HOUSE OF ASSEMBLY

Thursday, November 22, 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:

Administration and Probate Act Amendment,
Flammable Clothing,
Friendly Societies Act Amendment,
Highways Act Amendment,
Holidays Act Amendment,
Murray New Town (Land Acquisition) Act Amendment,
Pawnbrokers Act Amendment (Licences),
Snowy Mountains Engineering Corporation (South Australia) Act Amendment.

PETITION: CLASSIFICATION OF PUBLICATIONS BILL

Mr. DEAN BROWN presented a petition signed by 76 persons who requested that the House of Assembly would make provision, in the Classification of Publications Bill, for any person to appeal to the Supreme Court.

Petition received and read.

MINISTERIAL STATEMENT: STATE GOVERNMENT INSURANCE COMMISSION

The Hon. J. D. CORCORAN (Deputy Premier): I seek leave to make a statement.

Leave granted.

The Hon. J. D. CORCORAN: I want to deny emphatically a claim made in this morning's *Advertiser* that members of the public have been misled into believing that the State Government Insurance Commission made $2 000 000 profit. The commission's annual report, which has been circulated in South Australia, clearly indicates that the underwriting loss for the year ended June 30 was $939 890, less investment income of $90 898, resulting in a net loss for the year of $848 992. The accumulated loss for the 18 months period to June 30, 1973, is $1 066 388. I quote the following from the commission's annual report:

> The commission's accounts show a net loss for the year, which is a problem faced by any new insurance underwriting organization in a period of rapid initial growth of its business. It must be realized that the loss is the result of many estimates, particularly in respect of claims (both reported, and incurred but not reported) and necessary provisions for unearned premiums. In making such provisions, the commission has acted with appropriate prudence. It is pointed out that while the commission's business continues to expand rapidly this situation is likely to continue. Although there is an accounting loss, the commission has invested considerable sums in South Australia for the benefit of the people of this State.

I point out to the House that the commission is continuing to provide a service to the public by writing compulsory third party insurance, whereas a number of insurance companies, both tariff and non-tariff, have withdrawn. It is expected that further companies will withdraw at the end of June, 1974. Currently the commission is writing about 30 per cent of the compulsory third party business in South Australia, and this percentage is likely to increase as further companies cease writing this business. This class of business continues to be unprofitable, but the commission believes that it has been created for the benefit of South Australians, and therefore will continue to write this class of business.

Mr. Millhouse: Everyone knew this would happen when it was established, and we said so.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: The insurance representative quoted in this morning's *Advertiser* report, who did not wish his name to be published, was Mr. A. Tanner, Manager of the United Insurance Company, who is the Fire and Accident Underwriters' Association of South Australia representative on the Committee of Commerce and Industry. Mr. Tanner's statement must be accepted as being his own personal views rather than the insurance industry's view as a whole.

The letter tabled by Mr. Tanner mentions that the commission persists with general discounts off market rates. It is pointed out that the commission commenced its operations on January 4, 1972, and had intended charging tariff rates. It soon became evident that, if the commission wished to compete with the market in South Australia, it would have to reduce its rates substantially, as quite a number of companies were offering discounts in excess of 25 per cent off householders' and other classes of insurance.

Mr. Millhouse: Keep costs down!

The SPEAKER: Order!

The Hon. J. D. CORCORAN: The fact that the commission's business continues to grow at a rapid pace is a clear indication that the people of South Australia welcome the opportunity, as the people have done in all other States, to deal with a Government insurance office. Investments of the commission now exceed $4 500 000.

PERSONAL EXPLANATION: THREAT

Mr. HALL (Goyder): I ask leave to make a personal explanation.

Leave granted.

Mr. HALL: My personal explanation follow's a reply given by the Attorney-General yesterday to a question by the member for Eyre in which that honourable member inquired whether there had been any report to the police of a threat made previously by telephone concerning me personally. I think I ought to explain to the House the circumstances in which the threat was made and reported so that there can be no misunderstanding through the question the member for Eyre asked the Attorney and the subsequent reply.

A telephone call was made to my office, and at the time two individuals besides my secretary were present. The threat was made in that way. No publicity for the threat was sought, and it was publicized because a member of the press came into my office just as the telephone call had concluded, and therefore was involved in the general conversation. No specific report about the matter was made to him. I stress in this personal explanation that no publicity was sought by me or by my secretary. However, the matter was discussed with a member of the Police Force who was in my office next day on another matter. It was discussed unofficially with him, and I decided to make no report and asked for no further action. That is because that type of threat, unfortunately, is fairly common in political circles and I believed then (as I do now) that publicity about this type of matter only tended to raise the tempo of public discussion of the subject. I wanted to take this opportunity to stress, so that there would be no confusion with other types of report, that no publicity was sought and that the matter was discussed with a member of the Police Force unofficially.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard.*

HOUSE INSURANCE

In reply to Mr. McANANEY (November 1).

The Hon. D. A. DUNSTAN: The question of the introduction of an insurance scheme to cover the matters raised by the honourable member has been referred to the State Government Insurance Commission for investigation. Officers of the commission have had discussions with the South Australian Builders Licensing Board, and information has been obtained from the Government Insurance Office of New South Wales. The subject is extremely complex, and every effort is being made to provide a constructive proposal as soon as possible.

SWAN REACH FERRY

In reply to Mr. NANKIVELL (November 1).

The Hon. G. T. VIRGO: After conferring with the Minister of Education, I am pleased to inform the honourable member that satisfactory arrangements have been made in co-operation with the parents of the nine schoolchildren who are unable to use the Swan Reach ferry because of the flooding of the Murray River. To assist in meeting the extra transport costs in conveying the children to school by alternative routes, the Education Department has told the parents to submit applications for travelling allowances, and I am sure they will be considered sympathetically. The matter of whether a boat or some other facility should be provided to replace the ferry while it is out of service is a matter for consideration by the District Council of Sedan.

FRANCES RAILWAY COTTAGES

In reply to Dr. EASTICK (November 8).

The Hon. G. T. VIRGO: On October 4, 1973, I received a deputation led by the Hon. R. C. DeGaris, M.L.C. concerning the proposed abandonment of Frances as a South Australian Railways gang location. After due consideration of the objections raised by the deputation to this proposal, I am of the opinion that the decision taken by the Railways Commissioner to remove the railway gang from Frances is the correct one. I therefore find no justification for intervening in this matter.

BOAT RAMPS

In reply to Mr. OLSON (November 1).

The Hon. G. R. BROOMHILL: The Coast Protection Board is aware of the rapid increase in the number of small boat owners and the consequent upsurge in the demand for launching facilities. Several requests for assistance in the construction of launching ramps at country beaches have already been met by the board, but the needs of the metropolitan area are temporarily in abeyance pending the completion of the management plan for the metropolitan coast protection district. This plan will accurately identify numerous factors, including the need for and sites of boat launching facilities, and it is considered advisable to await the recommendations of the plan before commencing any work of this nature. The metropolitan management plan is scheduled for completion in March, 1974, and will be implemented after a two-month period of exhibition to the public.

MEMORIAL HOSPITAL

Mr. COUMBE: In view of the announcement today of the possibility of Memorial Hospital, North Adelaide, in my district, being forced to close down until Government approval and assistance are received for the proposed rebuilding scheme, will the Attorney-General refer this matter to the Minister of Health to try to save this hospital from closure? I have already received numerous representations from people who are shocked about the possible closure of this hospital. Memorial Hospital is a non-profit-making organization run under the auspices of the Methodist Church, and it has served the people of this State well for many years, as well as being a training hospital for nurses. The hospital board approached the Government several years ago with rebuilding plans, but the board was requested by the Government to wait on the findings of the Bright committee, which it did. Following the report made by that committee, the board again approached the Minister of Health with a revised plan. However, it now appears that in observing the Government's request the hospital has missed out altogether. The board believes it is only fair that the hospital be treated on the same basis as the two other church hospitals in Adelaide—Calvary and St. Andrews. As it would be a tragedy if the hospital were to be closed (and there would be a consequent shortage of private beds), will the Minister ask his colleague to reconsider this application to avoid the closing of this wellknown, long-established and popular hospital?

The Hon. L. J. KING: As I do not personally know of the present situation in respect of an application by this hospital for assistance from the State Government, I will refer the matter to my colleague and get a reply.

Dr. TONKIN: Can the Attorney-General, representing the Minister of Health, say what are the details of the approaches made by the Memorial Hospital Incorporated Board of Management to his colleague's department, or to the Government, in relation to the proposed rebuilding plans for the hospital and what have been the results of such approaches? This board, which has performed a remarkably efficient job under difficulties, has managed to keep pace with modern developments in nursing techniques, in spite of the limitations imposed on it by the existing buildings and the need to provide better facilities.

The Hon. Hugh Hudson: You aren't suggesting that those buildings should be pulled down?

The SPEAKER: Order!

Dr. TONKIN: In the many years since I began working at Memorial Hospital there have been plans for rebuilding. Indeed, in that time there has been a great need for rebuilding, and I know from my personal experience that approaches have been made in the past. These approaches, although they have been unsuccessful inasmuch as the Government has asked that they be deferred for the time being, have nonetheless been deferred only under modified protest. There is a great need for redevelopment of Memorial Hospital, and it is only fair that members of the public should know that the hospital's board of management has been trying to implement a building programme for some years.

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

APPRENTICES

Mr. MAX BROWN: Will the Minister of Labour and Industry examine the figures provided in the apprentice survey which I recently requested him to undertake and which shows that only one employer in the building industry, other than Broken Hill Proprietary Company Limited, at Whyalla has one apprentice bricklayer? It seems strange that there is only one employer of apprentice bricklayers in Whyalla other than B.H.P. Company Limited, and he

employs only one apprentice. As many buildings are under construction in Whyalla and, as the whole of the building industry in South Australia is short of tradesmen bricklayers, I believe something is sadly lacking within the building industry of this State when such a situation exists at this lime, especially as the Redcliffs project will be proceeding next year.

The Hon. D. H. McKEE: I will have the honourable member's question further examined. My department is doing everything possible; indeed, I am continually writing personally to managements throughout South Australia, trying to encourage them to take on more apprentices. I understand there will be an announcement by the Commonwealth Minister shortly (if not today) in respect of further incentives for employers to encourage them to take on more apprentices. I am aware of the situation applying, especially in the building industry, and I assure the honourable member that everything possible is being done to alleviate the situation.

TRAFFIC LIGHTS

Mr. McANANEY: Will the Minister of Transport have investigated a letter to the *Advertiser* from a lady constituent of mine (she lives at Strathalbyn) concerning the co-ordination of traffic lights at intersections in Adelaide? This lady has referred to the situation in an oversea country where she travelled through 16 or more intersections without a single stop interfering with the traffic flow. She has further pointed out that in Adelaide, if one is able to drive through two consecutive sets of traffic lights, one is delighted. Such continual stops increase the use of petrol and cause pollution as well as other hazards. Will the Minister have investigated the possible installation in Adelaide of a co-ordinated system of traffic lights of a standard existing elsewhere in the world?

The Hon. G. T. VIRGO: If the honourable member would care to send me the letter he received from his constituent—

Mr. McAnaney: She wrote to the paper.

The Hon. G. R. Broomhill: A lady!

The Hon. G. T. VIRGO: Yes. Presumably, she is not willing to write to her member: she prefers to write to the newspaper.

Mr. McAnaney: Wc go to church together.

The SPEAKER: Order!

The Hon. G. T. VIRGO: The matter can certainly be examined. I appreciate the point that has been made and, although the claim that has been made is partly true, it is certainly not true to the extent stated. I will examine the matter to see whether any improvement may be effected.

PETRO-CHEMICAL PLANT

Mr. KENEALLY: Will the Minister of Education discuss with the Further Education Department the possibility of increasing the number of courses available at Port Augusta Technical College so as to enable local residents to equip themselves adequately for positions that will be provided by the Redcliffs petro-chemical complex? The type of work opportunities provided by this complex will be of a technical nature, having regard to the type of industry involved, and personnel will require appropriate training. Should the Further Education Department discuss with the petro-chemical consortium the types of skill required, the technical college at Port Augusta could help local residents accordingly.

The Hon. HUGH HUDSON: I shall be pleased to take up this matter with the Further Education Department, and I will certainly ask its officers to initiate discussions with the consortium that has been successful in relation to the Redcliffs project, so that the department may have a proper appreciation of the likely educational requirements at technical college level. In that way, we should be able to obtain an effective promotion of the most suitable courses to be provided at Port Augusta Technical College.

TELEVISION STUDIO

Mr. EVANS: Can the Deputy Premier say whether in the Premier's Department a television studio is to be provided that will be more modern than are the present facilities provided there and, if this is the case, will he ascertain for me what type of equipment is to be installed in that studio? I have been told that Mr. Crease will help the Premier's Department with television presentations and I believe that that proposal may include plans for the development of a television studio for the use of Ministers and the Premier, in particular. I think the people of this State would be interested to know whether this is so.

The Hon. J. D. CORCORAN: To the best of my knowledge, there are no such plans. There is already an interviewing room (which could hardly be described as a television studio) in the Premier's Department, but that was there when the honourable member's Government previously occupied the building. I know that Mr. Crease is to be employed and I think his duties will be to co-ordinate radio and television, but exactly what that means I do not profess to know. I will inquire and bring down a reply for the honourable member.

WINGFIELD POLLUTION

Mr. IENN1NGS: Will the Minister of Environment and Conservation obtain a report for me on the complaint being made by employees of John Lysaght (Australia) Limited (which is admittedly in a noxious trades area)? These people work day and night shifts and they are suffering from the effects of the smoke nuisance emanating from the factory of Wooltana Industries Limited in the area. I have been told the smoke hazard is so bad that it is almost a traffic hazard.

The Hon. G. R. BROOMHILL: I shall be pleased to have the question examined. Other complaints have been made in recent weeks about this matter. I think the problem has arisen because of a breakdown in some of the air pollution control equipment operating at the factory. Officers of the Public Health Department have visited the area and told the company to tackle the problem. I will get a full report and shall be pleased to give it to the honourable member.

COOBER PEDY LAND

Mr. HALL: Will the Minister of Works ask the Minister of Lands to take urgent action to make available, for sale, land in the township of Coober Pedy? I have two constituents living at Virginia who have purchased, from a Commonwealth Government disposal source, many portable houses that they wish to use as miners' quarters and general accommodation in the Coober Pedy district. Officers of the Mines Department have told them, strange as it may seem, that there is not sufficient building land available at Coober Pedy for this purpose. I suppose it is really a matter for future planning, but it seems ludicrous to these people that in the wide expanses of northern South Australia building blocks are not available on which to erect portable homes. They have been told that some land may be available in about 12 months. I ask the Minister whether, on behalf of these two people who were highly recommended to me and whose names I will furnish to him in confidence, he will take up the matter with his colleague

with a view to having further land made available in that township for the purposes I have outlined.

The Hon. J. D. CORCORAN: The honourable member is probably aware that, dining my term as Minister of Lands in the previous Labor Government, for the first time people at Coober Pedy were able to say that they had some tenure over the land in which their homes (dugouts) were located. This came about because I excised from a pastoral lease at that time a square mile (2.56 km^2), I think, on which the town was partly situated, and provided annual licences for people living there. In fact, I remember people complaining bitterly about having to pay $10 or $12 a year for a licence. I also remember visiting the town, where I observed that a person had built an expensive motel (I think it cost about $150 000) on annual licence. When I asked him, "Aren't you worried about security of tenure?" he said, "Not at all." I appreciate the problem in this area. The other day, when a question was asked in the House about the security of tenure at Andamooka, a reply was supplied by the Minister. From what the member for Goyder has said, it would appear that additional surveys are needed so that allotments can be made available. I do not know whether at this stage it is possible to make freehold land available.

Mr. Evans: There is a subdivision up there.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: The honourable member says there is a subdivision there, and I think some people do own blocks there. I will have the matter investigated for the member for Goyder and let him know the result as soon as possible.

PUBLIC EXAMINATIONS

Mr. GROTH: In view of the recent arguments about the future of public examinations, has the Minister of Education information about the success of the arrangements at Salisbury College of Advanced Education, to which mature-age students can be admitted without having the appropriate public examination qualifications?

The Hon. HUGH HUDSON: I am pleased that the honourable member told me earlier that he intended to ask this question, because it enabled me to obtain certain information about the position at Salisbury. Since 1970, Salisbury College of Advanced Education has made it possible for mature people who lack the usual entry qualifications to be admitted through what the college calls its mature student entry programme. The results of the 66 students who have entered the college through this programme during the past three years have now been assessed. These students have garnered more than twice as many distinctions and credits in subjects than the college average and they have only one-fifth as many failures. Not one student who has entered the college in this way has resigned or had his course terminated because of academic failure. The mature student entry programme at Salisbury is making it possible for people, who might never otherwise have the opportunity, to receive a tertiary education. The results of this programme have demonstrated that it is worth while. A similar type of programme exists in most of the other colleges of advanced education. Although I do not have precise information about the success of those programmes, I would expect similar results to be achieved in those colleges to those that have been achieved at Salisbury. On November 14, an article by the member for Kavel appeared in the *News*. I thought that this was generally a good article, certainly written from the point of view of a person who was trying to argue a case rather than play politics. In the course of that article, the honourable member states:

In Sweden, standardized tests set externally are given at three levels during schooling and the results are used to admit students to courses in their high schools. In effect, they are exams. My understanding of the situation in Sweden (and I have checked this with the Director-General) is that, although these tests are given, they are not examinations in the normal sense. They are not intended to rank students. No certificate is awarded, nor indeed need the students be informed of the actual results. The tests are merely a means of helping teachers in different schools to check their assessment of the standard of achievement of the students. They are an outside check for the schools of their own assessment of the students' achievement.

Mr. Goldsworthy: They are only used—

The SPEAKER: Order!

The Hon. HUGH HUDSON: I wish to add that there is considerable confusion in relation to the objections that have been taken to the public examinations system. The objection is not basically to the existence of a form of testing: it is an objection to examinations to which a curriculum is attached. There is great pressure on the schools to follow such a curriculum slavishly, and—

Mr. Goldsworthy: What I said—

The SPEAKER: Order!

The Hon. HUGH HUDSON: To the best of my knowledge, I was correcting a specific statement of the honourable member that I thought was inaccurate.

Mr. Goldsworthy: You weren't—

The SPEAKER: Order! The honourable Minister is trying to answer a question.

The Hon. HUGH HUDSON: I was not trying to pick a fight with the member for Kavel. In fact, I made a generous remark about the nature of his article but, if he reacts in this way, I will withdraw that remark. The objection that is taken is to an examination to which a curriculum is attached and which is then used as a criterion for tertiary entrance. Not only is the examination used in that way but it is also used inappropriately by many employers. We do not necessarily object at all to forms of testing which may be ancillary to school accreditation or assessment and which may indeed be a basic guide for tertiary selection. In fact, the Government has given authority to the Public Examinations Board to experiment with the Australian scholarship aptitude tests as a means of assessing their suitability for trying to select students for tertiary entrance. The virtue of that form of testing compared to traditional public examinations is that the tests do not have a specific curriculum attached to them, so that if they were used they would not require the schools to stick slavishly to a certain curriculum even though, as a consequence of that, half of the students doing the course would not be effectively catered for.

Mr. GOLDSWORTHY: Is the Minister of Education aware that the Swedish Board of Education administers the standardized tests in the school system and that these tests are used by the board to admit students to courses in secondary schools? Unfortunately, I did not hear the question that prompted the Minister to make such a kindly reference to an article written by me in the *News* last week (I do not think the kindly reference was withdrawn, although that was threatened).

The SPEAKER: Order!

Mr. GOLDSWORTHY: The Minister refers to the fact that I have said, in effect, that these standardized tests are exams. Is he aware that the tests are used in this regard in a similar way to university entrance exams?

Unless I have been misinformed by the officer concerned, that was my understanding of the use of these tests.

The SPEAKER: Order! In calling on the Minister of Education to answer the question, I point out that he does not have to answer it if he does not desire to do so, because the question concerns whether the Minister is aware of some education system that operates in Sweden.

Mr. Goldsworthy: He referred to it in his answer previously.

The SPEAKER: Order! The honourable member asked a question over which the Minister has no jurisdiction at all.

Mr. Millhouse: He'll go, don't worry!

The SPEAKER: Order! The honourable Minister of Education.

The Hon. HUGH HUDSON: I am always willing to answer a question that may lead to improving the minds of certain Opposition members, especially such minds as those of the member for Davenport, the member for Mitcham—

The SPEAKER: Order!

The Hon. HUGH HUDSON: —and the member for Goyder, all of whom are in the same category and whose minds need improving. I understand that the Swedish tests are used as a means of checking on the schools' assessments and that they are not used as a means of ranking students or of selecting students for tertiary education: they are a means of providing an outside check on the general nature of the assessments made by schools. The point I wanted to make, which I think is a valid one, is, first, that there is a distinction to be made between an examination system used to select students for tertiary education, which has a curriculum attached to it, and a form of testing which may be used for selection but which has no curriculum attached to it. Secondly, there is a further distinction between the kind of examination system we have and a system of testing that is used not for tertiary selection but in a back-door way to get some kind of moderation of the assessment methods being used by individual schools and to try to obtain some sort of comparability as between schools, so that the system is not used to treat some schools or group of schools too favourably or too unfairly. In his article, in the passage I quoted, the honourable member was making a general comment about examinations or testing, and he was suggesting that one could not be opposed entirely to such procedures. I make clear that our opposition to the existing form of public examinations is based on valid grounds: it is not directed—

Mr. Chapman: But why not—

The Hon. HUGH HUDSON: If the honourable member needs further elucidation, I suggest—

Mr. Chapman: Your job is to reply to the question.

