HOUSE OF ASSEMBLY

Thursday, October 3, 1974

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:

Arbitration Act Amendment,

Impounding Act Amendment.

PETITION: WATER RATES

Mr. MATHWIN presented a petition signed by 55 persons who expressed concern at the present inequitable system of estimating and charging water and sewerage rates, particularly in the present period in high inflation. This practice had resulted in water and sewerage rates being increased, in many instances, by more than 100 per cent, which was an unfair, discriminatory and grossly excessive impost on them and which would cause hardship to many residents on fixed incomes. The petitioners prayed that the House of Assembly would take action to correct the present inequitable and discriminatory situation.

Petition received.

MINISTERIAL STATEMENT: BUILDING SOCIETIES

The Hon. D. A. DUNSTAN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. D. A. DUNSTAN: The Government is concerned about a very unusual withdrawal of funds from building societies in South Australia.

Figures to the end of September, 1974, issued to the Government indicate that the building societies' liquid levels are being held at a high level (20 per cent) and that the inherent stability of the building societies is underlined by the high level of mortgage-insured loans and the investments in Commonwealth stock and bank securities held. On my instructions, the Government Actuary (Mr. Peter Stratford) has examined the position of building societies generally, and particularly the books of the Hindmarsh Building Society, which has been the subject of a grave run on its funds. It had been suggested that the Hindmarsh Building Society had investments in Cambridge Credit or similar companies. That appears to be part of the completely unfounded and baseless rumours that have been circulating about the society. The examination by Mr. Stratford has confirmed that the society has no such investments; indeed, such investments would have been illegal. Building societies in South Australia are not permitted to have investments or financial interests in any company. I have complete confidence in the State's building societies.

I wish particularly to refer to the situation of the Hindmarsh Building Society, which has experienced a recall of funds by depositors in the past few days. The society is quite adequately provided with liquid assets and there is absolutely no reason for a loss of confidence in it. I have had discussions with the Australian Government's Acting Treasurer (Mr. Hayden) this morning and have received assurances that the Australian Government is aware of the South Australian situation and if necessary will take active steps to assist the societies. I draw attention to the statement last evening in which Mr. Hayden announced that the Reserve Bank had advised the trading banks to consider sympathetically requests for finance received from responsibly managed financial institutions with adequate asset backing. There is no doubt that the Hindmarsh Building Society comes within this definition, and in accordance with Mr. Hayden's suggestion it is receiving the full support of its banker. I urge people to act responsibly in this situation. There is absolutely no reason for, or need to, panic. There is no good sense in depositors removing funds from their societies; their deposits are absolutely safe. The Government is therefore confident that good sense will prevail in the matter.

MINISTERIAL STATEMENT: QUESTIONS ON NOTICE

The Hon. D. A. DUNSTAN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. D. A. DUNSTAN: I draw attention to the fact that some little time ago a Question on Notice, asked of the Government by the Leader of the Opposition, was expressed in most general terms as to action that a Government department may have taken against an unspecified individual, whether that unspecified individual had been dealt with in relation to some television broadcast, again unspecified, and whether any Minister had taken action in relation to the matter. Regarding this question on September 17, 1974, I have been able to establish that at least 148 persons worked on finding the answer and that over 78 man-hours was spent on the job. This is a conservative estimate, as many departments could not provide the names of clerks or typists who were involved in file-searching and typing. However, I have a list of persons involved and a breakdown of the Ministries, as follows:

	Personnel	Man-hours
Premier's Department	3	4hrs.
Works and Marine	48	25hrs. 35mins.
Chief Secretary and Minister of Health	3	1hr.
Education	20	8hrs. 50mins.
Attorney-General and Minister of Community Welfare	16	10hrs. 10mins.
Agriculture and Forests	33	6hrs.
Environment and Conservation	10	8hrs. 35mins.
Labour and Industry	2	15mins.
Development and Mines	6	4hrs. 20mins.
Transport and Local Government	7	9hrs. 30mins.

Frankly, this is a gross waste of public money. If members are not willing to provide in their Questions on Notice sufficient detail to enable ordinary work to be done to identify what it is they are asking about, the Government will not reply to Questions on Notice put in that way, because it is quite improper that we should spend Government funds on unnecessary inquiries in the way we were made to do in relation to this question.

