntary agreements were we to put back the clock to December, 1972, in relation to permit sites. This occurs in some of those instances where the companies have been closing completely uneconomic pumps, particularly industrial pumps, that have not had the proper throughput.

Amendment carried; clause as amended passed.

Clauses 40 to 48 passed.

Clause 49—"Definitions."

Mr. COUMBE: Anyone who has studied the operation of one-brand service stations over the last 20 years has seen arrangements, some of which have been desirable and some undesirable. Some people have suffered as a result of the undesirable arrangements. I believe I understand what is meant by the definition of "undesirable arrangement" but, as it is an integral part of the Bill, will the Premier enlarge on what he said about this matter in his second reading explanation?

The Hon. D. A. DUNSTAN: In numbers of the contracts made with operators for the operation of these service stations, there is a series of clauses under which the oil companies may unilaterally alter the contract and the terms on which people may sell their products. It has been found that where previously an increase in the reseller's margin has been granted then the return on certain items required to be sold under the arrangement is altered by the oil company to take from the operator the increase granted to him by the Commissioner for Prices and Consumer Affairs. It is that sort of thing that we seek to get at in the area, and the only way to do it is to have it administratively investigated.

It is not possible to specify. We looked at the process of trying to specify everything that could be done and there was no way of doing it because the ingenuity of people in this business of grinding the face of the poor unfortunate operator has been extraordinary. In the circumstances, it was felt that this was the most satisfactory way to proceed. The undesirable arrangements must be declared by regulation, so that when the board has found an undesirable arrangement it declares it to be undesirable and then a regulation is made so that this House can supervise the operation of the declaration of undesirable arrangements. That gives proper public protection in the matter. To do it administratively in this way and after proper investigation by the board is the only way in which we will effectively catch what is otherwise a very fertile field for exploitation.

Clause passed.

Clauses 50 to 52 passed.

Clause 53—"Definition 'industrial pump'."

Mr. HALL: I find this clause the most objectionable of three objectionable clauses in this Bill and it illustrates the ingenuity (if I can use the Premier's word as applied to others) of the Government in creating inconvenience, coupled with its lack of understanding of practical usage of fuel and the practical problems of those who deal with vehicles or machinery using fuel. This is a totally unnecessary provision unless it is intended to be part of a type of restrictive trade practice provision enshrined in the legislation to eliminate as far as possible wholesale sales to bulk users. The Bill provides for it to be an offence to sell prescribed quantities of fuel without a permit or a licence, and therefore this provision is superfluous when it comes to selling to the public; it must be aimed at forcing as much bulk fuel as can be arranged through the retail petrol pumps or some other form of retail sale, if it is not applied to petrol. This clause is the first of three pertaining to industrial pumps and ignores the practical situation. I was rather surprised, when I read the report of the second reading debate (I could not be here), to notice that there had been no criticism in the debate from the Opposition.

Members interjecting:

Mr. HALL: I am dealing with members of the Opposition, the Liberal and Country League.

The CHAIRMAN: Order!

Members interjecting:

Mr. HALL: It is true, Mr. Chairman.

The CHAIRMAN: Order! This Committee is dealing with the definition of industrial pumps, not with any matter pertaining to the L.C.L. I ask the honourable member for Goyder to confine his remarks to industrial pumps.

Mr. HALL: This Bill was forced through the House in the early hours of the morning, and perhaps it is true that some of the implications relating to this clause escaped members. I know that a Party that I cannot mention is going through the agonies of again changing its Leader, but that is something that you would not allow me to mention.

The CHAIRMAN: Order! I ask the honourable member not to refer to a certain political Party again. I will not allow him by implication to raise that point now.

Mr. HALL: The definition of "pump" limits the capacity to 396gall. The definition converts the capacity to the metric 1 800 *l.* Many of these installations have been provided in the past and will be needed in future, but they will not comply with the required monthly usage of 6 800 *l* (about 1 500gall.). A reputable company in South Australia has 171 tanks, and pumps are connected because the tanks are underground and cannot be emptied through a tap. Their capacity is 480gall. (about 2 182 *l*) each.