The SPEAKER: Order!

The Hon HUGH HUDSON: The member for Alexandra has—

The SPEAKER: Order! The honourable member for Alexandra did not ask the question.

The Hon. HUGH HUDSON: Opposition members are being very provocative, because I was trying, to the best of my ability, to make the point—

Mr. Goldsworthy: You made it!

The Hon. HUGH HUDSON: —that our objection to public examinations is a valid one, but that it does not imply that we are against all forms of testing.

M.V. *TROUBRIDGE*

Mr. CHAPMAN: Following the receipt of an income and expenditure statement on the operation of the Government-owned m.v. *Troubridge* for the year ended June 30, 1973—

The SPEAKER: Order! The honourable member must ask his question.

Mr. CHAPMAN: —I ask the Minister of Transport whether he intends to try to reduce the heavy losses therein recorded in the current financial year, and, if he does, what method he intends to adopt to achieve this. Following the Government's purchase of the vessel immediately prior to June, 1972, certain concessional rates were introduced, particularly in relation to tourist travel, and I may add that the introduction of these rates was welcomed by all concerned. Whilst this introduction has resulted in mass increases in tourist traffic, the overall losses of the operation have reached the alarming figure of $358 563. I cast no reflection whatsoever on those responsible for management of the m.v. *Troubridge* in its first year of operation. All concerned consider that the persons responsible have shown the utmost co-operation throughout that period. However, I am anxious to know whether any proposals are contemplated to try to cut the costs of the existing operations. It is noted that, of the total direct expenditure of $784 313, the sum of $370 123 was involved in costs of the ship's crew. I wonder whether, in trying to run this ship more economically, there is any way that expenditure in this area can be pruned down, possibly by running the service during the day rather than at night and so providing a more attractive schedule for the persons using the vessel.

The Hon. G. T. VIRGO: When the Government assumed ownership of the m.v. *Troubridge,* it did so knowing that the vessel was an uneconomic proposition and that the former Government had been subsidizing the former owners to the extent of $200 000 a year to try to meet the losses. Whilst no actual figures were made available to us, we had every reason to believe that, in the last year of operation by the former owners, the total loss was about $500 000, including the $200 000 subsidy from the State Government. We did not expect to transform that position overnight or, in fact, to eliminate the loss at any stage. We bought the vessel because we believed it was the duty of the State to provide transport for the people of the State. The fact that the financial results have turned out as they have is a great credit to all concerned and I am delighted to think that we have reduced the operating losses by such a large amount. If the honourable member wants us to further reduce the losses or convert them to a profit (I am not sure which he would prefer), I think there are only two ways to do those things, and both would be doomed to failure. One way would be to increase the freight charges for the goods carried, which would mean a big increase in costs to the honourable member's constituents.

The Hon. J. D. Corcoran: He doesn't want that!

The Hon. G. T. VIRGO: He has not said so. The honourable member asked for a reduction in the losses, and that is one way it could be done. The other way would be the way I thought the honourable member suggested: to reduce the cost of running the service by reducing either the number of seamen or their wages. That would be typical of the honourable member's thinking and I assure him and the House that the Government would have no intention of adopting any such backward attitude.

TRIAL COSTS

Mr. MILLHOUSE: My question is directed to the Attorney-General and I will look for your guidance, Mr. Speaker, on the form in which I should put it, because it is both unusual and on an extremely important matter concerning information that the Attorney gave me in reply to a Question on Notice. Will the Attorney now agree that the reply he gave me on November 13 concerning the costs of the Van Beelen murder case was misleading and inaccurate? The Attorney gave me a detailed reply to the question I had asked on this topic. He said that so far the total legal costs had been $161 750. That reply was reported accurately and in full in the *Advertiser*. Since then I have received letters that are really letters of protest from Messrs. K. V. Borick and P. J. Norman, counsel for Van Beelen, and from Dr. Manock (Director of Forensic Pathology at the Institute of Medical and Veterinary Science). Both letters complain about the inaccurate and misleading nature of the figures given. If I may, I will quote the letters, not in full but in part, in order to explain the question. The concluding paragraph of the letter of November 20 from Messrs. Borick and Norman states:

> The reason for this letter is our concern that the statement "payments to defence counsel for trials is $60 435" has apparently been interpreted by some people as meaning that this sum consists solely of legal fees, when in fact approximately one-third of such sum consists of witnesses and other expenses.

In the body of their letter, Messrs. Borick and Norman list six matters that were the subject of their comment. The letter states:

> We have not to date been fully paid for either trial . . . the total legal fees for the defence paid to date for the two trials amount to $41 834.65.

That is not the amount set out. The letter also states:

> These include solicitors' fees and counsel fees to Mr. Moran, Q.C.

The letter also states that the disbursements for the first trial were $12 946.17 and for the second trial $5 654. Messrs. Borick and Norman also state that they have not yet been paid by the Law Society for the second appeal. They also state that they consider that the estimates given for the cost of the Crown case are unrealistic when compared to those for the defence case, as attendance by police officers during the trial was not included in the estimate. Messrs. Borick and Norman ask about the cost of the Crown's scientific witnesses, most of whose evidence was not given at the second trial. Dr. Manock, in his letter to me—

The SPEAKER: Order! The honourable member is not going to read another lengthy letter.

Mr. MILLHOUSE: No, I am not, and I have only skipped over the subject matter because of the gravity of the fact that the information was given in reply to a Question on Notice. I will just mention the matters that Dr. Manock has raised with me to show his perturbation at the reply. He states:

> The figure quoted by Mr. King for witness fees of $1 450 would appear to be the amount paid by the Sheriff's Office probably only to prosecution witnesses.

He goes on to raise the question of the cost of bringing out Mr. Fish from Cardiff, Wales, and also the cost for Mr. Tippett (a scientific officer of the Cardiff Forensic Science Laboratory). He also refers to the cost of tests made by Australian Mineral Development Laboratories, which he estimates at—

The SPEAKER: Order! The honourable member said he would explain the matter briefly.

Mr. MILLHOUSE: I have almost completed a precis of a two-page letter. Dr. Manock estimates the cost of inquiries by Amdel on scientific matters at $27 750. He points out that in his own case he was paid $10 a day while he was giving evidence, but nothing at all for the time he had to spend in court. Dr. Manock continues:

> No payment was made to the Institute of Medical and Veterinary Science for the six months work which I carried out in the examination of the hairs.

He then goes on with other matters. I hope I have said enough in explanation to cause the Attorney-General to think again about the answer he gave me on November 13. I have put the question in the way I have to give the Attorney a chance to correct, if he thinks fit, the information he gave this House in answer to me.

The Hon. L. J. KING: I do not know the point of the honourable member's question. I have in front of me the replies given on the previous occasion. I think it was possible that the figure of $160 000, to which the honourable member referred as having been given in answer to his question on that occasion, did not include the figure of $15 699, which is mentioned in the reply to a Question on Notice asked by the member for Hanson. That would explain the difference between the two figures. Doubtless, the question asked by the member for Mitcham was interpreted as referring to the cost of the trial itself, and those officers preparing the answer did not appreciate that there were certain other police costs which could be isolated—

Mr. Millhouse: And well you—

The SPEAKER: Order!

The Hon. L. J. KING: —and which could have accounted for the $15 699. Certainly, I will have these other matters checked to see whether there are any costs that can be isolated, thereby amplifying the answer given. However, regarding the explanation made in a letter from counsel for the defence that the $60 453, which is stated in the reply to a Question on Notice to have been paid to defence counsel, includes disbursements, that may well be the case. I do not intend to suggest that this amount was necessarily all proper costs. I was not directing my answer to any question about who got what in a beneficial sense.

As I understood the question, the honourable member desired to know what were the costs of the trial. No-one asked, and I certainly did not direct my attention to this aspect of how much financial benefit any specific person might have got. Of course, that is not my concern. Whatever was paid to the solicitors or counsel for their own benefit was earned and no doubt, in such a trial, earned by hard labour indeed.

The honourable member has raised this aspect apparently as a result of a letter he has received. There was no implication in either of the answers given that anyone got more than he was entitled to out of the trial. Of course, that is not so. The counsel and solicitors acting for the defendant acted on a Law Society assignment, and their bills were vetted before being certified for payment. No-one can or does make any such suggestion. Indeed, I do not know what the concern of anyone is about this matter.

Mr. Millhouse: I can tell you—

The Hon. L. J. KING: I do not see why anyone, whether he be a professional person engaged in the case as either counsel or witness should be the least bit concerned about the amount that was paid (and properly paid) for work done in connection with the trial. I will look at the matter. If there is any further information regarding costs, I shall be happy to provide it. The solicitors concerned may desire some break-up of the sum, but I do not know whether a

break-up between their proper costs and disbursements is even in the possession of my department. However, if they desire to have such a break-up published, I shall be happy to have a supplementary answer prepared on whatever information I can obtain from either the Law Society or my department.

KANGAROOS

Mr. ARNOLD: Has the Minister of Environment and Conservation received a report on stranded kangaroos in the Riverland as a result of the present flood in the Murray River? I believe an aerial survey was carried out this morning to determine the number of kangaroos involved and to decide whether they should be fed or humanely destroyed, depending on the circumstances.

The Hon. G. R. BROOMHILL: Yes. I have received a report from the officers who undertook the flight to try to assess the situation. The honourable member is aware that in recent weeks there have been reports from residents of River areas and from the Royal Society for the Prevention of Cruelty to Animals of cases of stranded kangaroos that have occurred as a result of the rising of the river. Last week I sent two officers of the National Parks and Wildlife Commission into the area by boat to see whether they could assess the situation. Regrettably, this assessment was made difficult because the river waters had stretched back considerably and it was difficult to get the boats far enough into the flooded areas to determine what fauna was trapped on the temporary islands that had been created. Further, officers reported the risk factor of large numbers of snakes inhabiting the islands.

Tn trying to assess the true situation, it was decided to send an aircraft from Renmark to the border to observe whether substantial numbers of kangaroos were trapped. The report given me establishes that several islands have been created in the Chowilla area. Although about 100 kangaroos were observed from the air, it is estimated by the officers that in the area there could be 1 000 kangaroos stranded and short of feed. Accordingly, I have decided that we will drop hay into the area to ensure that there is sufficient feed for the kangaroos to exist on. We believe that this can be done in an organized way and, as the flood waters recede, green growth will be available to the kangaroos. Moreover, it is hoped that we can get a helicopter into the area to examine smaller areas where more kangaroos may be trapped, so that we can decide whether they can be fed or whether it will be necessary to destroy any of these smaller groups of trapped kangaroos. Earlier today I approached the Australian Government through the Minister for Defence—

Mr. Millhouse: You mean the Commonwealth Government.

The SPEAKER: Order!

The Hon. G. R. BROOMHILL: I approached the Australian Government to establish whether it could help by providing an aircraft for this purpose, because it is difficult to obtain a suitable aircraft to carry the hay that will be required.

Members interjecting:

The SPEAKER: Interjections are out of order, and that applies to all members.

BOLIVAR EFFLUENT

Mr. DEAN BROWN: Will the Minister of Works say why, in view of the successful experimental results of the use of Bolivar effluent water for growing crops, the Government has failed to meet its obligation to supply water to market, gardeners in the Virginia area? In 1956 Sir Thomas Playford promised to make Bolivar effluent water available to market gardeners as soon as the treatment works had been completed. In 1960 the Public Works Committee reported as follows:

> The committee is of the opinion that every effort should be made to find some economic way of making use of the effluent.

The committee also pointed out that use of this water would minimize the adverse effects of having to run the water into the sea, thus reducing the growth of sea cabbage. An article in the *Advertiser* of July 13, 1966, headed "Plant for Use of Effluent", states that the committee of inquiry could not see that this would be a health hazard, provided that irrigation water was not used for salad vegetables eaten raw. Of course, there have been other reports, and in July, 1968, the *Advertiser* reported that an experimental station was being set up. We are now successfully producing vegetables from that water, as evidenced at the Agriculture Department's open day held at Northfield recently. The whole use of this effluent water from Bolivar has been described to me as a 17-year-old mirage, and I believe that the mirage at this stage is rapidly disappearing.

The SPEAKER: Order! The honourable member is commenting and not explaining. The honourable Deputy Premier.

The Hon. J. D. CORCORAN: I do not know what the honourable member would be described as, but he is certainly not a mirage. The honourable member has obviously undertaken some research into this matter. I do not know whether he saw a question asked yesterday in another place which might have prompted him to do something but, from his experience in and association with the Agriculture Department, I should have thought he would know that over the past two years (almost three years) the Engineering and Water Supply Department has had officers of the Agriculture Department making an intensive study of the area to ascertain not only whether the water is suitable for growing salad vegetables and other things but also what effect the use of this water may have on the general area in relation to drainage and salinity, as well as on other matters of prime importance to the whole operation. The honourable member would be correct if he said that this should have been undertaken much earlier, and I remind him that a Government of his own political persuasion was in power from 1968 until 1970. However, I do not know whether there was much activity in this field then. There was some talk about it, and the person who represented part of the area in question, if not all of it, was none other than the then Premier (Mr. R. S. Hall).

Mr. Venning: Who's he?

Mr. Millhouse: I know you'd rather forget him. You've got an obsession about him.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: If I were to decide and recommend to the Government that this water should be used in the way suggested, without undertaking the sort of inquiry that we have initiated, I would be nothing other than irresponsible because—

Mr. Dean Brown: Some people—

The SPEAKER: Order!

The Hon. J. D. CORCORAN: If the honourable member listens instead of trying to be funny, I point out that, if I authorized the expenditure of between $2 000 000 and $3 000 000 in order to reticulate water in this area only to find in about five years time that we should not have done this, the honourable member would (quite rightly and properly) be quick to criticize the Government for making

that decision (that is, if he is still here then). The honourable member is saying that we should forget all that, that we should just pump water out to the properties concerned, and that it will be all right, but he does not know what should be done any more than I know as yet. When the inquiry is finalized and I have received a report, I shall be as anxious as the honourable member to solve the problem existing on the Northern Adelaide Plains. The problem that exists has resulted from a lack of attention and of control by Governments before this Government came into office. If the honourable member wants to know something about the history of that matter, I shall give him that, too, but he does not want to know that, because it does not suit his purpose. The position has arisen as a result of years of neglect and, in fact, other parts of the State would be in a similar position in future if we had not moved as we are now moving. If the honourable member wants a little more of the history of this matter, I shall give it to him.

Mr. Dean Brown: I know it.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: If the honourable member had read more about it and understood the position a little better, he would not ask stupid questions such as the question he has asked this afternoon. After studying the report and satisfying ourselves that the recommendations are correct, we will do something about the matter, but not before. This Government is concerned about the plight of the people in the area. We want to do something for them, but we do not want to do anything foolishly or in a way that we will regret, either in the short term or in the long term. When we make a decision, we want to make the proper one. That is the way we are going about the matter and the way we shall continue to go about it.

MILK CODING SYSTEM

Mr. MATHWIN: Will the Attorney-General ask the Minister of Health to provide a method of coding milk and cream containers so as to enable people to be aware of the dates on which the milk and cream they purchase have been bottled or packed? A reply to a question I asked in 1970 indicated that an investigation was being made, and a chart was supplied by the Minister. The Minister explained that officers had found cream which, by the code on the package, was known to have been packed 70 and 54 days previously, and that it had been suggested that these packages should be marked in plain language. However, there were many arguments for and against this, and the matter had not yet been resolved. It has been suggested to me that there are four types of coding system. Amscol uses the system showing a dot in the centre of what looks like a clock, and the dots are then placed at 11 o'clock, 10 o'clock, and 9 o'clock, representing Monday, Tuesday, and Wednesday, arid dots at 1 o'clock, 3 o'clock, and 4 o'clock represent Thursday, Friday, and Saturday. The scheme used by Southern Farmers has the same principle of a dot in the centre of the circle with figures around the circumference. The system used by United Co-operative shows a dot under the "U" which represents Sunday; the dot under the "N" represents Monday, and so on throughout the letters of the words "United Co-operative", each letter representing a different day. Harrison Bros. uses a system of symbols that represent each day, and—

At 3.15 o'clock, the bells having been rung:

The SPEAKER: Order! Call on the business of the day.

Mr. MATHWIN: Oh, no, Sir!

Dr. TONKIN: On a point of order, Mr. Speaker. I understand that, under the provisions of Standing Orders, when a member is asking a question and the bells ring, he is allowed to finish his question and must have it replied to.

The SPEAKER: Questions without Notice will proceed for one hour, but a question being asked (or replied to) at the expiration of that hour is entitled to be answered, but questions will definitely cease at 3.15 p.m.

Mr. Mathwin: I had only three days to go.

The SPEAKER: Order! I interpret Standing Orders as they are made by this House without any favouritism to any honourable member, and I rule on Standing Orders as they are determined by the House. If the honourable member for Hanson interrupts with a slur against the Chair, he may have to suffer the consequences. I warn the honourable member for Hanson.

Mr. BECKER: On a point of order, Mr. Speaker, I did not make that interjection. Someone behind me did that: I never said a word.

The SPEAKER: If the honourable member for Hanson did not make that slur, I apologize to him, but honourable members must realize that they have certain responsibilities as members and that they have to discharge their responsibilities, otherwise someone will have to tell them what they have to do. That applies to members on both sides of the House.

SOUTH AUSTRALIAN MUSEUM BILL

Returned from the Legislative Council with amendments.

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

The Hon. HUGH HUDSON (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Lottery and Gaming Act, 1936, as amended. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation incorporated in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

In November, 1972, the South Australian Jockey Club on behalf of horse-racing clubs approached the Government seeking increased returns from the statutory deductions made in respect of totalizator and bookmakers turnover. The approach was made on the basis that additional revenue was essential for clubs not only to be able to contain, within reasonable limits, the drift of horses to the Eastern Stales but also to preserve the existing level of racing operating in the State at that time.

On information then available to the Government, it was apparent that the request from the South Australian Jockey Club was only a partial answer to the problem, and that better returns from the operation of the South Australian Totalizator Agency Board were also an essential element. At that time the Government had evidence before it to indicate that the South Australian Totalizator Agency Board's investment in the' development of an on-course computer totalizator operation, together with matters of high depreciation on capital expenditure on items subject to a rebate under section 31r of the Lottery and Gaming Act, were militating against proper returns to the racing clubs being those conducting horse-racing, trotting, and dog racing.

Accordingly, a committee was appointed to inquire into all aspects of racing. This committee's interim report, together with information available from the South Australian Totalizator Agency Board as presently constituted, has confirmed the Government's impressions. The purpose of this Bill is to provide assistance to resolve an unsatisfactory position, which has developed in the South Australian Totalizator Agency Board. To illustrate this position I will set out in some detail the board's involvement in Dataline Holdings Proprietary Limited, an involvement which is now fairly well known and which has resulted in the board's present unhealthy financial position.

In July 1971, the board became involved in a contract with Dataline Systems Proprietary Limited for the manufacture of computer equipment for on-course totalizator operations, an operation that appears outside the original concept of the functions of the board to foster and develop off-course totalizator operations. Surprisingly, the board pursued this course in circumstances where it had no binding arrangements to sell the results to any operating club in South Australia. In the same month the board then became a shareholder in Dataline Holdings Proprietary Limited at a cost of $150 000. This company acquired the share capital of Dataline Systems Proprietary Limited, and the board's then share-holding was 46 per cent of total share capital. In August, 1972, the board was able, for an additional expenditure of only $27 000 to acquire the remainder of the share capital of this company, this being a measure of the decline in value of its original shareholding.

Later the board sold, for $7 200, shares representing 18 per cent of share capital in the company to two key technical personnel the company wished to retain. The board then became involved in connection with the scheme in a series of advances, guarantees on bank overdrafts, equipment, programming, and development that have now committed the board to an expenditure of more than $1 500 000. Indications are that expenditure to bring Databet to a successful operating position will exceed $2 100 000, if it can be brought to such a position. It is clear that, whatever the future of the system is, the board has an asset which, in any event, is greatly over-capitalized. At the moment the precise degree of this over-capitalization cannot be ascertained, and will not be known until the future of the development is clear.

It would be idle to pretend that the Government is satisfied with this situation, and appropriate actions have already been taken to prevent any recurrence. However, the Government conceives that it has, to put it no higher, a moral obligation in terms of the legislation setting up the Board to render such assistance as is proper in the circumstances.

Accordingly this Bill *(a)* first, proposes that, in future, borrowings by the board will have to be approved of by the Treasurer, and upon that approval repayment will be guaranteed by the State. The immediate effect of this guarantee will be that the board will have access to funds at a somewhat lower rate of interest than would otherwise be the case. In fact, the rate applicable will be the rate at which semi-government authorities can borrow; and *(b)* secondly, will extend the rebate of stamp duty provided by section 31r of the principal Act for some additional period until at least some of the capital losses incurred by the board, in relation to its involvement with Databet, are recouped. Honourable members are no doubt aware that this rebate was originally intended, to permit the board to recover its establishment and capital expenses and, in the terms of the legislation as it stands at present, this rebate would have terminated during this month.

I point out to honourable members that the terms of those amendments proposed have been referred to and approved of by the committee of inquiry. To consider the Bill in some detail, clauses 1 and 2 are formal. Clauses 3 and 4 each make an appropriate amendment to the heading to Part IIIA of the principal Act to reflect more accurately the contents of that Part. Clause 5 amends section 31h of the principal Act and provides for approval of future borrowings by the board, together with a guarantee of repayment for borrowings so approved.

Clause 6 extends the rebate of stamp duty for the purposes adverted to earlier. At this moment it is not possible to determine the amount of special expenses to which the rebate will relate. It is known that expenditure on Databet is to date about $1 500 000, and it is not yet clear just how much of this should be taken into account in fixing the total amount of the rebate. This amount will only be determined when the capital value of the asset is determined. Accordingly, some degree of flexibility is provided in determining the amount of total rebate, but it will be made quite clear to the board that the amount finally determined will be the minimum amount that is possible, consistent with the discharge of the responsibilities of the Government adverted to above.