QUESTIONS

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

TORRENS RIVER

In reply to Mr. COUMBE (September 26).

The Hon. J. D. CORCORAN: No sewage discharges are deliberately made into the Torrens River, but there are periods during high rainfall when the whole system is flooded and some overflows do occur. At the Gilberton syphon, there is a temporary pumping station which operates automatically when surcharge conditions arise, and

an overflow at Gilberton would occur only if this pump and the syphon could not cope with the flows. All emergency overflows into the Torrens River are monitored by alarm systems so that corrective action can be taken, but the records show that no overflows occurred at Gilberton on Sunday, September 22, nor on Saturday, September 21. It can only be assumed that a discharge observed into the Torrens River on September 22 was from a stormwater drain. The new trunk sewer construction is advancing satisfactorily, and it is expected that before next winter diversions will be made to the new sewer so that there will be no overflows in the Gilberton area.

SCHOOL CONSTRUCTION

In reply to Mr. PAYNE (September 19).

The Hon. J. D. CORCORAN: The article on construction of dome-shape school buildings in New South Wales is at present being studied by departmental officers associated with the design of school buildings. Discussions have previously been held with architects in New South Wales concerning dome-shaped buildings, and it is intended that the buildings be inspected by the departmental architect when next visiting that State.

BUILDERS LICENSING ACT

In reply to Mr. PAYNE (September 26).

The Hon. D. J. HOPGOOD: Whilst the proposal to allow the currency of licences issued under the Builders Licensing Act to run for a longer period than 12 months has some attractions, there are certain major disadvantages. Annual renewal gives the board the chance to review the financial standing of a licensee each year, and negotiate within that year on the need for changes in his capital structure or trading pattern, where there are doubts on his continued financial viability. Whilst the board cannot ensure that a licensee will not trade into difficulties, at least it can maintain a more adequate review on the financial operations of builders annually, rather than biennially.

There is also the aspect that a licensee is required to disclose whether he has been convicted of offences for dishonesty, fraud, or breaches of bankruptcy or company law; however, if biennial renewal operates, a person guilty of any such such offences could possibly continue operations within the industry for a considerable period after conviction before the matter came to the board's notice on lodgement of the renewal application.

On the question of the time involved in obtaining the services of a justice of the peace to witness renewal applications, the board has two justices of the peace on its staff, specifically to facilitate the declaration and lodgement of the form by builders. The proposal for an extended licensing period has been carefully examined by the board and, as the disadvantages outweigh any advantages, it does not recommend implementation of the suggestion.

BUILDING SOCIETIES

Dr. EASTICK: Will the Premier accept the support of the members of my Party and that of the member for Flinders in the responsible attitude he has taken with regard to the run on building societies? I frame my question in this way because it was not possible for me to address myself to this subject when the Premier was making his Ministerial statement. I believe that the method of presentation of this subject in this morning's press was totally irresponsible and that, in great part, the reason for the run on funds of the Hindmarsh Building Society this morning was that method of presentation. The detail the Premier has given has been confirmed by my own inquiries, and I thank him and others for the frankness with which they have answered questions I put to them on this most important and urgent matter.

I believe that the run is not confined to the South Australian scene: indeed, information I have received from Queensland and Victoria indicates that action is being taken by the Governments of those States, particularly Queensland, along with the action which the Premier has said has been taken by the Acting Commonwealth Treasurer to offset this irresponsible run on funds from organisations that have been conducting themselves according to the laws of the land and in the best interests of people in the community. However, I also ask the Premier whether, in answering my question, he will indicate whether he has taken any action to address himself to the Acting Commonwealth Treasurer or to other responsible Commonwealth Ministers to institute a means of economic stability or of economic management of the Australian economy that will offset the other root causes of runs of this kind. In particular, I ask the Premier whether he has made representations seeking a reduction in the interest rates that apply to funds available in the Commonwealth, because I sincerely believe that a reduction in interest rates would have a considerable effect on offsetting the type of speculation and rumour that has been apparent on this subject.