If we multiply that figure by three to estimate the number of such tanks in the whole State, we get more than 500 installed and being used properly. The company has 1 900 tanks, with a 480gall. capacity, on stands, most of which are tripod stands, with the tanks being emptied through a tap, but this does not apply in all cases. "Pump" is not defined to limit it to the petrol pump that we know. The definition is across the board, taking in a pump with a piston action or a rotary action. Therefore, some tanks will not be able to be installed in future.

A colleague in another place has a 1 000 gall. (4 546 *l*) petrol tank on his rural property and on top of it he has a lever bowser of the old style. He has not sold petrol from that tank. I ask whether it is unreasonable that a person who is 21 miles (33.8 km) from the nearest petrol wholesaler should be able to have a tank of about 500 gall. (2 273 *l*) capacity. I know that this person will not be affected, as the Bill does not affect existing tanks, but it will affect any future tanks. People will not be able to install such tanks, under this legislation.

The Hon. D. A. Dunstan: Why not?

Mr. HALL: Because to do so they must use not less than 6 800 l of fuel a month. Clause 55 provides that.

The Hon. D. A. Dunstan: Read the definition in clause 53.

Mr. HALL: I shall read it. "Industrial pump" means a pump, connected to a bulk tank having a capacity of not less than 1 800 *l* (that is 39gall., and I assure the Premier that is a correct conversion) and installed at or in the vicinity of any premises (and the definition of "premises" is all-embracing) principally for the supply of motor fuel (that is, anything that works an internal combustion engine) to the occupier of those premises where that supply is not principally for the purposes of resale of that motor fuel by that occupier. That definition must relate to any tank on any property with a capacity of over 396gall. (1 800 *l*) that has a pump on it. We all know of contractors with portable tanks, whether on wheels or skids, on which a pump is fixed. Councils may use 1 496gall. (6 799 *l*) a month, but at 4gall. (18 *l*) an hour for diesel fuel (and that is heavy usage) it would be just under 400 hours of operation in a month: that is, 100 hours a week.

By this definition one could not match a tank in the field with one machine, but I assure the Premier that many people do that. I shall vote against these clauses, but that does not take away my responsibility to try to amend them to suit present practical situations. The Premier could ascertain from the companies that the crucial break point in capacity is 480gall. (2 182 *l*) in tanks on tripod stands, of which only a few would have a pump. Existing underground tanks have a capacity of 500gall. (2 273 *l*), and I know that contractors' tanks would be over 480gall. (2 182 *l*). Yet, the limit is 396gall. (1 800 *l*). If this clause is not amended, all tanks will have to be below 396gall. (1 800 *l*) capacity, and it would be inconvenient for many people at the end of a long leg of delivery to receive as little as 400gall. (1 818 *l*).

The Hon. D. A. Dunstan: I don't mind making it 480 gall. (2 182 l), if that is what you want.

Mr. HALL: I would prefer it to be 1 000gall (4 546 *l*), but it must be lifted above the crucial figure. I do not know what is intended here. Everyone is prohibited from selling without the proper approval. It does not matter whether a person has 10 000gall. (4 5460 *l*): he cannot sell without approval. We are denying such a person the right to sell, even if he has tanks with a large storage capacity.

The Hon. D. A. Dunstan: It would be an avoidance of the agreement. If the honourable member gives me what he considers a realistic quantity, I will consider it.

Mr. HALL: I think that 1 000gall. (4 546 *l*) is a realistic quantity of diesel fuel.

The Hon. D. A. Dunstan: Why not be reasonable and make it 500gall. (2 273 *l*)?

Mr. HALL: I am sure that the member for Rocky River could tell the Premier a few practical things. He is seldom correct, but in this case he would have the correct information forced on him.

The Hon. D. A. DUNSTAN: I will study the quantities the honourable member has given. I do not mind a marginal alteration if it will help specific primary producers. However, 1 000gall. is over the limit to which we will agree.

Progress reported; Committee to sit again.

ADJOURNMENT

At 5.53 p.m. the House adjourned until Tuesday, October 9, at 2 p.m.