Mr. GOLDSWORTHY secured the adjournment of the debate.

MARINE ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation incorporated in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

The principal object of this Bill is to increase the pecuniary penalties that attach to most of the offences under the Act. The amounts of these penalties are still those that were fixed in 1881 in the Marine Board and Navigation Act of that year. As I have already stated with reference to the Harbors Act penalties, it is not an unreasonable request to increase amounts that have stayed at the same level for nearly a century. The Bill also proposes several substantive amendments to the Act. First, it is desirable to remove the present requirement that a person must be a British subject if he is to be allowed to sit for the examinations for certificates of competency as masters, mates or engineers on coast-trade or river ships.

This is a more stringent requirement than under the Commonwealth Navigation Act for similar classes of shipping, and has caused the Marine and Harbors Department considerable embarrassment. It has, of course, been a source of hardship for some aliens who are well qualified to take the examinations soon after their arrival in this State. Secondly, a penalty clause is to be added to the Act to cover the situation where a ship that is required to have a certificate of survey operates without such a certificate being currently in force. As the Act now stands, there is no sanction for such an offence and, therefore, offenders go unpunished. As certificates of survey are designed to ensure the safety of ships, the operation without a current certificate could possibly endanger the lives of crews and passengers.

Thirdly, it is intended to extend the shipwreck and salvage provisions of the principal Act to cover fishing vessels as well as coast-trade and river ships. This amendment is

necessary as, from time to time, there are, naturally enough, casualties involving fishing vessels in South Australian waters. I shall now deal with the clauses in detail. Clause 1 is formal. Clause 2 provides for the commencement of the Bill. Clause 3 is a consequential amendment, and merely places the existing definition of fishing vessel in the interpretation section of the Act instead of in the body of the Act. Clauses 4, 5 and 6 increase penalties. Clause 7 strikes out that provision which requires a person to be a British subject, if he is to qualify for the examinations of masters, mates, and engineers.

Clauses 8 to 22 inclusive increase penalties. Clause 23 is an amendment consequential upon the removal of the definition of fishing vessel to the interpretation section of the Act. Clause 24 provides a penalty of $2 000 each to be paid by the owner and master of a ship required to be surveyed annually that traverses any South Australian waters whilst there is no certificate of survey currently in force in respect of that ship. Clauses 25 to 45 inclusive increase penalties. Clause 46 extends the shipwreck and salvage provisions of the principal Act to fishing vessels, and clauses 47 and 48 increase penalties.

Mr. COUMBE secured the adjournment of the debate.

ADELAIDE FESTIVAL CENTRE TRUST ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Deputy Premier) obtained leave and introduced a Bill for an Act to amend the Adelaide Festival Centre Trust Act, 1971-1972. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

Its purpose is formally to vest in the Adelaide Festival Centre Trust established under the principal Act, the Adelaide Festival Centre Trust Act, the property comprised in the Adelaide festival theatre. Honourable members will no doubt recall that the festival theatre was constructed by the Adelaide City Council under the authority of an Act that became known as the Adelaide Festival Theatre Act, 1964-1970. However, since the building was completed its management has been in the hands of the Adelaide Festival Centre Trust pursuant to arrangements made between the trust and the council and authorized by section 23 of the principal Act.

It was always contemplated that these arrangements would be temporary and would last only until provision could be made for the formal handing over of the theatre by the council to the trust. This measure sets out the legal framework within which the passing of the property may take place, and it will be followed by a Bill to amend the Adelaide Festival Theatre Act to discharge, as it were, the council from its obligations in relation to the theatre.

Clauses 1 to 3 are formal. Clause 4 amends section 4 of the principal Act by providing certain further definitions rendered necessary by the enactment of the operative provisions of this Bill. Clause 5 amends section 23 of the principal Act, adverted to earlier as the provision under which the trust managed the festival theatre as agent for the council. This provision will, of course, no longer be necessary on and after the day on which the theatre is formally vested in the trust. Clause 6 amends section 27 of the principal Act and recognizes the fact that moneys from the Australian Government will become available to the trust. Clause 7 is the most important provision in the Bill: it enacts a new Part IIIA in the principal Act. It may be useful if the new sections proposed to be enacted in the principal Act by this clause are dealt with *seriatim.*

New section 28a provides for the fixing of a vesting day, that is, the day on which the festival theatre will vest in the trust. New section 28b provides for the making of arrangements between the trust and the council as to their respective rights and obligations after the vesting day. These arrangements will be subject to the approval of the Treasurer since, pursuant to the Adelaide Festival Theatre Act, the Government has, at this stage, a substantial and continuing financial interest in the matter. New section 28c is formal and self-explanatory. Clause 8 enacts a new section 29a in the principal Act and vests in the trust a further small piece of Elder Park. This vesting has been rendered desirable by the intrusion of portion of the proposed amphitheatre into the park. A plan of the area involved is shown in the proposed second schedule to be inserted in the principal Act. This clause also, by enacting a new section 29b in the principal Act, vests section 654 in the Festival Centre Trust. This is the land on which the festival theatre stands.

Clause 9 is formal and consequential on clause 8. It merely provides for the issue of appropriate documents of title. Clause 10 is quite important in that it provides that the entire Adelaide Festival Centre shall for rating purposes have an assessed annual value of $50 000. Previously the festival theatre was excluded from this particular concession. Clauses 11 and 12 together insert a schedule in the principal Act showing the additional area to be acquired and referred to in relation to new section 29a.

Mr. McANANEY secured the adjournment of the debate.

ADELAIDE FESTIVAL THEATRE ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Deputy Premier) obtained leave and introduced a Bill for an Act to amend the Adelaide Festival Theatre Act, 1964-1970. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This Bill, which is to some extent complementary to the Adelaide Festival Centre Trust Act Amendment Bill, 1973, assists in providing the basis on which the transfer of the ownership of the festival theatre from the Adelaide City Council to the Adelaide Festival Centre Trust can take place.

Clauses 1 and 2 are formal. Clause 3 amends section 2 of the principal Act and inserts a definition of "vesting day", being the day fixed for the vesting of the festival theatre in the trust. Clause 4 amends section 3 of the principal Act by limiting the expenditure of moneys on the construction of the festival hall by the council to matters where costs were incurred before the vesting day. Clause 5 amends section 4 of the principal Act by making clear that the ownership of the festival hall vests in the Adelaide City Council only until the vesting day. Clause 6 makes a number of substantial amendments to section 7 of the principal Act, this being the section which sets out the respective financial obligations of the Adelaide City Council and the Treasurer. The principal amendments are to increase the total liability of the Treasurer in relation to the project to $4 900 000 and to provide for certain expenditure

by the Treasurer over this amount to reimburse the council for its expenditures on approved alterations and additions to the theatre. Tn sum, these amendments reflect the *de facto* assumption of liability of the Government for the completion of this project.

Clause 7 inserts a new section 7a in the principal Act which limits the liability of the Treasurer to make payments to the council in respect of the construction of the festival theatre to the liability that was incurred before the vesting day. In addition, certain other pre-existing liabilities of the council *vis-a-vis* the Treasurer are still preserved. Specifically these liabilities relate to earlier financial arrangements under the principal Act set out in section 5 and certain liabilities in relation to the eventual disposition of the property known as Carclew. The future liabilities of the council in relation to the festival theatre will be the subject of the arrangements referred to in section 28b of the Adelaide Festival Centre Trust Act, 1971-1973. Generally, these liabilities will be assumed by the Adelaide Festival Centre Trust. This clause also inserts a new section 7b in the principal Act which is intended to authorize the Treasurer to discharge certain liabilities incurred by the Government in relation to the builder in respect of certain obligations to pay overtime by the builder. These obligations were entered into at the request of the Government.

Clause 8 repeals section 8 of the principal Act which provided for a subsidy of $40 000 a year to be paid by the Treasurer to the council to offset losses in the operation of the festival theatre. Since the council will no longer be operating the festival theatre, this clause is no longer necessary. Clause 9 amends section 17 of the principal Act and makes certain arrangements in relation to the winding up of the Adelaide Festival Appeal Fund. It is suggested that this clause is generally self-explanatory.

Mr. RUSSACK secured the adjournment of the debate.

HARBORS ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Marine) obtained leave and introduced a Bill for an Act to amend the Harbors Act, 1936-1971, and to amend the Harbors Act Amendment Act, 1968. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

The principal object of this Bill is to increase the pecuniary penalties for the majority of the offences under the Act. The need for the proposed increase is patently obvious when one realizes that the penalties are still those amounts that were fixed under either the Marine Board and Navigation Act of 1881 or the Harbors Act of 1913. The amounts proposed in this Bill are consistent with present day monetary values and take into account the development of the shipping industry during this century. The Bill also contains several substantive amendments. First, it is proposed to repeal section 103 of the principal Act, that being the section that provides for the exemption from paying a pilotage fee where the master of an outward-bound ship orders a pilot and then finds that the ship is not ready to leave on the day and notifies the pilot accordingly. The increasing frequency with which masters of ships are making use of this provision is causing the nautical staff of the Marine and Harbors Department much inconvenience and waste of time. The repeal of this section will leave it open for the making of regulations under section 144 of the Act, fixing a fee to be paid to the pilot in such circumstances. This fee will deter the unnecessary ordering of a pilot but will not be an amount that will cause any hardship in genuine cases.

Secondly, it is proposed in this Bill to widen the powers given to the Minister in relation to the issuing of pilotage permits to masters of certain vessels that make frequent voyages in and out of a port for such purposes as dredging operations, exploratory excursions or servicing of oil rigs. The department has suffered considerable embarrassment when an operation for which a pilotage permit obviously ought to be issued does not in fact come within the rather narrow qualifications specified in section 116a of the principal Act. It is therefore proposed to give the Minister power to issue such a permit in such circumstances as he thinks fit.

I shall now deal with the clauses of the Bill in detail. Clause I is formal. Clause 2 provides for the commencement of the Bill. Clauses 3 and 4 are statute law revision amendments. Clauses 5 to 10 inclusive contain increases to penalties and are self-explanatory. Clause 11 repeals section 103 of the principal Act, for the reasons to which I have already referred. Clauses 12 to 15 inclusive increase penalties. Clause 16 amends section 116a of the principal Act by widening the power given to the Minister with regard to the issuing of pilotage permits. Clauses 17, 18 and 19 increase penalties. Clause 20 contains a statute law revision amendment. Clauses 21 to 36 inclusive increase penalties. Clauses 37, 38 and 39 contain statute law revision amendments.

Mr. COUMBE secured the adjournment of the debate.

LAND SETTLEMENT ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Land Settlement Act, 1944, as amended. Read a first Lime.

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

That this Bill be now read a second time.

J seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

It amends section 2a of the Land Settlement Act, 1944, as amended and in effect extends the life of the Parliamentary Committee on Land Settlement from December 31, 1973, to December 31, 1977. In the Government's view, there is still a need to preserve this committee as it still has duties in connection with the compulsory acquisition of land within portion of the Western Division of the South-East. It also has certain functions in relation to applications for assistance under the Rural Advances Guarantee Act. The extension of life of the committee is provided for by the amendment to the principal Act proposed by clause 2.

Mr. ALLEN secured the adjournment of the debate.

PORT FLINDERS VESTING BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to provide for the deposit in the General Registry Office of a plan or plans to delineate more accurately the situation of allotments, streets, roads and reserves in the township of Port Flinders; to establish title to those allotments, streets, roads and reserves; and for purposes incidental thereto. Read a first time.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

It is intended to correct a difficulty that has arisen in establishing on the ground the physical location of certain allotments at Port Flinders a few miles north of Port Pirie in the State. The history of the matter is set out in the very lengthy preamble to the Bill which recites the difficulties that have arisen because the allotments as delineated on the deposited plan did not, in some respects, accord to the physical characteristics of the area. All the landholders, the relevant district council and the appropriate authorities have agreed on a suitable solution to the problem, which is in substance to resubdivide the whole area afresh and allocate the allotments as shown on the revised plan in the manner agreed upon by the parties. This Bill provides the machinery for attaining this end.

Clauses 1 and 2 are formal. Clause 3 sets out the definitions necessary for the purposes of the measure. Clause 4 vests all the land comprised in Port Flinders in the Minister of Lands freed from all charges, etc. Clause 5 empowers the Registrar-General of Titles at the request of the Minister to issue certificates of title to the persons named in the schedule to the Bill in respect of the parcels of land set out opposite their names. This allocation is the allocation agreed upon and set out in the agreement, a copy of which will be available to honourable members. Clause 6 touches on an obligation, imposed on the Minister by clause 3 of the agreement, to ensure that the roads and reserves in the area come under the care of the appropriate authorities.

Clause 7 exempts from stamp duty documents executed for the purposes of giving effect to the Act presaged by this Bill. Clause 8 exempts the Minister from any liability he may incur while he is temporarily the owner of any of the land. Clause 9 is a formal provision to relieve the Registrar-General of the necessity of considering any previous applications made in connection with this matter. The schedule sets out the specific allocations of the allotments.

Mr. VENNING secured the adjournment of the debate.

REDCLIFF LAND VESTING BILL

The Hon. D. J. HOPGOOD (Minister of Development and Mines) obtained leave and introduced a Bill for an Act to vest certain land, in the vicinity of Red Cliff Point in the State, in the State Planning Authority, and for other purposes. Read a first time.

The Hon. D. I. HOPGOOD: I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

It is the first of two measures that will, in due course, be submitted to this House with the object of facilitating the construction in this State of a large petro-chemical complex in the vicinity of Red Cliff Point and Yatala Harbor, south of Port Augusta. If the time schedule for the establishment of a complex is to be adhered to, it is most important that this Bill be enacted into law before Parliament rises at the end of this month. It is hoped that the second measure (which will be a Bill to ratify an indenture setting out the basis on which the consortium that will have the carriage of the project will carry out the project) will be presented to this House when it resumes early next year.

The object of this measure is to acquire certain land in the area and vest that land in the State Planning Authority so that, in due course, it can be made available to the consortium. Because of the limitations of time it is not possible to provide merely for the acquisition of land by agreement or compulsory purchase and let the Land Acquisition Act take its course. Proceedings under that Act are necessarily somewhat protracted and hence, to some extent, the purpose of this Bill is to shorten the time necessary to effect an appropriate acquisition. I hasten to point out that this Bill in no way prejudices the rights of those from whom the land would be acquired.

I will now deal with the Bill in some detail. Clauses 1, 2 and 3 are formal. Clause 4 sets out the definitions necessary for the purpose of the measure, and I draw members' attention to the definition of "the land", which sets out the description of the land to be acquired under the measure. A plan of the land will be available for perusal by members. I also draw the attention of members to subclause (2) of this clause which authorizes the Governor to specify the names of the corporations constituting the consortium, which is provisionally known as the Petro-Chemical Consortium of South Australia. Honourable members are no doubt aware that Imperial Chemical Industries, Alcoa, and Mitsubishi organizations will make up this consortium. Clause 5 formally vests the land in the State Planning Authority. Clause 6 entitles the authority to enter into possession of the land within about four months from the commencement of the Act presaged. Legally, but not practically, this provision does modify the application of section 24 of the Land Acquisition Act. This provision is, however, essential to ensure that work on the project can proceed on schedule. I can assure members that the authority will so exercise its powers in this area in a manner that will cause minimum inconvenience to the former owners of the land. Clause 7 provides a right to compensation to the former owners of the land, and clause 8 ensures that the offer of compensation will come forward as speedily as possible.

Clauses 9 and 10 apply the specified provisions of the Land Acquisition Act to the acquisition by the authority of the land; the provisions applied relate to the determining of the amount of compensation, appeals against amounts awarded, and a final determination of those appeals by the Supreme Court. To make quite certain that no unforeseen difficulty will prejudice the rights to compensation of persons affected by the acquisition, a quite wide modification power is included in proposed subclause (2) of this clause. I am sure that in circumstances such as this the use, if necessary, of this modification power will be approved of by all members. Clause 11 closes internal roads in the area and vests the land that formerly comprised them in the authority in order that it can be dealt with in the same manner as the rest of the land. Clause 12 is formal. Clause 13 provides for the authority to pass all or part of the land to the consortium when directed to do so by the Minister. This transfer will, of course, await ratification of the indenture comprising the agreement between the Government and the consortium as to how the work is to be carried out. Clause 14 is an appropriation provision.

Mr. EVANS secured the adjournment of the debate.

REYNELLA OVAL (VESTING) BILL

The Hon. D. J. HOPGOOD (Minister of Development and Mines) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read.

THE REPORT

The Select Committee to which the House of Assembly referred the Reynella Oval (Vesting) Bill, 1973, has the honour to report:

1.In the course of its inquiry, your committee held one meeting and took evidence from the following witnesses; Mr. A. H. Parsons, President, Reynella Oval Incorporated; Mr. L. V. Mayger, Secretary, Reynella Oval Incorporated, and Mr. C. A. C. Catt, District Clerk, District Council of Noarlunga.

2. Advertisements inserted in the *Advertiser* and the *News* inviting interested persons to give evidence before the committee brought no response.

3. The committee is of the opinion that the proposals contained in the Bill are desirable, that the interests of users of the ground are protected, and that there is no opposition to the Bill, and it recommends that it be passed without amendment.

The Hon. D. J. HOPGOOD moved:

That the report be noted.

Motion carried.

Bill read a third time and passed.

WHEAT DELIVERY QUOTAS ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This relatively short Bill proposes two changes of great significance in the principal Act, the Wheat Delivery Quotas Act, 1969, as amended. First, it proposes that nominal quotas may be established for certain production units from traditional wheatgrowing areas from which for one reason or another wheat was not produced and delivered to a licensed receiver during the "prescribed period", that is, the five consecutive seasons concluding on September 30, 1969. Secondly, it will permit farmers to trade in wheat delivery quotas by making such quotas or portions of quotas transferable with the approval of the advisory committee.

I will now deal with the Bill in some detail. Clauses 1 and 2 are formal. Clause 3 is consequential on an amendment effected by clause 7. Clause 4 amends section 19 of the principal Act at paragraph *(a)* by striking out a reference to bushels in pursuance of the policy of converting to the metric system of measurement, and at paragraph *(b)* by ensuring that the penalty for making a false or misleading statement in an application under section 19 of the principal Act will apply equally to a false or misleading statement in an application made under proposed new section 249 of the Act, which deals with applications for special nominal quotas. Clause 5 provides that a person who would otherwise be allocated a wheat delivery quota for a quota season may request the advisory committee not to allocate such a quota for that season. Such a request will not prejudice the right of that person to be allocated a wheat delivery quota in respect of subsequent quota seasons.

Clause 6 provides for the establishment of special nominal quotas in respect of production units adverted to above. A production unit will qualify under this provision if wheat was produced and delivered from it during two or more of the 10 consecutive seasons that concluded on September 30, 1964, this period being the period immediately preceding the period on which wheat delivery quotas were originally based. The highest special nominal quota that can be allocated under this section is 109 tonnes, or about 4 000 bushels. The method of calculating the special nominal quota is set out in proposed subsection (4). Upon establishment, special nominal quotas will be regarded as ordinary nominal quotas established under section 24a of the Act.

Clause 7 provides for the transfer of quotas on a season to season basis; in short, only the right to deliver wheat for a particular season can be transferred. With one exception, a wheat delivery quota increased as a result of an approved transfer will for all purposes be regarded as a wheat delivery quota allocated in respect of a production unit. The exception is that, where all the wheat from a production unit delivered in respect of a season is less than the amount by which the wheat delivery quota for that production unit was increased by way of a transfer of a quota, the difference between the amount of the increase and the amount actually delivered will not be taken into account in determining the short-fall of that production unit. Clause 8 provides for the exception adverted to in relation to clause 7, and clause 9 makes a minor drafting amendment to the principal Act.

Mr. WARDLE secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL

In Committee.

(Continued from November 21. Page 1904.)

Clauses 40 and 41 passed.

New clause 41a—"Inquiries into premiums."

The Hon. G. T. VIRGO (Minister of Transport): I move to insert the following new clause:

41a Section 129 of the principal Act is amended by striking out the word "two" wherever it occurs in paragraphs *(c)* and *(d)* of subsection (2) and inserting in lieu thereof in each case the word "three".

Section 129 sets up the committee to inquire into and report on third party premiums payable. At present, the committee consists of the Chairman (Judge Sangster), the Public Actuary, two persons appointed to represent owners of motor vehicles, and two persons appointed to represent approved insurers. Representations have been made to us pointing out, as was indicated in the Chamber earlier, that, with the establishment of the State Government Insurance Commission, private insurance companies are taking the opportunity to opt out of third party insurance, with more and more of these premiums being shouldered by the commission. Because of this it is felt (and the Government certainly agrees) that the commission should have direct representation on this committee. However, as we are not anxious to upset the equilibrium regarding the number of members on the committee, we propose that there should be another representative of the owners of motor vehicles, and this is provided for in the new clause.

Mr. BECKER: The Opposition accepts the new clause, agreeing with the reasoning behind it. As the commission now underwrites much of the third party insurance in the State, it is only reasonable that it should have some representation on the committee. The provision for another representative of the motoring public is also acceptable.

New clause inserted.

Remaining clauses (42 and 43) and title passed.

Bill read a third time and passed.

COMMUNITY WELFARE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 21. Page 1883.)