The Hon. D. A. DUNSTAN: I appreciate the way in which the Leader has addressed himself to this matter. His is a very proper and entirely responsible attitude, and I appreciate his support and assistance in this matter. I have contacted the Acting Commonwealth Treasurer and indicated to him my concern in the matter. He is having discussions with his Cabinet colleagues immediately about further Commonwealth Government measures to ensure proper support for the building societies in what is a quite senseless activity in the withdrawal of deposits from them, and I am sure that that will take place. I have also indicated to the Commonwealth Government my views on the subject of a reduction in interest rates.

ACCIDENT INSURANCE

Mr. EVANS: Will the Premier ask the State Government Insurance Commission to ensure that in future a parent or guardian of a minor is present before officers of the commission take statements from that minor? A young man, Ian Watson, who lives at Maxton Road, Bridgewater, in my district, was involved in an accident at Mount Barker. He was subsequently admitted to hospital and, on returning home, was confined to bed to recover from broken bones and other injuries. His mother and father both work. Thirteen days after the accident a man appeared at the door of the Watson home and said that he was from the State Government Insurance Commission and that he wished to speak to Ian Watson. Apart from Ian, only two younger sisters were at home at the time. The two sisters admitted the officer from the commission, and the youth spoke to him, giving him details of the accident. The boy did not realise that the officer was not a representative of his own insurance company. In fact, the commission had insured the other motor vehicle involved in the accident. The boy's mother returned home and, discovering what had happened, was so upset she had to receive treatment from her local doctor. As a result of that, the doctor asked her to see me about the matter, not so much about this case but about cases that may happen in other areas. I therefore ask the Premier whether he will discuss the matter with the commission to ensure that, where a minor is to be interviewed, at

least his parent or guardian or some other adult is present. The boy's mother was working only about three-quarters of a mile from the family home when the interview took place. The officer from the commission then proceeded to Ian's sister's house, at Mount Barker, to inspect the motor cycle which had been involved in the accident and which belonged to Ian Watson. His sister, too, believed that the commission had insured the boy's motor cycle, whereas that was not the case, and she agreed to the officer's looking at it. I believe that what happened was an infringement of the rights of the individual, and that an officer of the commission should not enter a home and interview a minor without a parent, guardian or some other adult person being present. The officer should not have accepted the word of the minor, nor should he have interviewed the boy while in bed without an adult present.

The Hon. D. A. DUNSTAN: I do not by any means accept the honourable member's strictures in the matter: any insurance company can investigate claims that are made on it. However, I will get a report from the Chairman of the commission and give it to the honourable member.

SHACKS

Mr. COUMBE: Will the Premier provide further information for the House as to the future of shack sites in South Australia? Following this morning's press report concerning the future of shack sites and the recommendations of what I understand to be a Cabinet sub-committee on this matter, will the Premier state clearly what is the Government's policy on the subject? In particular, will he indicate which Minister will administer the scheme and to whom and in what manner future applications must be made? I further ask the Premier whether councils in the areas concerned will be involved and whether it is the Government's intention that licences for existing shacks shall be terminated on the death of the owner or whether the recommendations of the Shack Site Review Committee will allow the transfer of ownership to other members of the deceased owner's family.

The Hon. D. A. DUNSTAN: As the Minister of Lands is the Minister responsible, I will get a full statement from him for the honourable member.

KINGSTON BRIDGE

Mr. ARNOLD: Can the Minister of Transport say whether, as a result of the present Murray River flooding, structural damage is likely to be caused to the Kingston bridge, the causeway, or the approach road? There has been much speculation in the Riverland area about whether this structure will be damaged. I mentioned this matter to the Minister yesterday, and today he has told me that he has a reply.

The Hon. G. T. VIRGO: Yes, I have a reply. I was able to contact the Highways Department, and I tell the honourable member that much of the fear that apparently is rampant at present has little or no foundation. The bridge was designed and built to take a water velocity in excess of that experienced during the 1956 floods, and, because of those factors, the current flooding will not affect the safety of the bridge. Scouring of the riverbanks is occurring all the time and scouring of the cliff face has occurred and doubtless will occur again in future. At this stage it is not possible to say with any degree of accuracy how much scouring will occur, but if it does occur to such an extent as to cause part of the cliff to be in danger or even to give way, there still will be no danger to any houses nearby. The Highways Department is confident that the present flooding will not cause any problem in relation to the bridge. Nevertheless, having said that, I assure the honourable member and the people in the area that officers are keeping a close watch on the matter to ensure that nothing unforeseen occurs.

COMMUNITY HEALTH CENTRES

Mr. BLACKER: Will the Attorney-General ask the Minister of Health whether the Government intends to withdraw the proposal to establish a community health centre at either Tumby Bay or Cummins? A member of the Cummins community health centre project committee has contacted me, expressing concern that the Government is considering withdrawing a proposal to establish a centre at Tumby Bay or Cummins. It has also been suggested that the Cummins centre project is the one that will be withdrawn. I ask the question because about 10 weeks ago the Governor (Sir Mark Oliphant), in opening this session of Parliament, stated that at Cummins and Tumby Bay, amongst other places, health centres were in the process of being established, and now there have been indications that one of these projects will be withdrawn. In view of the statement in the Governor's Speech, can the Attorney state the Government's current intentions?

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

LIBYAN CONTRACT

Mr. MILLHOUSE: I wanted to ask a question of the Premier, but he has gone outside and I will have to go down the list, I suppose, to the Attorney-General. I will direct the question to the Attorney or to any other Minister who can give me a reply today, hoping that perhaps by the time I finish—

The SPEAKER: Order! Question!

Mr. MILLHOUSE: My question is as follows: what benefits, if any, does South Australia get under the signed agreement dated June 10, 1974, between the Agricultural Development Minister in the Government of Libya and the Premier, and what is the estimated cost of the obligations that the South Australian Government has assumed thereunder? Last Thursday, at my insistence, the Premier undertook to table a copy of the agreement between the Government of Libya and the South Australian Government on the development of a demonstration farm in Libya. That agreement was, in fact, tabled last Tuesday and I have had an opportunity to look at it. Article (3) of the agreement states, in part:

> There are no financial obligations between the two parties in connection with this agreement, as the employment of the Australian staff made available by the department shall be on the basis of direct contract between the authority and the individual employee. All services performed by the department as per Article (6) herein below shall be free of charge to the authority.

Article (6) sets out a number of "duties of the Department of Agriculture", such as one stating that the department will make available members of its salaried professional staff, provide an advisory service to the demonstration farm to act as a local agent for the authority in Australia and as a purchasing agent for the authority, and to provide training for selected specialist officers. These things must cost something. An appendix to the agreement sets out the purpose of the farm and the Australian experts who will be required: an officer in charge, a cereal specialist, a pasture specialist, a livestock specialist, a soil and water conservation specialist, and two farm assistants. As I have understood it up to the present, the *quid pro quo* for this arrangement was the placing of certain contracts in South Australia, but about 10 days ago we heard that Horwood Bagshaw

Limited had lost what is believed to be the contract for the supply of certain plant. Ah, here is the Premier now: I will repeat the question.

The SPEAKER: Order! The honourable member has already asked the question and his explanation is going beyond being brief and explanatory.

Mr. MILLHOUSE: The firm lost the contract and one wonders, in the light of Horwood Bagshaw's experience, what *quid pro quo* South Australia is to get under the agreement of June 10, 1974, with the Libyan Government. That is the purport of my question.

The Hon. D. A. DUNSTAN: There are sales from South Australia of equipment and seeds to Libya. Horwood Bagshaw is not the only agricultural implement manufacturer in South Australia and substantial contracts of John Shearer and Sons Limited with the Libyan Government have been maintained.

Mr. Millhouse: What about the cost to the Government?

The Hon. D. A. DUNSTAN: The cost to us is small. The agreement is for the provision and secondment of some officers for a period to the Libyan Government to advise it on the development of its dry land agricultural project.