Mr. ALLEN (Frome): I support the Bill, which is designed to implement the Commonwealth Government's decision to take over from the States the whole area of Aboriginal affairs and welfare. The establishment and

management of Aboriginal reserves will remain a State function. An undertaking has been given to the Commonwealth Government that the legislation for this purpose will be passed with as little delay as possible. Naturally, the commencement of the operation of this Bill will be delayed so that it will coincide with the operation of Commonwealth legislation on the matter.

Section 4 of the principal Act is amended by striking out the heading "Part V—Special Provisions Relating to Aboriginal Affairs" and inserting "Part V—Aboriginal Reserves". The heading immediately preceding section 83 is amended by striking out the passage "Special Provisions Relating to Aboriginal Affairs" and inserting "Aboriginal Reserves". Section 83, which relates to the care of Aborigines generally, is repealed. Section 86, which deals with land acquisition, is repealed. Section 90, relating to legal assistance, is repealed. Section 91, which gave power to people to act as agents for Aborigines, is also repealed. Section 251 is amended by striking out paragraph *(q)*, which provides for the establishment and registration of Aboriginal organizations for carrying on industries, trades and businesses.

Members may recall that, in the House last week, I asked the Minister of Community Welfare a question about Aboriginal reserves. In his comprehensive reply, he spelt put generally the context of this Bill. I asked him whether the Commonwealth Government intended to take over all Aboriginal affairs in the State, pointing out that many people were unsure of what the Government intended in this regard, as there had been some suggestion that reserves would not be included in the Commonwealth Government's take-over. In his detailed reply, which cleared up the matter considerably, the Minister said:

> Inescapably, the South Australian Government is concerned with the administration of Aboriginal reserves . . . As soon as practicable, we will develop a situation where the administration of the reserve is in the hands of Aborigines through the elected council, which will employ its own administrative officers. The only part the South Australian Government will play will be in providing the usual community services, such as health, education, and community welfare services.

I protest at the haste with which this legislation has been debated. The Bill affects a complex matter that we in this House have not- debated for a long time and I am sure that many members would like to have time to debate the Bill at length. However, as it was introduced yesterday and is being debated today, we have not had the opportunity to collect material or to give the public the opportunity to express opinions to members.

The Minister has said that the Aboriginal councils will take over management of the reserves. This is an excellent idea because it has been proved that Aborigines will take more notice of their own people than of white people. Recently I was a member of a party that visited about six centres in the north in connection with Aborigines and welfare generally, and we concluded that every situation we saw had a different problem. I think members will agree that this applies throughout Australia, and I cannot understand how the Commonwealth Government, with a blanket policy, can successfully improve the whole position from Canberra.

The National Aboriginal Consultative Council is being established to cover council areas throughout Australia, and there will be a representative from each council area on that organization. We sincerely hope that that body will operate successfully, but only time will tell that. Many persons favour the organization, whilst many oppose it. We must have educated Aborigines who are willing and able to superintend the various councils. Misleading statements have been made about the matter. For example, a press report a few days ago referred to N.A.C.C. as an Aboriginal Parliament, and I think a headline stated that the Aborigines would have their own Parliament House.

This is particularly misleading to the Aborigines, many of whom are not very well educated, and they would think along the lines of having a Parliament House. The educated Aborigines probably understand the position but such statements would mislead the uneducated ones and also mislead many other people who are trying to help. At present a task force is attending Adelaide University. The original membership was 22 but it is now down to 19 and the ages range from 45 years to about 20 years. I understand that these people are studying on a Commonwealth grant with the objective of taking over various fields in future. This is excellent and, if more people are educated on scholarships to take over administration of reserves, this will be a step in the right direction. Such action should have been taken many years ago.

When I became member for the District of Frome 3½ years ago, I had not had experience in the field of Aborigines and when I first became involved I realized how big the problem was. The more one becomes involved in this field, not only in my district but throughout the State, the more one realizes the big task that is ahead. An Opposition member who represents a district that includes so many Aborigines has difficulty, because he must find the information himself, and during the whole time I have been in Parliament the Minister has not approached me about Aboriginal matters as they affect my district. I repeat my disappointment that more time was not allowed for this debate.

Mr. DEAN BROWN (Davenport): The Bill transfers responsibility for the welfare of Aborigines from the State Government to the Commonwealth Government. In an earlier debate in this House I clearly expressed my opinion as to where Commonwealth Government and State Government responsibilities should lie. I said then that any area of administration related to people should be administered as close as possible to those people, and the Aborigines come into one such area. It is in their interests that they receive as much care and attention as possible. As the member for Frome has said, it is a difficult area with many social problems, and the whole Parliament should devote much more attention to the matter.

I express concern at how the Commonwealth Government is tending to move into areas of State responsibility, and I have spoken earlier about the major problem of Commonwealth and State relationships. The Commonwealth Government raises 77 per cent of the public revenue raised in Australia and the States raise only 13 per cent, although the States have a big responsibility for matters within their borders. I should not like the problems of the past to continue. The moves being made by the present Commonwealth Government (or Australian Government, as members opposite like to refer to it) are undesirable. That Government is taking responsibility from the States, instead of deciding in a mature way how to allocate more finance to the States.

That Commonwealth Government is playing a dictatorial role and will continue to do so, as can be seen clearly from the various referendums it is now advocating. I should prefer that that Government gave attention to how it could allocate more finance to the States without attaching strings to the grants. Unfortunately, our Commonwealth-State relationships are taking an adverse turn, and

we hope that the people will appreciate that when they vote in the referendums on December 8.

The Hon. J. D. Corcoran: What's this got to do with the Aborigines?

The DEPUTY SPEAKER: I point out to the honourable member that the referendums have nothing to do with this Bill and I ask him to confine his remarks to the Bill.

Mr. DEAN BROWN: I appreciate that the Bill does not refer specifically to referendums: it provides for a specific area of responsibility to be taken over by the Commonwealth Government, and I was referring to another area of responsibility. Although I appreciate the problems involved, I believe the State Government discharges these responsibilities in the interests of Aborigines far better than can the Commonwealth Government, because it is closer to the people than is the Commonwealth Government. We have already seen various areas—

The Hon. J. D. Corcoran: You sound like a Victorian Tory.

Mr. DEAN BROWN: We have heard the Minister's garbage. We have already seen examples where the Commonwealth Government in Canberra is isolated from the people of the less populous States, and we have seen the centralism that the Commonwealth Government is attempting to achieve in this country. Indeed, people can now imagine the sort of effect this policy will produce. Unfortunately, this Bill is yet another step toward centralist control. True, Aborigines under this transfer of power will probably receive more funds than they have received in the past, not because the States have not been willing to allocate the finance but because the Commonwealth Government was not willing to allocate the finance to the States to spend on Aborigines. So it has not been the fault of the States: it has been the fault of the Commonwealth Government.

If the Commonwealth Government were to pay attention to the allocation of finance in this matter, the States could provide the necessary attention and finance that the Aborigines rightly deserve. I reluctantly support this Bill solely on the ground that it provides for the greater allocation of finance to Aborigines. However, I express strong dissatisfaction at yet another step in the centralist trend of the Administration of Australia. I hope the people of Australia realize exactly what is being done. I refer to this morning's Australian Broadcasting Commission news announcement that this Bill was to come before the House today. However, this was only one of several news items that indicated clearly the centralist policies of the Commonwealth Government.

Mr. MILLHOUSE (Mitcham): I oppose the Bill and, if the member for Davenport had any intestinal fortitude, he would do the same after what he has just said. I intend to call a division on second reading if I possibly can. It is absolutely and utterly wrong that we should submit tamely to the dictates of the Commonwealth Government and pass a Bill abdicating our responsibility to the Aboriginal inhabitants of Australia.

Speaking as one who had the responsibility for Aboriginal affairs in this State for over two years, I found that a very challenging responsibility, one with which I was completely unfamiliar when I went into office. I believe, however, that at least during my term of office I learned something of the problems that existed, even if I could not solve many of them. It is ironic (and I believe that the member for Davenport adverted to referendums) that it was only at the referendum in 1966 that the Commonwealth Parliament was given any power at all in this field. Section 51 (xxvi) of the Commonwealth Constitution originally provided that the Commonwealth Parliament should have power over the people of any race other than the Aboriginal race in any State for whom it was deemed necessary to make special laws. At the 1966 referendum the phrase "other than the Aboriginal race in any State" was struck out.

Until then, the Commonwealth Parliament had been deliberately excluded from any jurisdiction in this field by one of the few deliberate exclusions in the Commonwealth. Constitution. By the amendment of 1966 the Commonwealth was given a concurrent responsibility with the States: it was allowed for the first time to make grants of money to the States for Aboriginal affairs. Of course, that amendment meant that, if the Commonwealth ever wanted to exercise its legislative power, it would override the power of the States, because the Commonwealth's power as it was framed after the 1966 referendum provided the Commonwealth with power to legislate for "the people of any race for whom it is deemed necessary to make any special laws".

While, therefore, it was deemed a concurrent power it was potentially an exclusive power and the Commonwealth Government is now choosing to exercise an exclusive power. Of course, as a matter of law there is no reason in the world why we should pass this Bill, because the Commonwealth can simply take the power by legislation, whatever we do. To that extent, this Bill is therefore completely hollow and unnecessary. However, the Labor Government of this State has chosen to introduce a Bill on this topic, and it is in line with the philosophy and principles of that Party, which espouses a policy of centralism, and for that reason, if for no other, it is happy to let the Commonwealth have the power.

Well, I am not, and I do not object on a theoretical basis only. I believe that Aborigines are people, they are individuals, and each one has his or her own problems. Because they are people of a race different from our race, they have different problems and peculiar problems, and the responsibility we have to them, because of all that has happened in the past, is a responsibility to each individual, and that responsibility can, I am convinced, be better discharged by a State Administration than by an Administration 800 miles (1 300 km) away in Canberra. In my day (and I know in the day of my predecessor) Aborigines in this State could come and see the Minister personally, if they wanted to, and they did this. I was accessible to them and the present Premier was accessible to them in his day, and that is precisely as it should be. There are probably fewer than 10 000 Aborigines in South Australia, and they should be able to see the Minister, and those who have the immediate responsibility under him, in regard to their problems and to come to them for help.

What are we going to do? We are going to tamely give or surrender power to the Commonwealth, power which will now be exercised only by the Government in Canberra many hundreds of miles away. Heaven knows, for any of us it is hard enough to get from the Commonwealth Government a sympathetic answer, and it will be virtually impossible for the Aboriginal people of this State to get an answer satisfactory to them. This is wrong, and it is ironic that at the time the referendum was passed the Commonwealth said, "Of course, we will not exercise an exclusive power by legislating on these topics; we will exercise a concurrent power." What successive Liberal and Country Party Governments did was to say, "All right, we will work through the State Administrations; we will give money to

the States for Aboriginal purposes, and we will not interfere directly in the administration of Aboriginal affairs." That system worked well. I would have far preferred it if the States had more general funds available to them so that they could allocate the amount they thought fit to Aboriginal affairs. However, that is not how it worked out, although I wish it had, and I hope that in the future it will work out that way. The system that was worked out between the Commonwealth and the States was not a bad one. However, that is all being swept away now because of this doctrinaire insistence by the Labor Party of centralism in Canberra.

I cannot understand the L.C.L.'s tamely accepting this, as it is apparently willing to do, if I understood correctly the members for Frome and Davenport. Although the member for Davenport would obviously like to vote against it, for some reason he has been told not to. I hope he changes his mind and votes with me on this matter. Even though the protest must be an empty one because of the constitutional position, I make it and hope that other members will join me, for this is wrong on practical grounds and on every possible count that one can imagine.

What do we find in this hastily introduced Bill? Indeed, it was so hastily introduced that it is not yet even on members' files. I had to obtain a copy from the messengers. The Bill was introduced yesterday and is being pushed through this House at the behest of the Commonwealth Government, because this Government, which is pre-empting the right of Parliament to make a decision on this matter, has promised the Commonwealth Government that it will hand over the power by December 1. Introducing the Bill, the Minister gave a second reading explanation comprising only three paragraphs. I know that the Minister is not very interested in Aboriginal affairs and it may be that, from a personal point of view, he is pleased to get rid of this responsibility, but we are all different, thank heavens. Some of us have enjoyed this responsibility; others have found it a burden. In his second reading explanation, the Minister said:

> This Bill is designed to implement the Commonwealth Government's decision to take over from the States the whole area of Aboriginal affairs and welfare (so far as it specifically deals with Aborigines), other than the establishment and management of Aboriginal reserves, which will remain a State function.

It beats .me how that can happen. How on earth one can separate the establishment and management of Aboriginal reserves from the remainder of Aboriginal affairs, I do not know, because to me the two are, inextricably intertwined, especially as Aborigines come and go from reserves. Certainly this Bill means nothing in a technical legal sense because, if the Commonwealth Government chooses to legislate over Aboriginal reserves, it can do so. The Bill therefore means nothing, and an exception of this kind will be unworkable. If the Commonwealth Government is to legislate in this field, its legislation will, of course, cover the matter if it is sufficiently extensive. I should like to know what on earth the Minister meant by this rider that he included in his second reading explanation. I do not believe it will mean anything in the long run.

I have perhaps spoken with some vehemence on this matter. However, I feel strongly about it, and I am sorry that so far, anyway, the Opposition has been willing to sit back and accept whatever the Government has wanted to do.

Members interjecting:

Mr. MILLHOUSE: Only two Opposition members have spoken on the Bill, one of whom apparently is leading the debate for his Parly. The Opposition is apparently going to do nothing about this matter. I hope L.C.L. members change their minds and speak on this Bill. If I have stirred them to that extent, my remarks will at least have had some effect on them. However, I doubt that I have stirred them. Whoever supports me, I oppose the Bill and, indeed, intend to protest against it as strongly as I can.

Mr. EVANS (Fisher): I support the Bill, in relation to which there is some reluctance, as stated by the member for Davenport. The member for Frome expressed concern on the matter, as this is a difficult area in. which to move and to solve the problems that exist. The member for Mitcham, who has just resumed his seat, also realizes this. Having had this responsibility as a Minister of the Government of which I was proud to be a member, the member for Mitcham knows that many problems existed then that still exist today. He and, indeed, the Ministers who have had this portfolio since his term of office, have found that these problems cannot be solved. overnight. All members know that money alone will not solve the problems facing Aborigines. This long-term problem was created by what may be termed colour and by the white man's coming to this country, and it will not be solved by the white man alone. Indeed, the member for Frome was correct in saying that education of Aborigines, thereby enabling them to communicate with their own kind, was the only possible long-term solution that would bring about acceptable standards.

Mr. Millhouse: What do you mean by "their own kind"? These people shouldn't be referred to as though they were cattle.

Mr. EVANS: For the benefit of the member for Mitcham, I believe that the European welfare officers that have been sent out in the past have been unable to communicate with our native people or, indeed, to understand them in many cases. If we can educate these people to communicate with each other, the problems facing them will be solved much more quickly, and I think the member for Mitcham has enough common sense to understand that. The Commonwealth Government has set up (and whether or not it is acceptable, it is established now) the National Aboriginal Consultative Council, which comprises 41 persons who are elected by the Aborigines and who represent individual districts. These members receive the substantial salary of $6 000 a year, those representing metropolitan districts receiving an expense allowance of $2 000 and those representing country districts receiving an allowance of $3 000. If they carry out their duties and responsibilities, their salaries will not be excessive. All members hope that this scheme will succeed.

If this country can overcome the stigma that hangs over its head because of the problems being experienced in the field of Aboriginal development, it will be a good thing, and this will be a cheap method of attaining that objective. Even though there are still doubts in many people's minds, it is worth a try. I have been as outspoken as has any honourable member regarding transferring powers to the Commonwealth Government. However, that does not mean that in some areas it should not occur. In areas where this is not likely to involve a complete takeover by the central octopus, responsibilities can best be passed on to the Commonwealth Government, especially if there is a chance of problems being solved. Indeed, I believe that in this case the Commonwealth Government can take this responsibility and that we can do nothing to stop this happening.

Mr. Millhouse: How do you think this Bill will increase the chances of solving a problem?

Mr. EVANS: If the member for Mitcham admits that the Commonwealth Government can take this power, anyway, what benefit is there in raising the roof in this place or anywhere else, on that basis? We would be better to say, "Let us try to see if this will solve the problem." If it does not solve the problem, those who have expressed doubt, including the members for Davenport, Frome and Mitcham, will prove in future to have been correct. I hope this does not happen, because I should like to see the problem solved. There is no doubt that we need to educate Aborigines so that they may return to their own groups. At the same time, however, we must not remove what I would term their "Aboriginality". We must attempt to perpetuate the dual cultures. This Government and the Commonwealth Government have said that ethnic and minority groups might be offered money to encourage them to retain their cultures. It is just as important that this offer should apply to Aborigines, who were, after all, in this country long before those other groups ever arrived here.

We have a task force being educated in this State at present: it started with 20 people and 19 remain in the group. I believe the group is achieving success, although it has been said that it has one or two radicals in it. It would be a poor task force if there was no difference of opinion within a group of 19 members, but these people are accepting the responsibility of being educated to help improve their own people's lot in the community. I believe there will be an intake of another group at Flinders University next year to upgrade the task force further, but we seem to be speaking in terms of 20, 30, or 40 people.

If we wish to communicate with people in the reserves, we must have about 200 or more persons educated who have the capacity to communicate. I am not sure whether this legislation will solve the problem in total or in part, but if the Commonwealth Government wishes to assume this responsibility we should say, "Take on the job; we wish you success, and offer you all the co-operation we can." I hope that the education of the present group will help solve the major problems with which it is concerned. Reluctantly, I support the transfer of this power to the Commonwealth Government.

Mr. GOLDSWORTHY (Kavel): I have not been brought into this debate by the remarks of the member for Mitcham. We are well aware of the fact that, during the life of a Liberal and Country League Government in this State, he was the Minister in charge of these affairs, and perhaps he thinks he knows the solutions to the problems. However, the history of Aboriginal affairs in this and in other States demonstrates that it is a tremendous problem, and I do not think anyone knows the long-term answers, certainly not the member for Mitcham. The question of centralism and decentralization has been raised in the debate, but I do not think it is a question of people shrinking from responsibility. Those basically concerned are Aborigines. People living in Adelaide are not directly aware of the problem, because it has no great impact on the thinking of people in their daily lives, although other aspects of Government do concern them. We should be concerned first with Aborigines, and with people who live in townships in the Districts of Frome and Eyre who see. the problem first hand.

When we think about the welfare of Aborigines we must decide who can best handle it, and that is a difficult decision to make. In some aspects of Government operations the question of centralism is important, because it concerns the whole community, but in this case it is a question of making a wise decision to allocate money to those projects that will upgrade the status and opportunities of Aborigines. I think this problem is Australia-wide, and conditions in this State are no different from those existing elsewhere. It would be true to say that no State knows the answer and, from my observations in oversea countries, the problems are of national significance. In a sense we have much to be thankful for in Australia, because we do not have the magnitude of racial problems that were apparent in countries I visited.

If the number of Aborigines and white people were reversed in this country, I think the outlook of those who criticize oversea countries that have a king-size racial problem would be less paternalistic, and these people would be less aggressive towards these countries. I see no compelling argument to retain this function in the hands of a State Minister, because the Commonwealth Government will be involved whether we give permission or not. It will set up offices and fund operations in connection with Aboriginal reserves, in any case. It seems that most States have agreed to this legislation, although I think one State may have some objection and may not pass similar legislation.

It seems to me that the Commonwealth Government will assume these functions whether we like it or not. The member for .Mitcham may revel in the responsibility and decisions he was called on to make when he was Minister, but I do not know of any tremendous advances having been made towards solving this problem. They were not apparent from my observations when I visited Aboriginal settlements in the District of Eyre. I have no really strong convictions about this matter, but see no major reason to oppose the infusion of Commonwealth funds into this area. I think that the protests we have heard have been rather hollow and, unless something more convincing is put forward in this debate, we should support the legislation.

Dr. TONKIN (Bragg): In spite of comments made by some of my colleagues on this side, and in spite of remarks made by the member for Mitcham, I oppose the Bill. It sets up a mechanism for the transfer of responsibility from the Slate Government to the Commonwealth Government. At the behest of the Commonwealth Government we are expected, at short notice, to pass this legislation before December 1, 1973. The Bill was introduced yesterday but no copy of it is on file, and we have to depend on *Hansard* pulls to see what was said by the Minister in his second reading explanation.

Mr. Nankivell: What did he say?

Dr. TONKIN: Exactly; I think this is a disgusting situation, because the Minister said hardly anything. I oppose the Bill on two major grounds.

Mr. Wright: Apparently the member for Mitcham spurred you on.

Dr. TONKIN: I do not know whether the member for Mitcham thinks that he has spurred me on, but he has not, because I intended to make this point. My attitude has been well known, and I have expressed it more than once in this House. I do not approve generally of handing over State powers to the Commonwealth. For one thing, the performance of the Commonwealth Minister until now has not been such as to inspire confidence. I am referring at the moment to Mr. Bryant, although there was a change and Senator Cavanagh is now the Minister, unless he has resigned from that position, too! Mr. Bryant and Senator Cavanagh, backed by their adviser and henchman, Dr. Coombs (I heard them speaking on a radio programme about their duties concerning Aboriginal affairs), have not inspired the people of Australia, and they have certainly

not inspired the Aboriginal people with any sense of confidence in their abilities.

We have seen a progression from a referendum in 1966, until which time no powers had been vested in the Commonwealth, to a situation where equal powers were granted and special grants were made. The term "special grants" has become familiar during this session of Parliament. Now, having applied special grants to Aboriginal affairs, we have a takeover: we are now being asked to hand over the State's powers to the Commonwealth Government. What if we do not pass this Bill? Will there then be a withdrawal of funds? It is conceivable that there will be and that the Commonwealth Government will simply opt out and say, "Okay, no more money." This Bill is not really necessary in any case.