MOTION FOR ADJOURNMENT: HOSPITAL GRANTS

The SPEAKER: This morning I received the following letter from the honourable member for Bragg (Dr. Tonkin):

I wish to advise you that, with the approval of the Leader of the Opposition, I desire to move this day:

> That this House at its rising adjourn until 1.30 p.m. tomorrow, for the purpose of discussing a matter of urgency, namely, that the additional funds offered by the Commonwealth Government for State hospital upgrading should be made available urgently, and without any conditions attached by the Commonwealth Government as to their use, for the immediate alleviation of the critical situation applying to many of the hospitals, nursing homes, and other health institutions in this State.

Does any honourable member support the proposed motion?

Several members having risen:

Dr. TONKIN (Bragg): I move:

That the House at its rising do adjourn until tomorrow at 1.30 p.m.,

for the purpose of discussing a matter of urgency, namely, that the additional funds offered by the Commonwealth Government for State hospital upgrading should be made available urgently, and without any conditions attached by the Commonwealth Government as to their use, for the immediate alleviation of the critical situation applying to many of the hospitals, nursing homes, and other health institutions in this State. This is an urgent matter arising out of a report in the *Advertiser* of Tuesday, October 1, 1974. That report states not only that the Commonwealth Government has offered to build and operate major general hospitals in Sydney, Melbourne and Brisbane, but that the Prime Minister has also offered to provide an extra $650 000 000 over five years to upgrade State hospital systems throughout Australia. Apparently, in a letter to the Premier, Mr. Whitlam said that an extra $28 000 000 would be available this financial year. This took some of the lustre off the announcement. The lustre became duller still when we found (not from the Premier), when this matter was taken up at the first opportunity yesterday by way of a question in another place, that the sum was in fact $2 800 000 for South Australia this year. The disturbing feature of this report was that the money would be allocated, provided a joint hospital works council was established in each State to plan public hospital development, and provided the council had on it Commonwealth and State representatives.

In addition, the proposed works councils were to make recommendations to the Commonwealth Government on financial help it should provide for State hospital programmes. Finally, the money allocated would not be offset against funds that would otherwise be made available to the State for as long (and only as long) as the States continued their own hospital spending programmes. I suppose that, on the surface, that arrangement appears to be fair enough; it is certainly fair enough as far as the Premier is concerned, because we have come to expect special grant systems in education, housing and, indeed, as in the present case, in hospitals. This is one more example of the special grants system being applied, with less money being given to the States for general purposes. At the first opportunity yesterday, I asked the Premier a question, in reply to which he said:

> The Commonwealth Government's offer of about $28 000 000 to assist hospital building in Australia this year was made on the basis of several specific projects in respect of which the Commonwealth Government has recommended that a joint undertaking be engaged in. In regard to that $28 000 000, the difficulty for us in South Australia is that this State has in recent times, under a Labor Government, so markedly increased in hospital expenditure (it was increased by over 300 per cent in four years) that the Commonwealth Government does not suggest an additional new facility within the State such as it has suggested in some Eastern States.

My reaction was that I was pleased to hear this. I can see no point at all in building another major hospital facility under the total control of the Commonwealth Government, because I have no doubt at all that that is where such a hospital facility would finish up. Towards the end of his reply, the Premier said that the South Australian Government itself had suggested to the Commonwealth Government that a joint planning activity should be undertaken. He continued:

> . . . we have already had specific help from the Commonwealth in providing better facilities at Glenside, Hillcrest, and Northfield. Consequently—

(and that means because we have already had specific help)—

> we are able to undertake additional hospital expenditure beyond the enormous increase in hospital expenditure for which this Government has been responsible.

He said that in a way that made me feel that perhaps we should kneel down with our faces towards Canberra and give thanks, and that was really the last thing I felt like doing. We are yet to hear from the Premier the details of these works, although he said yesterday that he would get them. Presumably no firm decision has been made about them, because apparently no joint committee has yet been set up. If such a committee has been set up, we have not heard about it. As no committee has been set up, I take it no decision has been made about how the funds should be allocated. Why should the Commonwealth Government be involved in any way at all in establishing the priorities and spheres in which the money will be spent? Obviously this is a political decision.

Mr. Mathwin: It's a policy.