The Hon. L. J. King: That's right.

Dr. TONKIN: Why bother to introduce it? In spite of the Minister's laughter, there is a reason for introducing the Bill.

The Hon. L. J. King: A Socialist plot!

Dr. TONKIN: If the cap fits, I cannot think of anyone better qualified than the Minister of Community Welfare and the Minister of Development and Mines to wear it. One outstanding feature of Aboriginal welfare has come about as a result of information provided by workers in urban and other communities. From visits several of us have made to areas where Aborigines form an integral part of the community, such as at Andamooka, Oodnadatta and Coober Pedy, as well as at Ernabella Mission and Amata and Koonibba Reserves, it is clear that there is no solution to the problems of Aboriginal welfare. No overall guiding principle can be applied to all Aborigines: each community group has separate and individual problems.

If there was ever a need for localized administration, this is the field in which that need exists more than in any other. I have never believed in government by a central authority. Certainly in relation to Aboriginal affairs it is even more important to have localized administration to deal with specific problems. The member for Fisher referred to the setting up of the National Aboriginal Consultative Council. This may be a good thing, and much publicity has been given to it. It will provide a forum for Aboriginal people to meet and say what they think ought to be the solutions to their problems and what things are necessary. I still believe that dealing with problems should be on an individual and local basis. For these reasons, I oppose this Bill. I oppose the general principle of transferring State powers to the Commonwealth.

The Minister has said it is not necessary to introduce this Bill, so why waste the time of this House by introducing it? I believe that it is being introduced to test the mechanism for setting the precedent of handing over other State powers to the Commonwealth Government. The Government is simply saying, "We are prepared as a State to hand over anything. Go for your life, Gough; take what you want; we are only too happy to give it to you." That is the attitude confronting us.

Mr. BLACKER (Flinders) moved:

That this debate be now adjourned.

The House divided on the motion:

Ayes (13)—Messrs. Arnold, Becker, Blacker (teller), Dean Brown, Chapman, Gunn, Mathwin, McAnaney, Millhouse, Nankivell, Russack, Venning, and Wardle.

Noes (29)—Messrs. Allen, Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Corcoran, Coumbe, Crimes, Duncan, Evans, Goldsworthy, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Tonkin, Virgo, Wells, and Wright.

Majority of 16 for the Noes.

Motion thus negatived.

Mr. BLACKER (Flinders): I oppose this Bill with a certain amount of conviction.

The Hon. L. J. King: That's more than can be said for the member for Mitcham, anyway.

Mr. BLACKER: I am disappointed that the Bill is being treated in such a light-hearted way, because I think it is a serious matter that deserves to be carefully considered. The Bill concerns the welfare of Aborigines and their assimilation into the white man's community. I believe this is a difficult problem that will not be readily solved. Each of the two races involved has its own culture and history. Some people believe that the two races can exist harmoniously together without any trouble at all. However, anyone who has given the matter any thought at all knows that we cannot reasonably expect that to happen. By their nature, Aborigines are nomadic. They like the free life, preferring wherever possible to avoid any of the responsibilities of the white man's civilization. Unfortunately, in some cases attempts at assimilation lead to Aborigines falling into the evils of our society, and I refer mainly to the problems associated with drinking alcohol to excess. Above all, I think that the problem is related to the dignity of Aborigines. In many instances, where Aborigines are trying to assimilate themselves into the white man's community, they are not readily accepted as being dignified people in that community.

The aim of the Bill is for finance to be made available through the resources of the Australian Government. I believe this is the wrong way to deal with the problem, as authority and direction will be taken further away from the source of trouble. I believe it would be better if these powers could be closer to home, with Aborigines being able to consult State authorities, preferably councils. In this way, there could be a direct relationship between Aborigines and the white society. If we had a closer relationship and understanding between the two groups, we would go a long way towards solving the problem satisfactorily. As well as the lack of dignity to which I have referred, there is a lack of communication. The problem in this regard will not be solved easily. The solution will not be assisted by having an Australia-wide organization to deal with Aboriginal affairs rather than a State organization, as closer co-operation is needed.

It has been stated in the debate that there is no real necessity for the Bill, as the Commonwealth has the necessary powers to carry out its side of the bargain. The only point seems to be the desire for centralization. I believe that this notion must be rejected totally. In my district, there are several Aboriginal families, most of whom are commanding much respect within the community in which they live, and I say that sincerely. They are involved with sporting groups. Business men in the town with whom I have close contact say that these Aborigines have a record with regard to maintaining their commitments and looking after their finances that is as good as the record of many white people. This is a tribute to these people, who are trying to assimilate themselves into the white man's community. Having been given the opportunity to assimilate by the white people, the Aborigines are to be congratulated for taking it. In Port Lincoln, a full-blood Aboriginal is on the primary school council. That gentleman would have the ability to hold his place in this House. It takes two groups to solve this problem. The

Aborigines must be given the opportunity to assimilate by the white man. As close co-operation is needed, it is unwise to transfer powers to the Commonwealth level. For these reasons, I oppose the Bill.

Mr. GUNN (Eyre): I will need to be convinced at some length by the Minister before I will support the second reading. I believe it is a disgrace that the Minister should put before the House a measure that is so important to the future welfare of Aborigines in this State and to the people of Australia without copies of the Bill being on members' files. How can members know on what they are voting? The second reading explanation was short. In the *Advertiser,* there was a short explanation, obviously provided for the newspaper by the Minister's press secretary. We are the first State in Australia to agree to this legislation. How many other State Parliaments have passed or have before them at this stage a Bill of this type? We should demand that the Minister say what is the exact position in relation to this matter in every other State. I have had contact with one Minister about the matter, and he assures me that it is still being considered, no agreement having been reached on the legislation.

The Hon. L. J. King: Which State?

Mr. GUNN: If the Minister does not know what other State Ministers are doing, it is not my job to tell him.

The Hon. L. J. King: It is if you cite one. Now, who is it? You said it, so tell us!

Mr. GUNN: I had contact about an hour ago with a Minister, who assured me that negotiations were still on a Prime Minister and Premier basis.

The Hon. L. J. King: Who is the Minister? You made the statement.

Mr. GUNN: I do not intend to tell the Minister. If he does not know what other Ministers responsible for Aboriginal affairs in this country are doing, it ill behoves him to put before this Parliament legislation of this kind. That Minister told me that he personally has not been approached by Senator Cavanagh. Senator Cavanagh has made one or two noises.

The Hon. L. J. King: Do you expect us to take your word for that if you won't tell us who the Minister is?

Mr. GUNN: I am not concerned with what the Minister is saying by interjection. I assure him that what I have said is correct. One would expect that all the States would have accepted the legislation before it was put before one Parliament. I am concerned at the effects that the Bill will have on the future welfare of Aboriginal, people. Not one Aboriginal in my district has asked me to support this type of legislation, and it is part of the programme and philosophy of the Labor Party to centralize all control in Canberra. Does the Minister think that it will be easier to administer the portfolio from Canberra? I hope he will assure the House about that and give us the reasons why the Bill has been introduced. There must be other reasons. In part of the second reading explanation, which was incorporated in *Hansard,* as the Minister did not do the House the courtesy of reading it—

The SPEAKER: Order! The honourable member may hot reflect on a decision of this House.

Mr. GUNN: I do not wish to labour that point.

The SPEAKER: The honourable member is not entitled to labour it, either.

Mr. GUNN: There must be several reasons why a Bill of this kind has been introduced, and those reasons should be in the records of this House so that members can scrutinize them in deciding how to vote on the Bill and so that the general public can be properly informed. I am concerned to ensure that the best is done for the Aboriginal community in Australia. I understand that the Commonwealth Labor Government considers that the only problem facing Aborigines today is a shortage of funds. I agree that funds are required and, if the Commonwealth Government wants to help Aborigines, it should make funds available for the State Government to spend. The State Governments have the experience, facilities, and staff established to do that.

However, there are other problems, and they will not be solved by money alone. The first matter to consider about legislation of this kind is what the Aborigines want. Will we force them into our way of life? It is for the Aboriginal people to decide the type of life they wish to live. If they want to assimilate, they should be encouraged and given every opportunity to do so, but they should not be directed or forced. I know of many instances in my district where we have forced the Aboriginal people to adopt a European style and way of life, and in many cases that has been completely disastrous. This legislation will not help solve many of the problems that we have forced on the Aborigines since the white man came to this country. I hope that, when the Minister closes the debate, he will reply to all the queries that have been raised, because I assure him that if he does not I intend to oppose the second reading.

The Hon. L. J. King: You intend to do that, anyway.

Mr. GUNN: No, I think I indicated at the beginning of my remarks that, if the Attorney-General did not convince me of the merits, I would oppose the second reading. The member for Flinders has rightly pointed out that many Aboriginal people have taken a worthwhile part in the community, and I and other members have such people in our districts. If the Aboriginal people had wanted this legislation so much, they would have contacted their member or indicated by statements in the press pr in other ways that they desired our support. I ask the Minister who has requested this legislation, because we know the attitude of his Commonwealth colleagues, including the Prime Minister. We have seen the arrogant attitude of the Prime Minister in dealing with the Queensland Government on the Aboriginal question.

The Hon. L. J. King: Do you associate yourself with the Queensland Government in dealing with this question?

Mr. GUNN: Doubtless, the Minister has gone cap in hand to the Commonwealth Government. If that Government requests something, he is pleased to do it, regardless of whether it takes away State responsibility. He and the Premier are the main offenders in selling out the rights of the people.

The Hon. L. J. King: Do you support the policy of the Queensland Government on Aboriginal affairs?

Mr. GUNN: I am proud to support the policy of the Liberal and Country League.

The Hon. L. J. King: You seem to have some different attitudes to this Bill.

Mr. GUNN: The Minister, not being a democrat, and not belonging to a democratic Party, is not accustomed to people thinking for themselves. His Party has doctrinaire Caucus control, and the front bench directs the members.

The SPEAKER: Order! The honourable member for Eyre will come back to the Bill.

Mr. GUNN: I was merely replying to the interjection.

The SPEAKER: Interjections are out of order. They are not dealt with in the Bill.

Mr. GUNN: If this House passes the Bill (as it will do by sheer weight of numbers) and if the other place passes it, what will be the position if some other States do not

hand over these powers to the Commonwealth Government? Will the power of the purse strings be used against those other States, and will they be discriminated against? What will happen regarding Commonwealth grants under the Commonwealth Constitution? Will Aboriginal affairs staff in this State be transferred to Canberra and lost in the huge bureaucracy now established there by the Commonwealth Labor Government? What will happen to the security of these staff members, and will they be discriminated against? What will happen regarding Aboriginal lands that the South Australian Government now administers?

Will the State Government administer these lands for only a short time and then hand the administration over to the Commonwealth Government, or will the administration be transferred to the Aboriginal council under complete control? If it goes under complete control, will the Commonwealth Government demand a representative, such as it has done in the case of the Land Commission, or will the State Government still be the supervising authority? I base my attitude on a desire to do everything possible to assist the Aboriginal people to take their proper place in society. They should set the pace. The Minister has again shown his complete lack of understanding of the problem. He has shown his complete arrogance towards Parliament, by forcing us to debate a measure at such short notice, even before we have a copy of the Bill on our files, and before we know what the Bill provides.

Mr. McANANEY (Heysen): I oppose the Bill, even though I do not know what is in it, because I have not yet seen a copy of it.

The Hon. L. J. King: That is about the standard of Opposition reasoning.

Mr. McANANEY: Although we have not been provided with a copy of this Bill, other Bills prepared on October 5 have not been presented until today, near the end of the session. That is the action of our inept Government.

The Hon. L. J. King: You have not understood—

Mr. McANANEY: The Minister is the biggest cover-up expert we have ever had in this Parliament. We have received no information in respect of community welfare matters, other than the Minister's saying, "I am the greatest" and his assertion that he is doing the best he can. The only argument I have heard so far in respect of the transfer of power is that everything the Government has not been able to handle and carry out efficiently is handed over to the Commonwealth Government; indeed, it is even going to do this with the railways.

The SPEAKER: Order! There is nothing in the Bill about railways.

Mr. McANANEY: As I have not yet seen the Bill, I do not know what is in it. As the Bill repeals this and that, I will have to refer to the principal Act to see what is being repealed. I have studied the problems of the Aboriginal for over 50 years. In my younger days there were many Aborigines in the lakes area; indeed, when I first went there to take over the farm, the natives came over from Point McLeay and visited us regularly. Being young and naive in those days, when the Aborigines used to come every year and say, "Mumma has a bad back; we want methylated spirits to rub into her back", it took me two years to work out why they really wanted the methylated spirits. However, I learned from experience, and I could have even been breaking the law.

We have a problem with Aborigines. In many ways Aborigines are members of a fine race of people. About three years ago, in Alice Springs I saw young Aboriginal children walking in the streets with white children, their shoulders back, living equally with and generally accepted by white people. However, until the Government provides opportunities for Aboriginal children leaving school, giving scope for an occupation and some purpose in life, we will have a problem. It is not so much a matter of giving hand-outs, which has proved to be one of the gravest mistakes; indeed, we have ruined enough white people in the past 20 years by giving away money or making hand-outs available to them without their having to work.

No matter what race a person belongs to, people can be destroyed by the giving of hand-outs unless they are incapable of working and, in this context, I am referring to able-bodied people. In Alice Springs I recall the sharp contrast between the young Aboriginal children, walking shoulders back and generally accepted by the community, and those Aborigines over 18 years of age shuffling away from white people in the street. This is a most upsetting situation to face any person interested in his fellow man.

I cannot see how the transfer of power to the Commonwealth Government will improve the lot of Aborigines. I believe it is necessary for administrators to be in close contact with the problems in the area, and I can refer to other situations where it is difficult to get a decision from the Commonwealth Government: indeed, it is hard enough to get a decision from a State Government department.

The Hon. G. R. Broomhill: How can you say that?

Mr. McANANEY: I hope I shall not be restricted, but about 10 days ago I criticized the State Planning Authority.

The SPEAKER: Order! The honourable member cannot bring in any subject matter other than that contained in the Bill.

Mr. McANANEY: Recently, I obtained a decision from the State Planning Authority within two days, and I congratulate the authority. I am always fair and reasonable: if a Government department does a job efficiently, I will give it full praise. Indeed, I hope this is an example of what we can expect in the future from the authority, although I doubt that that standard will be maintained. I am against the transfer of power to the Commonwealth, because I believe it is better for the department to be close to the problem. It is for this reason that I oppose the Bill. Although I am not picking on any Party, we have not handled the problems of Aborigines well in this State, although there has been an improvement. Indeed, I hope there will be a further improvement, but such an improvement will not be brought about by a Commonwealth Government having too wide an area to oversee.

Aborigines must be treated as persons and not be given the hand-outs they have been given in the past. They must be given a chance to play their part in the community, and they must be given a fair go and the opportunity to create something for themselves so that they can have dignity in themselves. This is what will solve their problem: not handing over responsibility to the Commonwealth Government, with the hope of possibly more money being spent on them unwisely.

The Hon. L. J. KING (Minister of Community Welfare): This has been an illuminating debate, because it has demonstrated the lack of comprehension on the part of the Opposition in all of its diverse sections. Opposition members have hardly ever demonstrated their diversity to a greater extent than during this debate. They have shown their complete lack of comprehension of the problems associated with Aborigines and, at least in one or

two cases, their lack of concern about them. Aboriginal problems generally have been a prime concern of this Government since it has been in office.

Speaking for myself (and I have been the Minister throughout the term of office of this Labor Government), this portfolio has been amongst the most interesting portfolios I have held. Not only has it been interesting: it has been rewarding in human terms because it is an area in which it is possible, by assiduous effort, application and concern, to do things that make, a Minister feel that he is achieving something to redress the historical wrongs the white man has inflicted on the Aborigines of this country during the history of this continent, and this State in particular. Much has been achieved. The problems are great and, in some cases, intractable. However, considerable progress has been made in many respects. Amongst the things we have achieved to a satisfactory degree are land rights for Aborigines in South Australia. The Aboriginal Lands Trust is now proving the success that we hoped initially it would be. Although it has had its problems and difficulties, we are now seeing that burgeoning of confidence amongst Aborigines in the role of the trust. We are on the verge of the extension of the ownership of Aboriginal land by the trust and the development of new agreements and understandings between the trust and local communities regarding the use of that land. It is encouraging to see this growth of confidence by local Aboriginal communities in the role that the trust has to play.

The other rewarding aspect of the work done since I have been Minister is the growth of self-confidence amongst Aborigines and, with it, the autonomy it has been possible to develop on the reserves. We are rapidly getting to the situation in the southern reserves in which the Aborigines will assume full responsibility for their own local government and affairs. In the more remote reserves, we are making appreciable progress in that direction. The pursuit of this consistent policy of encouraging Aborigines to take responsibility for their own affairs is beginning to produce results. However, this is a difficult policy to pursue, as it involves breakdowns and setbacks. Often things are done that the white administration naturally considers it could have done more efficiently because of its greater experience and sophistication. Although great patience, understanding and persistence is required, in the long run it is paying off in the development of this sense of responsibility amongst Aborigines and the development of self-government on the reserves.

During the period I have been Minister and the Labor Party has been in office in this State, there has been a consistent increase each year in the percentage of the State Budget allocated to Aboriginal affairs, health, education and welfare. The Government has, during the time I have been Minister, consistently placed a high priority on the allocation of resources in the discharge of the obligation that society as a whole has to the Aborigines. The other aspect of the policy that has given me special satisfaction has been the development of participation by the Aborigines themselves in their own affairs and, particularly, in their own welfare. This is not the time to enumerate the many aspects of this matter. However, reference has been made to the Aboriginal task force which was established in South Australia and which I believe can be developed into a most useful instrument by which the Aborigines can help identify their own problems and needs and find solutions to their problems.

One thing has stood out during the years for which I have been responsible for this portfolio: the problems of the Aborigines are national problems. The Aboriginal problem (if there is such a thing as a single Aboriginal problem) is a national one which can be solved only by means of national policies. The Australian people recognized this in the 1966 referendum, when constitutional power to make laws regarding Aboriginal affairs was conferred on the Australian Parliament. I believe that everyone who voted for that conferral of powers expected that the Commonwealth Parliament would assume responsibility for Aboriginal affairs, and for very good reasons indeed: not only do we have the extraordinary diversity of policy that exists in a State such as Queensland compared to a State such as South Australia, a diversity that is confusing to the Aborigines and detrimental to the progress and the cause of Aboriginal advancement, but we also have the problems of the Aboriginal people that can be solved only by the application of the sort of resources at the command of the Commonwealth Government.

It is only by a massive infusion of funds, which can come from the Commonwealth Government only, that we can begin to make advances in relation to this problem. However, it involves not only that aspect: the Aboriginal people themselves are to a great extent living in conditions that make State boundaries utterly irrelevant. Nothing is more absurd than the division of State administration in the central reserves. I refer, for instance, to the great North-Western Reserve in South Australia compared to the Western Reserve across the border and in the Northern Territory. These divisions are meaningless. I well recall a former Commonwealth Liberal Minister for Aboriginal Affairs (Mr. Wentworth) saying to me once, "These poor savages: they do not understand the importance of State boundaries. They just wander from Western Australia into South Australia and then into the Northern Territory!" Apparently, they have not understood the great political principles about which we have heard so much today from the members for Bragg and Mitcham. Those Aborigines fondly think they are Australian people: they imagine that they are Australian and that, whenever they wander around on this great continent, they are still in the same country!

The Hon. Hugh Hudson: They imagine they're the original Australians!

The Hon. L. J. KING: That is so. Somehow, the importance that is attached today to the lines that are drawn across the map of Australia seemed to escape their ancestors. There are many circumstances in which Stale legislative authority is of great importance, and I would be the last to yield up that authority in those circumstances. However, there are cases (and this is one of them) where national problems can be tackled only by national measures, and it is essential that the full authority in this respect should vest in the national Parliament.

I am completely sickened when I have to listen to members, as I did today to the members for Bragg and Mitcham, who really say absolutely nothing about Aborigines and their problems but who are so concerned about the narrow, parochial attitude to State rights. They have this psychopathic antipathy to the national Parliament and the proper authority with which it should be clothed that they cannot direct their attention to the real question before us: how best can the welfare of Aborigines be advanced? Can this be done by having six separate State Parliaments ranging from the Queensland Parliament to the Parliament in this State? Members can believe me: I have pride in putting those States at the extremes, because I want to be dissociated, as much as I can, from the policy of the Queensland Government in this respect. The member for Eyre seemed reluctant to answer my question whether he

supported the Queensland Government's policy on Aboriginal affairs. If ever there was a problem that could be solved only by the national Parliaments being clothed with the full authority to deal with the problem, it is that of Aboriginal affairs.

It is simply appalling that some politicians are so narrow in their outlook and so engrossed in their mean-spirited little Australianism that they cannot examine the problem fairly and, indeed, are willing to ignore the interests of Aborigines so long as they can flog this little ideological narrow State-rights attitude, irrespective of the attitude and of the welfare of the people concerned. Members opposite seem to have little appreciation of what this Bill is about. As I have said, agreement has been reached between the Government of the Commonwealth and the Government of South Australia on this question. The South Australian Government intends to withdraw from the field of Aboriginal policy and of specifically Aboriginal programmes, the responsibility for which will be assumed by the Commonwealth Government as from December 1.

The only purpose served by this Bill, therefore, is simply to make the provisions of the Community Welfare Act accord with the *de facto* situation. It is unreal to leave on the Statute Book sections that no longer have practical application, because responsibility will have been assumed by the Australian Government. I do not see what purpose is served by those members who have opposed the Bill. I think it was the member for Eyre who raised the question concerning the staff of the Community Welfare Department in this State which at present deals with Aboriginal affairs. We have an Aboriginal Resources Division, the officers of which will be offered positions with the Commonwealth Department of Aboriginal Affairs. They are at liberty to decide whether they accept such positions, but there is useful work for them in South Australia should any decide not to accept a position with the Commonwealth.

It is their choice and, if they decide to go, their transfers will be the subject of an agreement between the Commonwealth and State Governments in which their rights will be fully protected. Obviously, there will be no concern regarding that aspect. Some officers will welcome the chance of a wider opportunity to serve Aboriginal people; others, for personal reasons, may wish to stay with the State department. They will be welcome, as there is much useful work for them to do. The passing of this Bill is not essential to the transfer of exclusive responsibility to the Commonwealth Government, because that will be done by administrative arrangement anyway, but this is a chance for this House to show that it values the interest of Aboriginal people above the petty ideological State-rights notion that so dominates the thinking of Opposition members.

I have never seen an Opposition reduced to such a rabble as I have seen this afternoon. We have a little group in the corner represented by one of the worst speeches that the member for Mitcham has made since becoming a member. Also, we have a Country Party group for which the member for Flinders made a speech. I wondered what the member for Mitcham thought about that speech, and how proud he would be to be associated with the expressions and attitudes of the honourable member! As a former Minister of Aboriginal Affairs, he must have wondered what strange company he was in during that speech. Here, on the main Liberal and Country League benches, we have heard several diverse attitudes represented, some supporting and others opposing the Bill, but all for different reasons. We have had the Opposition reduced to a rabble but, for goodness sake, on this occasion let us remember that the Aboriginal people of this State (and indeed the Aboriginal people throughout Australia) are watching us. Their eyes are on us to see whether we are concerned about them or whether we are so wrapped up in our little notions of State rights that we cannot give a rap for the interests of the Aboriginal people.

The House divided on the second reading:

Ayes (31)—Messrs. Allen, Arnold, Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Chapman, Coumbe, Crimes, Duncan, Evans, Goldsworthy, Groth, Harrison, Hopgood. Hudson, Jennings, Keneally, King (teller), Langley, McKee, McRae, Nankivell, Olson, Payne, Russack, Simmons, Slater, Wardle, Wells, and Wright.

Noes (9)—Messrs. Becker, Blacker, Dean Brown, Gunn, Mathwin, McAnaney, Millhouse (teller), Tonkin, and Venning.

Pairs—Ayes—Messrs. Corcoran and Dunstan. Noes—Messrs. Eastick and Rodda.

Majority of 22 for the Ayes.

Second reading thus carried.

Bill read a third time and passed.

BUILDERS LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 21. Page 1884.)

Mr. MATHWIN (Glenelg): I support the concept in the Bill concerning provisional builders licensing. I believe that a person who is proficient, who is willing and able, and who has a sense of enterprise should have the incentive and be encouraged to get on in the world and be his own boss. The regimentation of a worker's life does not appeal to me in the slightest. I have had vast experience in the building trade, having been in it ever since I left school and until I became a member of Parliament. I claim to be one of the most experienced members of the House in the building trade. I served an apprenticeship in the United Kingdom in the trade, with the biggest building firm in Merseyside (Tomkinson Limited), which was a family concern. In that family, three of the sons served apprenticeships in various trades: one as a plumber; one as a carpenter and joiner; and the other as a painter and decorator. Another member of the family was a bricklayer. This family involvement was an inspiration to all.

Mr. Keneally: Why didn't you join the union?

Mr. MATHWIN: I did join the union. In fact, I could easily have been a union secretary and a member of the English Trade Union Council. In the United Kingdom, branches of trade unions support the Conservative Party. When I arrived in Australia, I was still working in the building trade. It was not long before I struck out again on my own account. I am pleased to say that I went into the subcontracting business in South Australia. I believe that I owe a lot to subcontracting in the State, and I should like to believe that the State owes a lot to me for being a subcontractor. Unlike the member for Unley, who says a lot against subcontracting, I found it a good opportunity to get on in Australia. I do not regret the great experience I had in the building trade, particularly as a subcontractor. This gave me the independence I wanted, enabling me to get away from the possible regimentation of a worker's life. I got away from the complete lack of incentive available to people who work just as day workers and are subject to regimentation all their life.

I believe I am well qualified to speak on the Bill, which deals with speculative builders. If anyone wishes to be licensed as a builder, he must have three years experience as a speculative builder. Of course, speculative building

fluctuates according to prevailing conditions. It would be reasonable for a provisional licence to authorize the holder to carry out other building as well as speculative building. I hope that members will agree that it would be too restrictive and rather unfair to allow these people to build only houses on speculation. If there were any tightening up of finances or if things became difficult, a speculative builder would be the first to suffer. If people were forced to do only speculative building they would have litle room in which to move.

A good tradesman who wishes to advance from a tradesman or journeyman to a foreman or supervisor may never, working in a commercial concern, gain experience in a certain housing field. At the time, he may not want this experience. Such a person may wish to become a builder, taking on small contract work under normal financing arrangements. I believe it would be fairer if a financial limit were set by the board with regard to how much work these people could do in addition to speculative building. This sum could be adjusted from time to time by the board. It makes it too difficult to mandatorily confine a person to speculative building for three years. The financial demands are beyond the capacity of a tradesman.

For instance, if a person wanted to build two houses at one time (and that would be a reasonable effort for a speculative builder) he would need about $50 000. If, as the two houses neared completion, there was some downturn in demand or tightening of finance, that person would be faced with bankruptcy. Not only would the speculative builder be involved, but his creditors also would be affected. In this State, as well as in other States, builders have gone bankrupt and have involved subcontractors and creditors, who may have suffered most because many of the builders have been smart enough to provide for themselves. About a month ago I received a cheque for about $36 as payment in respect of the bankruptcy about 11 years ago of a person who owed me over $800.

I hope that the Minister and the Government will see my point of view and accept my amendment on this matter. If the Minister allowed the provisional licence holder to enter into contracts with clients up to a defined limit, that person would receive regular progress payments and be able to pay for materials and labour during the course of construction. The Bill does not give such a person a second siring to his fiddle: once a problem arises, he goes out of the business and all those associated with him go out, too. Linder the new Bill, even to get a speculative builder's licence a person must hold one of the other licences for a period. To obtain a provisional licence, a person must have held the restricted builder's licence. I ask the Government to allow the provisional licence holder to build houses on a speculative basis and to do other contract work to a defined limit in value.

Mr. WARDLE (Murray): I support the Bill and the widening of the three present categories of licence to four categories. Like the member for Glenelg, I only wish it had gone further. The three categories comprise persons who have professional qualifications (they are the top people, such as engineers and architects), those possessing prescribed qualifications, and those who hold no formal qualifications but have had extensive experience in building work.

I cannot speak from practical experience as the member for Glenelg has done, but I was an inspector for several years and some builders in the trade then who would not qualify for a licence would qualify under this Bill. The provisions deal strictly with speculative building, and I do not think that will be interpreted to refer to other than building of dwellings. Many people spend most of their lives in large groups and gangs, moving from one multi-storey building to another, and for such a man to leave this association and the large multi-storey aspect of his work to become a builder of the type prescribed in this Bill would take him away from where he has gained experience and skill. He would be in a group where he would have to work alone and also provide his own finance.

This provision is far loo narrow and my first complaint is that the Bill does not allow into the new category the man who has been building in the industrial and commercial field. I understand that the speculative house builder is having a good time now, as these builders construct about 60 per cent of the houses constructed. The speculative builder is enjoying this demand, but history over the past 20 years has shown that at many times there has been no demand for his work. A builder who must finance his work for three years, in a field where there is no demand for his skills, has no opportunity to prove his skills and will not qualify for the licence prescribed for him. I am disappointed that the Bill is still narrow in respect of builders who have had experience over a long period, and I hope the Minister will accept an amendment dealing with this matter.

Mr. SLATER (Gilles): I support the Bill. Its major purpose is to establish a situation whereby a person previously holding a restricted licence can progress to holding a provisional licence and, after three years, can obtain a general builder's licence. There has been a difficulty in respect of tradesmen who, holding a restricted licence, have applied to the board for a general builder's licence and who, because of their educational background, language difficulties and similar problems, have had trouble in convincing the board of their abilities as general builders to construct buildings of the standard required. Previously, these people had little or no opportunity to progress from the tradesman situation to that of a general builder. The provisional licence will mean that after three years these people will be able to obtain a general builder's licence.

This will be subject to certain conditions. First, speculative work will be inspected, and that work will have to conform to the standard required of a general builder. This provision will be of great assistance to tradesmen with expertise who, for the reasons I have already stated, have difficulty in convincing the board of their ability to construct dwellings of the standard required. For the benefit of the member for Glenelg and the member for Murray, I point out that the holding of a provisional licence will not prevent a person currently holding a restricted tradesman's licence from continuing to work in that field. It simply means that he will have the opportunity to engage in speculative projects as well as in his present area of work. I support the Bill and commend the Minister for its introduction.

The Hon. D. J. HOPGOOD (Minister of Development and Mines): I thank members for their support. Of course, the criticisms in respect of the Bill are criticisms of the existing Act. Members opposite have said that this Bill does not go far enough, but we will see about that. The Government is being cautious here, even conservative, and for good reason. The reason is that it took a long battle on the part of this Government and the previous Government to establish the system of builders' licensing as we have it in this State today. I was not a member of this House when the principal Act was introduced, but I do recall the bitter debates, both inside and outside this House, on the regulations—

Mr. Venning: Not bitter.

The Hon. D. J. HOPGOOD: I will say the arguments were extremely vigorous. This was a long battle, and we have emerged with a system of builders' licensing which we consider gives considerable protection to the public; indeed, it gives much protection to the building industry itself, and we do not want to do anything which would place this system and this protection in jeopardy. For this reason we are opening the gate a little, because we see a need existing. However, we do not believe that we should open the gate too far, because the cardinal principle underlying provisional licensing should be that the building should not be at the financial risk of the purchaser, even though it is subject to inspections, which will be defined in regulations, at various stages of construction. We owe it to the public to give it that much reassurance that the building of a provisional licensee will not be at the financial risk of the purchaser.

The builder (the provisional licensee) can of course mortgage the building during construction. True, no-one really knows how the money market will be, and what chances he will have of obtaining finance. However, if the person involved in the trade has held a restricted licence for some time, is regarded as a reliable business man and has made a good name for himself in the restricted field in which he has been working, I believe the banks and other financial institutions will consider the matter.

Further, we should not assume that, just because a person has taken on a provisional builder's licence under the Bill, he has burnt his bridges. I have taken advice on this, and I believe he will still be able to continue operating under a restricted licence, while operating in a speculative way as a provisional licensee. Without referring to the amendment of which I have been given earlier warning (and I think I have given hints on the Government's attitude to this), we will deal with it when the clause is reached in Committee.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

Mr. MATHWIN: I move:

After paragraph *(a)* to insert the following new paragraph:

(ab) by inserting after the definition of "licence" the following definition:

"limited building work" means work consisting in the erection or construction of a building in pursuance of a contract where the total consideration payable in respect thereof does not exceed twenty thousand dollars or such greater sum as may be fixed by the board:

If, say, a painter has a restricted licence he may be engaged on work involving up to only $800 or $1 000, but that does not compare with the sum involved in the construction of a house on speculation. We should cater for these people, particularly the men who work on large building sites, whose qualifications are not challenged in the industry but who will be subject to a tight rein being held on them. This is not fair, as no harm would be done if they were permitted to take on additional contract work involving a more flexible limit of, say, $20 000.

The Hon. D. J. HOPGOOD (Minister of Development and Mines): As I said in my second reading explanation, we are opening the gate a little and, as the Government considers that it must proceed with caution, I cannot accept the amendment. I intend to introduce amendments to the Act again next year, perhaps this session. If, by then, this Bill having been passed and proclaimed and the regulations promulgated, we see merit in what the member for Glenelg has said, the Government will be willing to examine the matter again. However, I do not think we should move too quickly at this stage. I now refer to what is more a technical matter. Having taken advice, I am led to believe that, because of the way in which the amendment is drafted, a person could be permitted to construct a house worth say, $39 999, as it would be possible for him to construct it in two parts, each part falling just within the $20 000 limit.

Mr. Coumbe: Do you really think that would happen?

The Hon. D. J. HOPGOOD: Although it is unlikely, this situation must be examined. If this amendment is accepted, it is unlikely that the board could use the discretion provided in the amendment to raise the level to that point. As we would be rushing far too quickly to incorporate such a provision in the legislation now, I cannot support the amendment.

Mr. COUMBE: I support the amendment. The Minister said that he wanted to approach this matter with caution, which is what the member for Glenelg wants to achieve with his amendment. He also wants to protect the genuinely trained builder and the purchaser. If we examined the matter realistically, we would see that, by providing a limit of $20 000 we would, considering today's building costs, achieve the caution desired by the Minister. I appreciate the Minister's willingness to examine this matter again. However, as it would be difficult to build many houses for less than $20 000, the amendment is worthy of the Government's support.

Mr. WARDLE: I am intrigued by the Minister's reference to a builder's being able to construct a building worth $39 999. Would he explain this?

The Hon. D. J. HOPGOOD: Having taken instructions on this matter, I understand that the amendment would allow construction to proceed in two stages, each of which could be just under the $20 000 limit, so that the total amount involved on completion of construction could be close to the $40 000 limit. The basic concept with which we are dealing is that the Government should retain consumer protection. The Government believes this can happen and that the public can be reassured only if construction proceeds at the financial risk of the provisional licensee.

Mr. MATHWIN: I am disappointed that the Minister will not accept my amendment, as I hoped he would be flexible in relation to this matter. Many people in the building trade, including subcontractors and people who have sold materials to them, as well as purchasers, have gone bankrupt, and I had in mind protecting these people. The Minister referred to a building being constructed in two stages, but he must have forgotten that this sort of thing can be provided for in the regulations. We must be concerned about the many people, including tradesmen, who will be affected by this Bill and all of whom should be protected.

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

Mr. MATHWIN: As the clause now stands, the provisional licence will restrict people to building houses on speculation, with a possibility of these people going bankrupt if financial difficulties arise.

Amendment negatived; clause passed.

Remaining clauses (4 to 8) and title passed.

Bill read a third time and passed.

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 21. Page 1885.)

Mr. COUMBE (Torrens): The three principal objects of this Bill are to deal with the superannuation scheme of the Electricity Trust, the acquision of land, and safety clearances required of the trust in relation to its installations. In addition to amending the principal Act, this Bill amends the South Australian Electric Light and Motive Power Company's Act, 1897, and the Adelaide Electric Supply Company's Act, 1922. I had some trouble in finding these old private Acts. The Opposition completely agrees with the need to deal with those Acts.

The Bill seeks to remove some rather archaic provisions which dale back to the last century when electric power was first introduced in South Australia under the South Australian Electric Light and Motive Power Company's Act of 1897. At least this Bill brings these matters up to date. Section 18 of the principal Act provides that the trust may pay certain pensions and retiring allowances to its employees. This provision was included in the principal Act of 1946. Since then, the Act has been amended many times. Section 18 *(b)* states:

> The trust may contribute such sums as it thinks fit to any fund established for the purpose of providing pensions, retiring allowances or other benefits for its officers and employees.

The Bill brings these measures up to date. In his second reading explanation, the Minister said (and this is quite a mouthful):

> Apart from life assurance schemes continued by the trust following the taking over by the trust of the Adelaide Electric Supply Company Limited's undertaking, the trust conducts a pensions scheme and subsidized savings scheme (together with a special saving account scheme) for staff and a wage gratuities scheme for wages employees.

Later, the Minister said that sums from the various schemes were placed on deposit with the trust at interest. The whole point is that there is no security in the normal sense. The object of the Bill is to provide for a Treasurer's guarantee dealing with these matters. I took the trouble to see what the Auditor-General had to say about the matter. Having gone through the balance-sheet and revenue statements of the trust, where these sums are set out, I came across the following paragraph in which the Auditor-General drew the attention of the Minister to the superannuation and retiring gratuities schemes:

> Amounts standing to the credit of these funds at June, 1973, totalled $17 847 000. of which $6 062 000 represented the balance of members' contributions held by the trust. It has been pointed out that these trust funds are not secured by debentures as are the guaranteed borrowings of the trust. It is understood that action is being taken to amend the Act.

That reference is to the action being taken in this Bill. With regard to the guaranteed borrowings of the trust (and I referred to this matter in a debate on another Bill last evening), many people in the community, possibly including members of this House, contribute to the trust's public borrowings scheme. Under the terms of the Trustee Act, this is a guaranteed security. Certain provisions of that Act prescribe that only trustee investments may be used in specific trust accounts in certain circumstances. In South Australia, there are only three relevant authorities: the South Australian Housing Trust, the Electricity Trust of South Australia, and the South Australian Gas Company. The Housing Trust had one float, but gave it away, because it could get money more cheaply from other sources. The other two instrumentalities (the Electricity Trust and the South Australian Gas Company) run a float about every six months, and they try to space the floats equally with the Commonwealth Government's bond float. The Treasurer determines the rate, terms and amount from time to time.

It is suggested that these funds also be guaranteed by the Treasurer in the same way as the bonds are guaranteed and I support that, but I should like information about what other semi-government instrumentalities or statutory bodies have this Treasurer's guarantee built into their superannuation or retiring gratuities funds. I agree with the provisions regarding this type of work. Under clause 2 of the Bill, many thousands of employees of the trust throughout the State will have their contributions guaranteed, and the trust's contributions will be guaranteed. New section 18 (3) provides:

> Any liability of the trust to repay, or to pay interest upon, moneys held on deposit by the trust in pursuance of this section shall be deemed to have been guaranteed by the Treasurer.

The next provision deals with the acquisition of land, and this is a difficult and more important aspect. Under present provisions, (he procedure is complicated and I was in this predicament a few times when I was Minister of Works. Unfortunately, when compulsory acquisition must proceed, the old Acts that I have mentioned still apply. The trust must have some powers of acquisition so that it can proceed with its various developmental works, such as providing substations, mains and easements.

The Land Acquisition Act was rewritten in 1969 to give a new concept to the acquisition of land but it does not operate entirely satisfactorily in this case, because al present the trust is restricted fairly severely. It must observe many facets of the old private and public Acts that I have mentioned. The private Acts were amended in 1922. and in 1931 the public Act was amended to confer on the trust a limited power to acquire easements compulsorily. It provided that an easement could not be acquired without the consent of the Governor if its value exceeded $200. In these days, that is ludicrous from an administrative point of view.

Another restriction dealt with the acquisition of easements across an orchard or plantation attached to a dwellinghouse, and it covered also an easement through a park, a planted walk, a ground ornamentally planted, or the site of any dwellinghouse; so there was a serious restriction in this regard. The trust can acquire land, but only for substation purposes, in terms of power conferred by an amendment in 1966. There is still the question of an easement over the site of any building where the value is more than $200, and I ask the Minister to consider the position in the city of Adelaide.

It would be ludicrous for the trust to try to operate under these archaic procedures. I suggest that the House support the deletion of these provisions and the substitution of the provisions of the Bill so that in future the trust will have the power to acquire land, or any interest in land, in accordance with the provisions of the Land Acquisition Act, 1966-1972. That Act provides safeguards for landowners who may be affected unduly by rights of acquisition. If that Act is administered properly, the trust should be considered in the same way as are other public utilities.

Many mains must be laid across private property, such as orchards in the Adelaide Hills. Again, a vineyard in the Murray River district or an area in a suburb or town may be affected. What will happen about the right of a person whose property must be preserved? This raises the matter of access and the acquisition and easement required. I am referring here to strips of land, and I should like information on this point.

The third matter dealt with in the Bill refers to the regulation-making power proposed regarding the safety aspect of various trust installations. The old Act contains severe restrictions about what the trust may do regarding safety measures affecting insulators on poles and such matters as cables. Clause 5 amends section 44 of the principal Act to authorize the making of regulations restricting people from putting up structures dangerously close to cables on streets and roads, whether the cables are laid overhead or underground This is a necessary provision, and it is right that action should be taken by regulation, because it would be difficult to spell out the requirements in the Act. I have said previously that I prefer such matters to be carried out by legislation rather than by regulation. However, I believe in this instance that regulatory powers are more appropriate. Indeed, the regulations come back to this House for review before the matter can be proceeded with.

I seek further information on whether any other authority has a guarantee provision similar to that provided here, which I support. What is the position in respect of certain easements, for instance, power lines crossing a rural property in the hills face zone? I understand that certain access roads are necessary for the trust to maintain its lines. When acquisition is required, what sort of easement will be involved? Is an access road required? This is separate from the situation involving an Engineering and Water Supply Department easement. I support the Bill, which is long overdue, and I hope it has a speedy passage through the House.

Mr. DEAN BROWN (Davenport): I, too, support the Bill. However, I am disappointed that the Minister of Works is not here this evening to answer the questions asked by the member for Torrens, as well as the questions I will ask. The first part of the Bill deals with the security of superannuation schemes. Reference was made to these schemes in the second reading explanation. I refer to the pensions scheme, subsidized savings scheme for staff, and the wages gratuities scheme for wages employees. In his second reading explanation, the Minister stated that in certain circumstances the trust may from time to time pay gratuities to wages employees. What are these schemes? I believe it is right and proper that the Government should act as guarantor for these various schemes, and I support that part of the Bill.

The second part of the Bill deals with the acquisition of land. I agree with the member for Torrens that it is logical for this to be dealt with under the Land Acquisition Act. This Bill gives the trust much greater power to acquire land, and I hope it uses this power in a responsible manner and places a much greater percentage of electricity cables underground than it has done in the past. The stobie poles in Adelaide are a blot on our community and on our planning. Indeed, I am concerned that we should still be erecting these ugly concrete structures in newly developed areas, and it is time that we immediately altered the standards that apply to new subdivisions.

Mr. Arnold: They are a menace to motorists, too.

Mr. DEAN BROWN: Yes; stobie poles are dangerous to road users. Everyone knows of the many accidents involving cars running into stobie poles. I look forward to. the trust's using this additional power of acquisition with a view to placing most of its electricity cables underground, and I hope there will be a rapid advance in this matter. Finally, the Bill deals with the clearance standards that should apply. Clause 5 provides, in part, in new paragraph *(d)*:

. . . or prohibiting the erection of buildings or structures that may be in dangerous proximity to any such electrical conductors and apparatus.

Further, power is provided to stop the erection of any building or structure in a street, road or public place close to these electrical conductors. I can imagine occasions when it may be desirable to erect the appropriate structure and shift the electrical installations, rather than adhering strictly to this provision, and I hope the Minister will consider this matter. I fully support the Bill, which is largely an administrative measure.

The Hon. L. J. KING (Attorney-General): Of course, as I am not the Minister who introduced this Bill, I am unable to close the debate. However, in the unavoidable absence of the Minister of Works, who is deputizing for the Premier at a most important engagement, I will deal with the matters raised by members. Some of these matters are not strictly related to the Bill, but are concerned with the general operations of the trust and with the terms and conditions of schemes referred to in the Bill. I will refer the remarks made on those matters to the Minister and ask him to supply the relevant information.

The member for Torrens referred to the situation arising if the trust desired to construct power lines across land, and the subsequent problem in respect of access to that land. I do not know exactly the way the trust approaches this problem. Certainly, the power that is given by this Bill enables the trust to acquire the actual easement, that is. the right to install the main across or over the land and to maintain it. The trust would, of course, be entitled compulsorily to acquire a right of access or right of way over the land. The Land Acquisition Act provides for the landowner to be paid fair compensation for the acquisition of those rights. However, I do not foresee that it would be necessary for the trust actually to acquire the freehold of the land: rather, it would acquire the right of way over the land and the easement, enabling it to construct and service a main.

The other questions that have been raised are not directly related to the provisions of this Bill; rather, they are matters relating to the general operations of the trust. I bear in mind particularly the matter raised by the member for Torrens as to whether any other instrumentalities have guarantees of the kind provided in this Bill. That information can be obtained. I do not know of any myself but it may be there is another or there are others. I bear in mind, loo. the point raised by the member for Davenport about poles and other operations of the trust. I shall ask the Minister to write to those members furnishing them with the information asked for; or. if they prefer to seek that information in the House, they can put questions on notice and the information will be given.

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

WEST BEACH RECREATION RESERVE ACT AMENDMENT 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.

Adjourned debate on second reading.

(Continued from November 21: Page 1887.

Mr. GOLDSWORTHY (Kavel): I support the Bill for one reason, and one reason only—that the two councils concerned at present with the West Beach Recreation Reserve Trust favour this legislation. On looking at what the Bill seeks to do, my first inclination would be to oppose it, because it gives effective control of this trust

to the Minister. This sort of move is not popular in the local government circles that I know of in country areas; there are frequent complaints by councils about the encroachment on their authority by Government operation. So I say openly that the only reason why I support the Bill is that in this case there seems to be a different approach by local government from the one I normally encounter, as the Minister seems to have the acquiescence of the two councils involved in the West Beach reserve.

The major provision of the Bill vests effective control in the hands of the Minister. The board will consist of seven members, and the Minister has absolute discretion with three nominees. Four members will be appointed after consultation with the two councils directly concerned, and the Minister will have the authority to appoint the Chairman, so I think the Minister will be in a position to appoint a board to his liking. He acknowledges in his second reading explanation that general control passes into his hands. This, as I say, is not the sort of move that normally we would be very enthusiastic about.

The history of the recreation reserve is interesting. I notice that the Bill seeks to remove the words "Recreation Reserve" and call it simply the "West Beach Trust". That, too, does not seem to me to be desirable because the whole concept of this area originated in a former Town Clerk of Glenelg, Mr. Frank Lewis, who I think was the Town Clerk when I was a child living in that district. It was Frank Lewis's vision that led to the inauguration of this scheme. We have a lot to thank some of our town and district clerks for in this regard. It is similar to the position of Mr. Veale in the original establishment of the Veale Gardens, which are a living tribute to him, just as this recreation reserve is to Frank Lewis.

I have here an interesting and valuable article giving some of the history of the recreation reserve. It was written by one of the *Advertiser* reporters, John Satterley. It is an informative article giving the historic background of this area and also some future propositions for the area. This article pays a tribute to the vision and work of Frank Lewis in establishing this reserve initially. I will quote some parts of the article, which I recommend to those members who are interested in finding out what has been involved in the development of this excellent facility. I am sorry the Minister appears to be so exhausted. I understand he has just welcomed the first passenger on a Bee-line bus. He must have found that journey particularly exhausting judging by the way he is yawning at present. Surely I could not think he would be so rude as to indicate that he was not interested in what I was saying! However, I shall press on regardless of the Minister's obvious lassitude. Dealing with this "playground for young and old", the article states:

There's much more to be done, but the end is in sight.

That seems to be an appropriate time for the Government to step in—when the job is almost done. The article continues:

This is the news from Mr. Jack Wright, the newly-elected Chairman of the West Beach Recreation Reserve Trust.

This was written on February 12 of this year. The article continues:

The six-man trust he heads includes the Mayor of West Torrens (Mr. S. J. Hamra) and two former Mayors of Glenelg. It recently retained an accountant to work out a five-year capital works programme for the reserve. The aim is to complete the major construction projects within the next five years.

They called in the then Minister of Environment and Conservation, and requested the assistance of the State Planning Authority to mastermind the development of a certain section of land, which was to be called the Frank Lewis Reserve. I should like to refer to the following extracts from this report:

The area now being developed with reclaimed water is certainly the most outstanding in Australia and one of the largest anywhere in the world.

That is an interesting observation. The original land was reclaimed. However, a two-fold aspect seems to have been involved. The land was reclaimed by the dumping of rubbish and by filling what I recall was a desolate sandy waste. Further reclamation then took place by using water from the nearby Glenelg Sewage Treatment Works. The report also states:

The trust is confident that the question of the future of the airport will be satisfactorily resolved as a result of discussions between the Premier (Mr. Dunstan) and the Prime Minister (Mr. Whitlam).

This is an interesting sidelight that impinges on the future of this reserve and which will be involved in its development. The report continues:

The trust is heartened also by the published statement of the Minister of Roads (Mr. Virgo) that consideration is being given to relocation of the airport.

This indicates to me at least that the members of the trust would be more than pleased if it was decided to relocate the airport. I cannot escape the suspicion that the future of the airport is in some way tied up with the Government's interests in this matter. Under the Bill, the word "recreation" is to be dropped from the name of the trust, which will in future simply be called "The West Beach Trust". This seems to deny the essential character of the region, which has been developed in terms of the vision of and hard work done by Mr. Frank Lewis and those who followed him. Although this report indicates that a change of name may perhaps have been desirable, I should not have thought that this change would be the one envisaged, as this area was essentially a play-ground and reserve. I was amazed to read what is at present accommodated in the area: it comprises a park for 500 caravans, eight ovals, 12 baseball diamonds, a riding club, an 18-hole golf course, 14 tennis courts and many other sporting areas, as well as places in which one can relax. What is more significant, schoolboys and others may have the use of these areas free of charge at weekends. The recreation aspect of this area therefore seems pre-eminent, as it will, no doubt, continue to be.

Nevertheless, one cannot escape the conclusion that the Government's interest in the future development of the airport is tied up with its desire to gain effective control of this trust. In this respect I hope I am not being unduly suspicious. However, it seems a peculiar time for the Government to take an interest in this project, when it has almost come to fruition. I was also interested to learn on my return from overseas that the Government had purchased Marineland, which had been established in this area. It seems strange to me also that the Government saw fit to take over this sort of enterprise.

The Hon. G. T. Virgo: What do you think we should have done?

Mr. GOLDSWORTHY: The Minister may be able to tell the House what the Government will do with it in the future.

The Hon. G. T. Virgo: What do you think we should have done?

Mr. GOLDSWORTHY: The Minister may be able to tell me why the Government took over Marineland. It

is obvious that some union rows occurred there. The Government went through a fairly torrid stage because of the operations of a certain union secretary at Marineland. Perhaps that prompted the Government's interest in this establishment.

The Hon. G. T. Virgo: What do you think we should have done with it, though? Why don't you answer me?

Mr. GOLDSWORTHY: Perhaps the boot should be on the other foot: why was it the Government's responsibility to take it over?

The Hon. G. T. Virgo: You haven't any idea, have you?

Mr. GOLDSWORTHY: I do not think the Minister has any idea, either. I should be interested to know if the Government intends to hand over the operations of Marineland to the newly constituted trust, because under the terms of the Bill the Minister will have general oversight of the trust. It really means that he will control it. The Government is willing to guarantee the trust's borrowings. However, the present trust would have been capable of carrying on and developing this area, as it has done so successfully for many years now. This sort of Government guarantee seems to be all that was necessary. The matter that weighs heavily with me is that local councils are willing to hand over this authority to the Minister.

The other matter to which I alluded briefly and which is of interest is that a joint Government advisory committee on Adelaide Airport requirements has been set up to investigate the future expansion of the airport or to suggest other proposals. It seems to me unlikely that this advisory committee will make any immediate determination. Nevertheless, although this move by the Government in taking over the area, changing its name, and forgetting that it is essentially a recreation reserve may appear to be premature, it may be tied up with the Government's future plans concerning the Adelaide Airport. If that is so, we have certainly not been taken into the Government's confidence. What is behind the Government's thinking in introducing this Bill is far from clear at present. As local councils are willing to accept the legislation, I support the Bill.

Mr. BECKER (Hanson): I support the Bill. It is clear, however, that the Government intends to seek control of the West Beach Recreation Reserve Trust by placing thereon persons that it will be able to control. It is obvious that the Minister wants to control what will be the best playground area in metropolitan Adelaide. The establishment of the West Beach Recreation Reserve Trust was first discussed in 1954 when the then Premier, Sir Thomas Playford, discussed with representatives of the Glenelg, West Torrens and Henley and Grange Councils the possible development of about 360 acres (145.68 ha) situated between the Adelaide Airport and the sea and between West Beach and Glenelg. The Government's proposal was that the land, valued at $120 000, could be made available by it, together with $40 000, to a trust established jointly by the councils.

There were to be two nominees from each council, and the six persons so appointed were to nominate an independent Chairman. The obligation of the councils was jointly to contribute $40 000 over a period of five years toward the cost of developing the land as a recreation reserve. The Henley and Grange council intimated that it was not in a position to join in the movement, and the two other councils agreed to contribute $20 000 each over a period of seven years, and each nominated three members to the trust.

Subsequently, the West Beach Recreation Reserve Act was passed by Parliament and consented to by His Excellency the Governor on December 23, 1954. The first trust was appointed on March 3, 1955, the representatives of the Glenelg Corporation being the Mayor (Mr. C. W. Anderson), Ald. F. R. Marshall and the Town Clerk (Mr. F. A. Lewis), and of the City of West Torrens, Messrs. R. J. Bartlett, J. C. Sexton and A. C. Smith. On the nomination of the council representatives, Mr. A. J. Baker was appointed Chairman of the trust. In accordance with the provisions of the Act, the land has been transferred to the trust and an amount of $40 000 has been paid to it by the Government. A detailed survey is being undertaken preparatory to the preparation of a plan for the utilization of the land. The source of my information is *Glenelg, Birthplace of South Australia.*

So, since 1955 each of the two major councils, the West Torrens council and the Glenelg council, has contributed $20 000 and they have continued to have representatives on the trust, with an independent Chairman. Under this scheme the area of 360 acres (145.7 ha) has been successfully developed, and we must remember that it was originally waste land.

The Hon. D. H. McKee: Give us something original.

Mr. BECKER: The Minister would not know much about it. I am sure we all appreciate the labours of people in the area, and now the Government wants to seize the area from them. However, we are awake to what is behind the move. When I am asked to support legislation that gives the Minister of Local Government complete control over the whole scheme, all I can say is that it is a pretty dangerous Bill. We know that the Minister is not beyond dictatorial action. Here is an opportunity to develop the best recreation area in metropolitan Adelaide; the trust has been working toward that end. The car park and the 18-holc golf course have contributed income to the trust. Further, there is a par 3 golf course and numerous ovals catering for almost every kind of sport.

Mr. Keneally: Every sport?

Mr. BECKER: I know that the honourable member is concerned about what goes on in the sand hills. I shall refer later to the disgraceful action of the Coast Protection Board in levelling some sand dunes. The area also caters for a driving range (a commercial enterprise), the German Shepherd Dog Club, the headquarters of the South Australian Sea Rescue Squadron, and the Holdfast Bay Yacht Club. So, a wide range of recreation facilities is provided there. The Glenelg Baseball Club has its headquarters there, and there are 12 baseball diamonds. So, since 1954 the trust has done a remarkable job with limited resources. The present trust consists of a Glenelg council representative, Mr. Anderson, who is a former Mayor of Glenelg (he was a foundation member), and also Councillor Keith Bell and Alderman Don Mason. Representing the West Torrens council are Messrs. Hamra, Wells and Robinson. Under Mr. Jack Wright's chairmanship the aim now is to develop the area as rapidly as possible, and an outstanding plan has been brought forward by the existing trust. The whole problem now lies in completing the development, which revolves around finance. I can see no good reason for changing the constitution or the. name of the trust. If the trust, as now constituted, was given the power to borrow money at local government rates, it could fulfil its plans.

The Hon. G.T. Virgo: How much could it borrow?

Mr. BECKER: I do not have the financial statement with me. Each of the two councils has contributed $20 000, the State Government has made its contribution, and the

land is in the name of the West Beach Recreation Reserve Trust. I believe that, if we changed the name to West Beach Trust, the name would not clearly define the purpose of the trust. There is other land in the West Beach area that is owned by the Civil Aviation Department. Some of the land has been leased to the Adelaide University as playing fields. So, I do not support the change in the name of the trust. Further, I do not like the clauses that provide that trust members will be appointed by the Minister after consultation between the Minister and the councils. These sweeping provisions mean that the Minister has a complete say in who will be on the trust, bearing in mind that two members of the trust will be the Town Clerks of the Glenelg and West Torrens councils. There is also provision for a councillor from each council to be on the trust but those appointees must meet with the Minister's approval. The Minister will appoint three other trust members. So. the Minister could have five of his cronies on the trust if he so desired.

This is extremely dangerous, and I do not support it, irrespective of the political complexion of the Minister of the day. I cannot see why the control of this trust should be in the hands of the Minister of Local Government. We have recently appointed a Minister of Recreation and Sport and, if we are to pursue the aim of providing the best recreation facilities in South Australia, he is the Minister who should have the say in what should be developed, what planning is necessary, and what facilities are required in the metropolitan area, district by district. I would assume that the Minister of Local Government would have handed over to the Minister of Recreation and Sport his interest in this area. Certainly, that was the intention of my Party at the last State election.

The Hon. G. T. Virgo: That is why you lost.

Mr. BECKER: What a lot of rubbish! One little policy statement does not mean the loss of an election.

The Hon. G. T. Virgo: You were L.M. then, not L.C.L. as you are now. You have been twisting around like a snake.

Mr. BECKER: That has nothing to do with it. All political Parties go to the poll with numerous policy statements, and one of ours was that we considered a Minister of Recreation and Sport should be appointed and that his duty would be to ascertain the requirements for recreation facilities throughout the State. This would be an area in which to establish a model development in the south-western suburbs.

We also proposed to assist in the financial arrangements. We intended not to take control, but to leave the local councils in control of the recreation areas and assist with finance. That is why I cannot believe the Minister should have complete control. The whole purpose of the trust would be better fulfilled if it was given this role of co-operation and co-ordination under the Minister of Recreation and Sport, with whatever financial assistance was necessary to establish a model recreation area. The Minister is aware of this, and he can see the opportunity. Here is a classic opportunity for him to boost his stocks; he will see that the master plan drawn up by the present trust will be established and it will give a first-class development.

The Hon. G. T. Virgo: So you approve of what we are doing?

Mr. BECKER: I am awake to the Minister. He can see an opportunity to carry on the work already established and to say to all and sundry, "Look what we have done", when really the credit for what will happen in future belongs to the present members of the trust.

The Hon. G. T. Virgo: You are saying it is going to be successful?

Mr. BECKER: We know it will be successful, because the members have worked extremely hard and the trust has worked successfully under the chairmanship of Mr. Jack Wright, a gentleman who is quite realistic in his approach to the needs of the area. I pay a tribute to him and to all members of the trust, including one member who will now be removed from the trust. I refer to Cec Anderson.

Members interjecting:

The SPEAKER: Order! I think the honourable member for Hanson can make a good speech without any assistance. The honourable member for Hanson.

Mr. BECKER: Cec Anderson has served on the Glenelg council and in the Glenelg area for many years in a most loyal and capable manner. The establishment of the trust and the development to this stage has been one of his babies. I also pay a tribute to the previous Chairman, Frank Lewis. Regrettably, because of failing health, he had to relinquish the chairmanship but, with Cec Anderson, he has served the area and the trust extremely well since 1955. On behalf of Parliament and the people in the south-western suburbs, I think we should record our appreciation of the efforts of these two gentlemen.

We should also record our appreciation of what has been done by members who will be forced now to retire from the trust. No matter what happens in future, the area will be living proof of and a memorial to their dedication and service to the community. The remuneration they have received for hundreds of hours of work is so small as to be not worth considering; it would not pay the running costs of their personal motor vehicles. The money spent and the service given by the contributing councils could not be measured in dollars and cents, but the work of the officers of those councils has not been given any serious recognition and has had no monetary value placed on it. The success of the trust has been due to the combined efforts of the two councils involved.

A great deal of work has been undertaken and I hope that, with the additional provision in the Bill, the Government will proceed post-haste to preserve the remaining sand dunes in the area. I have asked on numerous occasions for this to be done. The sand dunes along the foreshore have receded about 30ft. (91 m) in the past four or five years. This area must be protected. It will be the next part of the coast to undergo a considerable amount of restoration work, with stone walling similar to that at Glenelg North and in other areas. I could never countenance the levelling of the frontal sand dune near the Holdfast Bay Yacht Club to provide a car park or a boat ramp running out to sea. It would be unprotected and if the ramp were to receive the same treatment as the previous one, the Coast Protection Board would have made a great mistake. There is no way a boat ramp could be built in the area to run into the sea without being given some protection.

I should not like to see a groyne built there to protect the boat ramp, as could happen. The Minister of Development and Mines knows that that is not the best type of restoration for our foreshore. We are being warned that the boat ramp will create a bank-up of sand on the southern side. The debate on this matter could develop further in Committee.

Mr. MATHWIN (Glenelg): I support the Bill merely because of the indication that both councils concerned favour it. Nevertheless, I find it difficult to assess the Bill in the short time we have had to consider it. It was introduced late yesterday afternoon. We now face the

end of session rush, with pressure being put on all members to steamroll as much business as possible through the House. I understood that, when the Standing Orders were altered recently with the time for questions without notice being reduced by one hour and debating time reduced by one-third—

The SPEAKER: Order! The honourable member must confine his remarks to the Bill.

Mr. MATHWIN: I register my disapproval of the quantity of legislation being introduced at this late stage of the session. Bills are being presented in roneoed form, as the Government Printer has not had time to print them. In his second reading explanation, the Minister said:

Basically, the principal alteration proposed is that the present Chairman and members will go out of office and that after the commencement of the Act presaged by this Bill the trust will consist of seven members, all appointed by the Minister but four appointed only after consultation between the Minister and the relevant councils.

This is reminiscent of a provision in another Bill relating to consultation with the Commonwealth Government. Apparently there are to be two members from each council, one of them being the Town Clerk. By the Bill, the Minister is making himself the chief of the whole show; he wants to make a name for himself by taking over this trust. The Minister's explanation of the Bill was brief indeed, and he gave no real reason why this change in the membership of the trust was being made. Has the trust been a failure, or have the present members or past members not done their job properly? I want the Minister to say whether he believes past members have been remiss in their duties. As this area is near completion, why does the Minister wish to take it over now? The caravan park has recently been enlarged, and the golf course is most successful, being watered from the nearby sewage farm. I have often watched golfers drinking this water to relieve their thirst; they relish this clean water! The present trust is a better concept for governing the reserve than that proposed by the Minister in the Bill, with the Minister the head of the new body. In his explanation, the Minister said:

Clauses 3 and 4 provide for a change of name of the trust from the West Beach Recreation Reserve Trust to the West Beach Trust.

I ask the Minister to say why he wants to change the name of the trust. Is it because he wants to save paper by having a shorter name, or will the longer name not fit on cheque forms? There must be some reason. The Minister continued:

In addition, by proposed new subsection (3) of section 3 general Ministerial control over the operations of the trust is established.

As in other legislation, the Minister is getting himself fully into the act. Now that work at this area is almost complete, the Minister is taking over and sacking some of the present members. I want to pay a tribute to past and present members of the trust for the job they have done so successfully, and they must have done it successfully, because the Government wishes to take over the trust. Some friends of mine have been or are members of the trust. I refer to Cec Anderson, who was Mayor of Glenelg at the same time as I was Mayor of Brighton. We worked closely together. He was Mayor of Glenelg on a second occasion and did a terrific job as Mayor, councillor and alderman. He was Mayor when the jetty was opened. Another person to whom I wish to refer is the former Town Clerk (Frank Lewis), who is also a friend of mine. Both these gentlemen are represented well in this Parliament, as they are both constituents of mine, a fact that no doubt pleases them. They are fortunate not to live farther south in the district of the Minister of Education. Councillor Bell is also a friend of mine, as is Alderman Mason. They are the past and present members of the board with whom I have been closely associated.

The Hon. D. J. Hopgood: Send them a copy of your speech.

Mr. MATHWIN: I am glad the Minister reminded me of that; I will order an extra two copies for these gentlemen. In his explanation, the Minister of Local Government also said:

Since it is now proposed that the Chairman will be appointed by the Minister, this section is no longer necessary.

Here again, the Minister is getting into the act as far as he can. I suspect that after the Minister goes out of office after the next election this trust will be renamed the Geoff Virgo Recreation Trust.

The Hon. G. T. Virgo: Who will be Minister of Local Government then?

Mr. MATHWIN: That could be anyone's guess, but it will certainly be one of the members on this side.

The Hon. G. T. Virgo: It could even be you!

Mr. MATHWIN: Possibly it could. I hope the Minister will clear up the points I have raised.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

Mr. GOLDSWORTHY: Why is the name of the trust to be changed?

Mr. BECKER: The term "West Beach Trust" could relate to anything in the whole area, whereas much land in the area has been developed for recreation purposes. An example is land owned by the Department of Civil Aviation.

The Hon. G. T. VIRGO (Minister of Local Government): Members opposite are trying to make a big deal out of nothing. Whilst the present name can be claimed to be fairly descriptive, it is not very usable. It is far too long, and the change has been made merely to reduce the size so that the term is more apt for overall use. There is no sinister move behind the change.

Mr. GOLDSWORTHY: I still think the area will lose its identity as a result of what the Minister proposes, and I ask whose idea it was to change the name.

Mr. BECKER: I cannot accept the Minister's explanation, because the term "West Beach Trust" does not mean a thing. His argument that the present name is too long is all hooey.

Mr. MATHWIN: I do not agree with the Minister's explanation and I suggest that the word "recreation" is important.

The Hon. G. T. VIRGO: I take it that the point being made is that the name West Beach Recreation Reserve should remain.

Mr. Mathwin: Yes.

The Hon. G. T. VIRGO: Well, I suggest that the honourable member read the Bill, because that is the name.

Mr. GUNN: As this area is adjacent to Adelaide Airport, if the plans to extend the runways are proceeded with—

The CHAIRMAN: Order! This clause has nothing to do with runways; it is dealing with a reserve.

Mr. MATHWIN: In his second reading explanation the Minister said:

Clauses 3 and 4 provide for a change of name of the trust from the West Beach Recreation Reserve Trust to the West Beach Trust.

Mr, BECKER: I move:

To strike out "Recreation".

The Minister wants to change the name to "West Beach Trust". I object to the name being shortened to that extent: it should be "West Beach Recreation Trust".

The Committee divided on the amendment:

Ayes (12)—Messrs. Arnold, Becker (teller), Dean Brown, Coumbe, Goldsworthy, Gunn, Mathwin, McAnaney, Nankivell, Tonkin, Venning, and Wardle.

Noes (17)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Crimes, Duncan, Groth, Harrison, Jennings, Keneally, King, Langley, McKee, Payne, Simmons, Slater, Virgo (teller), and Wells.

Pairs—Ayes—Messrs. Allen, Chapman, Eastick, Evans, Rodda, and Russack. Noes—Messrs. Corcoran, Dunstan, Hopgood, Hudson, McRae, and Wright.

Majority of 5 for the Noes.

Amendment thus negatived; clause passed.

Clause 4—"Creation and incorporation of trust."

Mr. GOLDSWORTHY: What are the advantages of the general control and direction of the trust being vested in the Minister?

The Hon. G. T. VIRGO: Past successes of the trust are not really comparable with what we expect to happen in future. I say this for many reasons, not the least of which is that the trust is to be reconstituted. Previously, the Government was not involved at all. A few months ago the Chairman resigned and, under the Act as it now stands, it is necessary for the remaining six members to meet and elect a Chairman. The Act provides that the trust shall consist of a Chairman and six other members. I have been advised that, if those members fail to elect a Chairman, we do not legally have a trust, as a result of which anything done in that period would, to say the least, be suspect. Such a situation could not be permitted to continue.

The Government has not been involved with the trust: only council control was capable of being exercised. In other words, the Glenelg and West Torrens councils could have directed their members to do certain things. I refer finally to finance. Opposition members would be the first to concede the need for the Government, if it is to be involved financially in this measure, even if only by way of guarantee, to have some control. The Government has rectified what it believed were the short-comings of former Governments, when Ministerial control was not permitted. The classic examples of this in my own portfolio are the Railways Department and the Municipal Tramways Trust. Opposition members will no doubt realize that the shortcomings of our transport system can, to a large extent, be blamed on the former Minister's having authority merely to lay on the table the annual report of the Railways Commissioner. The Government is seeking to alter this situation. Indeed, it has been changed in relation to the Railways Department, the Municipal Tramways Trust, and the Metropolitan Taxi Cab Board. However, for some reason I cannot explain, the Legislative Council decided that it would not permit this change to occur in relation to the Transport Control Board—a matter that I will not pursue now. If the Government is to assume responsibility, it ought to be capable of exercising control.

Mr. Coumbe: What sums of money have you in mind?

The Hon. G. T. VIRGO: No sums of money are involved. Provision is made for the trust to enter the semi-governmental borrowing area, with Government backing.

Mr. GOLDSWORTHY: The Minister has said, in effect, that the trust is being placed under Ministerial control because that is the Government's policy. He said also that, because the Chairman had resigned, no other Chairman was available. However, this aspect has been taken care of in relation to the constitution of the new board, over which the Minister has control. Therefore, that is certainly not a reason for the inclusion of this provision. The Minister has referred to plans for the future expansion of the board. However, he has admitted that this, too. has been taken care of, as he has merely to underwrite the trust's borrowings and not authorize the involvement of Government finance. This hardly justifies Ministerial control, when the Government intends merely to guarantee the trust's loans. The only reason that emerged from the Minister's reply is that he wants to put the trust under Ministerial control because that is Government policy.

The Hon. G. T. Virgo: Do you quarrel with that?

Mr. GOLDSWORTHY: We believe that this can be adequately covered by local control. The two Parties therefore seem to have different policies in this respect.

Clause passed.

Clause 5—"Membership of the trust."

Mr. BECKER: Can the Minister say from what sources the three Government members will be obtained?

The Hon. G. T. VIRGO: They will come from various areas to enable the trust to have certain expertise. I refer, for instance, to the Tourist Bureau Department and the State Planning Authority, as well as representatives from the parks and gardens area. In other words, these members will have expertise that could be of tremendous advantage at West Beach.

Clause passed.

Clauses 6 to 10 passed.

Clause 11—"Remuneration of members."

Mr. MATHWIN: What remuneration docs the Minister expect the trust members to receive?

Clause passed.

Clause 12 passed.

Clause 13—"Power of trust to borrow money, etc."

Mr. GOLDSWORTHY: This clause provides that the trust may borrow money from the Treasurer and, with the consent of the Treasurer, from any person. The Minister has indicated that the Government has plans for the area. He said Ministerial control was desirable, so can he explain how the borrowing powers are to be exercised?

The Hon. G. T. VIRGO: At this stage I cannot, nor should I, elaborate in any detail on proposals for West Beach, although I can generalize and say that the area has given the Government tremendous potential. We have always paid due regard to the. work already done at West Beach, but we have expressed the view that, given the opportunity and the necessary financial support, much more can be done, and we believe it should be done. The development of the area will be principally the work of the trust, and it will be a matter more of the Government's approving the plans the trust puts forward.

Mr. GOLDSWORTHY: Will the trust be expected to take over Marineland?

The Hon. G. T: VIRGO: Yes.

Clause passed.

Remaining clauses (14 to 21) and title passed.

Bill read a third time and passed.

STATUTE LAW REVISION BILL

Returned from the Legislative Council without amendment.

WHEAT INDUSTRY STABILIZATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

The object of this Bill, which amends the Wheat Industry Stabilization Act, 1968, as amended, is to extend for one season the stabilization arrangements the subject of that Act. Members will be aware that the legislative framework within which these arrangements operate is constituted by an Act of the Commonwealth, the Wheat Industry Stabilization Act, 1969, and substantially uniform Acts of each State that together provide for the operation of the guaranteed price scheme.

The need for State Acts to support, as it were, the Commonwealth legislation is to ensure that within the framework of the Australian Constitution there is sufficient legislative power to render the scheme effective. In the ordinary course of events the stabilization scheme at present under consideration would have ceased to have effect after the wheat, of the season ending on October 31 last, had been sold. Accordingly, this measure of itself contains what I suggest is an entirely desirable feature of retrospectivity.

Clause 1 is formal. Clause 2 sets out the commencement clause in a somewhat expanded form. The purpose of this provision is to ensure that the Act presaged by this Bill will come into operation or, as the case requires, shall be deemed to have come into operation on the day that the Commonwealth Act comes into operation or was deemed to have come into operation. Clause 3 is the operative clause of the Bill and amends section 6 of the principal Act by extending for one season the number of seasons to which the principal Act will apply. Clauses 4 and 5 make certain amendments consequent on the adoption of the metric system of measurement.

Clause 6 amends section 14a of the principal Act by providing for a possible increase in the overall Australian wheat quota of the amount specified in proposed new subsection (5). Clause 7 enacts a new section 20aa of the principal Act and sets out the method by which the guaranteed price will be ascertained for the year commencing on December 1, 1973. Clause 8 makes certain consequential amendments to section 20a of the principal Act, and clause 9 fulfils a similar function in relation to section 21 of the principal Act. Clause 10 makes certain formal amendments to the provisions of the principal Act specified in the first column of the schedule to the Bill. These amendments provide for the expression of quantities in metric terms.

Mr. NANKIVELL secured the adjournment of the debate.

POLICE OFFENCES ACT AMENDMENT BILL (FEE)

Received from the Legislative Council and read a first time.

The Hon. G. T. VIRGO (Minister of Local Government): I move:

That this Bill be now read a second time.

I ask leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

Its object is to increase from $2 to $10 the maximum expiation fee that may be prescribed in relation to a breach of any parking by-law administered by a council. At the same time, power is to be given to a council to fix, by resolution, a lesser amount than the prescribed amount, if it so desires. It is obvious from the enormous number of parking offences that are committed every day, that the present fee of $2 in no way acts as a deterrent to the motorist. The Adelaide City Council, in particular, desires the increase of the fee in order to promote proper kerb use within its area and to ensure there is a maximum turnover of parking spaces for the benefit of all motorists wishing to conduct business in the city. It should be pointed out at this stage that not all fees will be raised to the $10 level, but each offence will be looked at individually and must in any event be dealt with separately by regulation.

As some councils have indicated that they do not at this stage wish to increase fees in their particular areas, the Bill provides that the fees prescribed by regulation may be reduced by a council with respect to its area. I urge members to pass this Bill, not only having regard to the proper control of parking but also taking into account the economics of the present situation. Obviously, the sum of $2 does not even cover the cost to a council of recovering that amount from a motorist. The proposed increase will alleviate some of the financial problems of the councils, at least for the time being. Clause 1 is formal. Clause 2 amends section 64 of the principal Act by increasing the maximum fee that may be prescribed to $10 and by providing that a council may fix a lesser amount than the prescribed amount, by resolution of that council.

Mr. COUMBE secured the adjournment of the debate.

PRISONS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

Members are aware that the new security hospital built adjacent to Yatala Labour Prison has now been completed and should be ready to go into operation next month. The object of this Bill is to ensure the smooth and efficient running of that hospital, by enabling the Comptroller of Prisons to transfer prisoners to and from the hospital without having to go through the present cumbersome and lengthy procedures of certification under the Mental Health Act. It will also have the desirable effect of speeding up the process of obtaining psychiatric reports on prisoners for court proceedings. In making such a transfer, the Comptroller will act on professional advice, as he now does with respect to transfers to and from hospitals in the case of the illness of a prisoner.

Full discussion has been had with the Director of Mental Health, and the Comptroller seeks this Bill with a degree of urgency. Clause 1 is formal. Clause 2 extends the operation of section 31 of the principal Act to cover the removal of prisoners to and from hospitals for the purpose of psychological or psychiatric examination, assessment or treatment in such cases as the Comptroller of Prisons thinks the occasion may require.

Dr. TONKIN secured the adjournment of the debate.

REYNELLA OVAL (VESTING) BILL

Returned from the Legislative Council without amendment.

MOTOR FUEL DISTRIBUTION BILL

Returned from Legislative Council with the following amendments:

No. 1. Page 11, lines 7 and 8 (clause 25)—Leave out paragraph *(b)*.

No. 2. Page 11, lines 14 to 18 (clause 25)—Leave out subclause (2).

No. 3. Page 11, line 20 (clause 25)—Leave out "(proof of which shall lie upon him)".

No. 4. Page 11, lines 25 and 26 (clause 25)—Leave out paragraph (c).

No. 5. Page 1.1, lines 31 to 33 (clause 25)—Leave out "answer a question put to him by an Inspector if the answer to that question would tend to incriminate him or to".

No. 6. Page 12, lines 4 to 8 (clause 25)—Leave out all words after "permit" in line 4.

Consideration in Committee.

Amendment No. 1:

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

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

The effect of this amendment is to deprive an inspector of his power to question a person whom he finds on premises that the inspector has lawfully entered to ascertain whether the provisions of the legislation are being complied with. The amendment leads to a rather odd sort of situation, because an inspector would be empowered to enter premises for the purpose of ascertaining whether the legislation was being complied with and he would be able to require the production of any book or document relating to any activity, but he would not be allowed to question any person whom he found on the premises. That is a very strange situation indeed. It is obvious that, if offences or suspected breaches of this legislation are to be investigated, the inspector must have the power to ask questions of people. A law-abiding citizen has nothing to fear from questions. On the contrary, he will welcome a question that is put to him so that he can explain that what he is doing is lawful.

Mr. Nankivell: He is not compelled to answer.

The Hon. L. J. KING: He is compelled to answer unless the answer would tend to incriminate him. A later amendment, to which I will move to disagree, removes the obligation to answer, but this provision even deprives the inspector of the authority to direct questions. This is an extreme attitude.

Motion carried.

Amendment No. 2:

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

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

This amendment is no doubt intended to be consequential upon a subsequent amendment, which removes the obligation to answer questions, but, apart from that matter, it seems perfectly reasonable to provide that, where a person does not speak the English language and where questions are therefore put and answered through an interpreter, it should have the same legal effect as if the questions were put and answered in English.

Mr. DEAN BROWN: Will the Attorney-General explain the incrimination aspect in relation to a person who is asked these .questions?

The Hon. L. J. KING: Clause 25 (1) *(a)* gives the inspector power to enter premises; paragraph *(b)* gives the inspector power to ask questions of any persons found on the premises; and paragraph *(c)* gives the inspector power to require the production of books and documents. Subclause (2), with which we are dealing, provides that, if a question is asked and answered through an interpreter, it shall be treated on the same legal basis as if it was asked and answered in the English language. Subclause (3) provides that it is an offence to refuse or fail without lawful excuse to answer truthfully any question put by an inspector. However, in order to preserve the traditional legal right of non-self-incrimination, subclause (4) is included to provide that a person may refuse to answer a question or may refuse to produce a book or document if that would tend to incriminate him. The purpose is that it often happens that, if an inspector comes upon premises where a transaction with regard to motor fuel is taking place, he may need information to decide whether it is a lawful transaction.

If he asks questions of people who have nothing to hide and who are not concerned about self-incrimination, they will answer the questions. If people were not obliged to answer the questions truthfully, a situation could arise in which someone who could give evidence which would lead to the detection of an offence would say nothing, perhaps not in fear of prosecution of himself but from an unwillingness to co-operate in the enforcement of the legislation. The person who fears that the answer he gives may incriminate him is entitled on that ground to refuse to answer. The provision enables the inspector to ask questions compelling law-abiding citizens to give truthful answers so that the investigation can proceed. It protects the traditional right, and is a most important provision to enable investigations to be effective and to enable the Bill to be enforced.

Motion carried.

Amendment No. 3:

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

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

The effect of the amendment would be that, if there were a prosecution for infringement of any of the provisions of paragraphs *(a)*, *(b)*, *(c)* or *(d),* the onus would be on the prosecution to prove that there was no lawful excuse. Generally speaking, that onus would be impossible to discharge, because the only person who knows whether he has a lawful excuse for what he is doing is the person himself. This is a common provision which requires a person, where all the facts are peculiarly within his knowledge to prove, to say, "I did hinder, obstruct or refuse to answer, but I have this perfectly lawful excuse for doing so." When the matter comes to court, the prosecution is not in the impossible situation of trying to prove a negative, namely, that the person concerned did not have a lawful excuse. This is a classic case where the reversal of the onus of proof exists in our law. It is commonly included in Statutes where the information is peculiarly within the knowledge of the defendant, and therefore he should, as a matter of common sense and justice, be required to advance that information himself in a court.

Mr. GOLDSWORTHY: A third person is involved, namely, the inspector. If the inspector felt that in some way he had been prevented from carrying out his duty I would have thought the onus would be on him.

The Hon. L. J. KING: The only onus on the defendant is when he claims that he had a lawful excuse and has to prove it. The prosecution has to prove hindering or obstruction, etc.

Mr. COUMBE: The onus of proof is completely reversed, the process being normally that a person is innocent until proved guilty. This is a common provision in- the Bill and will have to remain if the measure is, to be successful, but on principle I do not like the reversal of the onus of proof.

The Hon. L. J. KING: Neither do I. The Government consistently has taken the view that the onus of proof should be on the prosecution and that reversals of the onus are undesirable, but there are well recognized exceptions which are absolutely essential if the administration of justice is to be efficient. The ordinary rule of law that the onus of proof is on the prosecution applies to all the ingredients

in the offence other than the absence of lawful excuse; on that point the onus would pass to the defendant.

Motion carried.

Amendment No. 4:

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

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

It is designed to remove the obligation to answer truthfully any questions put by the inspector. I have explained why, in my view, it is necessary that there should be this obligation. The investigation of matters arising under this legislation can lead to situations where an inspector comes upon premises in which there is apparently taking place some transaction involving an infringement of the Act. Unless he can gel from the people apparently involved in the transaction a truthful account of what is going on, the investigation is stultified. There is no reason why an innocent person should not give, and be required to give, an account of what he is doing. There is no infringement of the traditional protection against self-incrimination, because that is provided. All that is asked is that people who have nothing to fear and who can assist in the investigation should be required to give such assistance. This is doing no more than asking law-abiding citizens to assist in enforcing the law.

Motion carried.

Amendment No. 5:

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

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

This is really consequential on the Legislative Council's earlier amendments relating to self-incrimination. As we have disagreed to those amendments, this provision must also be disagreed to.

Motion carried.

Amendment No. 6:

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

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

By this amendment, the Council has struck out from the definition of "premises" the words "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". This confines the right of entry to premises which are the subject or proposed to be the subject of a licence or permit. There may be many circumstances in which it is necessary for an inspector to go on to premises, which are not licensed, for the very purpose of detecting the commission of offences.

Mr. COUMBE: When the Bill was before this place previously members on this side complained about the extent of this definition. The definition of "premises" in the Industrial Conciliation and Arbitration Act is not as wide as the definition in this Bill. A person who operates a one-man petrol outlet will take his books home at night; he will not leave them in the service station. Under this provision, as long as an inspector has a certificate from the Minister, he can go to this person's house and search for any evidence that he may think is in that house. This should be compared with the right of a police officer, who must get a warrant. This definition goes too far altogether. The Legislative Council's amendment should be supported.

Mr. GUNN: Surely the Attorney will answer the valid points made by the member for Torrens.

The Hon. L. J. King: I will not only answer them: I will devastate them.

Mr. GUNN: This definition was discussed before at some length. The member for Mitcham, who is absent again this evening, protested about it. This is an obnoxious provision, supported by a Government which is supposed to protect the little people in the community. Would the Attorney like an inspector to go to his house to investigate an action supposed to have taken place at his office? He should be ashamed of himself for allowing this type of legislation to be put on the Statute Book.

The Hon. L. J. KING: The only people protected by this amendment, be they big or little, are law breakers. A question was asked about whether I would like an investigator to come to my place to investigate an offence. If I had anything to hide, I would not like it, but if I had nothing to hide, I would invite him in, give him my books, and have a glass of beer with him. Sometimes it is difficult to reconcile the attitudes of members opposite with their statements about devotion to law and order.

The provision in the Bill holds no terrors for law-abiding persons, but it does hold terrors for law breakers. The amendment limits the right of entry to investigate offences to licensed premises or premises proposed to be licensed, but the substantial offence created by the Bill is in clause 27, and what in the world would be the good of going to licensed premises if petrol was being sold on unlicensed premises? The investigators would have to go to the unlicensed premises to get evidence of that.

The passion that the member for Torrens has been displaying makes me wonder whether it is out of loyalty to another place that he has got involved in this matter. He has compared the powers of an inspector under this Bill with those of a police officer in obtaining a warrant, but under our law all commissioned police officers, officers in charge of police stations, and detectives are entrusted with a general search warrant enabling them to enter any premises where they reasonably suspect that an offence may be taking place, or where evidence may be obtained, and that is the power that we confer on an inspector under this Bill. I am sure that the Minister will ensure that officers appointed under this provision will act as responsibly as do police officers.

Mr. COUMBE: We are concerned about protecting the innocent people in our community from being harassed.

Motion carried.

The following reason for disagreement to the Legislative Council's amendments was adopted:

Because the amendments make investigation under and enforcement of the legislation impracticable.

ADJOURNMENT

At 10.7 p.m. the House adjourned until Tuesday, November 27, at 2 p.m.