Dr. TONKIN: It's a furtherance of ideological attitude. Dr. Sax's Hospitals and Health Services Commission has been touring around the States examining priorities. We know the priorities in this State. Who better than people here would know the priorities for health schemes in this

State? I know that the State Government has not proceeded to set up a central health authority as proposed in the report of the Bright committee, and I have dealt with that matter in the House before. Therefore, a perfectly good report has been left gathering dust on a shelf somewhere. No action on that report is being taken. Obviously, we know our own priorities. I must give due credit to the Minister of Health (Hon. D. H. L. Banfield), who knows the score. I remind members of his comment when the Prime Minister, in a fit of pique when the health legislation was not passed in Canberra, said that the Commonwealth would build its own hospitals in competition with State hospitals.

Everyone laughed at that, because they thought he was joking and that it was another exhibition of his childishness in some respects. The Minister of Health had the right reply when he said straight away, "He does not have to build hospitals. Give us the money; we know what to do with it." We certainly do know what to do with it. In spite of the Premier's eulogies about the progress of health and hospital facilities in this State during the term of office of his Government, I point out that many of these projects had been planned and were on the drawing board when his Government took office. There was a need for more money to be spent, as I freely admit. However, having spent the money, why is the Government not maintaining the same rate of spending? Is it enough to say that it has spent so much and made so many improvements since it has been in office that it can sit back and do nothing more? I understand the Premier yesterday to have suggested that we should go into reverse. Those were his words.

The Hon. D. A. Dunstan: I said nothing about going into reverse.

Dr. TONKIN: The Premier had better look at his reply. We know what the problems are in this area, and the Minister of Health knows them. I do not know whether he was rapped over the knuckles following his making the statement to which I have referred. I suspect that he was, for his statement was directly contrary to the ideological aim of the Labor Party, that aim being to concentrate all power and setting of priorities in Canberra. Thanks largely to the activities of the staff associations at Hillcrest and Glenside Hospitals and at the Northfield wards, we have come to know well the appalling conditions at those institutions. I will not outline those conditions again in this House, as I have dealt with them many times before.

Mr. Mathwin: They don't listen.

Dr. TONKIN: I think some members opposite listen; I think the Minister of Health is terribly ashamed of the conditions. I have visited Glenside Hospital many times, and it has old buildings that cannot be modified. No regard is paid to privacy in the toilet accommodation, and paint is peeling off the walls. Some accommodation available is so small for an individual that one would not dream of putting an animal in some of the little rooms. Members of my Party and other members of the community who have been to Hillcrest Hospital and inspected the conditions there know that everything said by the staff and reported in the press is entirely justified. If I were a patient in a severely critical mental condition, I would not be reassured in any way by the reception I would receive at Hillcrest or Glenside: not, I hasten to add, because of the staff, who do a magnificent job under appalling conditions, but simply because of the conditions themselves. If I took the courageous step of admitting myself as a voluntary patient, I think that the first thing I would want to do on arrival would be to sign myself out again as soon as I saw the conditions under which I would be expected to stay.

Not only have these hospitals and our mental services generally been neglected, but we also find that Government-subsidised hospitals are having to prune their spending. I have been told that the Adelaide Children's Hospital, which is Government subsidised, is still in serious trouble with its budgeting and that it also is being told to go into reverse. Nursing homes are in even greater trouble. I refer to a report which appears in the *Central Times* and which was quoted in the House only about a week ago. The report states that the frail aged are at crisis point and that the crisis is developing and frightening, according to the leaders of two Methodist homes (Rev. Keith Seaman and Rev. Vern. Harrison). The report states:

> In a joint statement this week Mr. Seaman and Mr. Harrison indicated that the most pressing and immediately critical aspect related to the continuing loss in their programmes of nursing care . . . Mr. Harrison indicated that his nursing section is running at a loss of $1 250 per week. Mr. Seaman said that Murray Mudge House is losing $762 a week and the Aldersgate Hospital is losing $1 230 a week. Together they estimate the total of their deficits for the current year will be approximately $195 000 . . . A recent joint approach to the South Australian Government for supplementary assistance resulted in advice that no answer could be given until "after the Federal Budget".

These people from the Methodist Church are in a most serious difficulty, and they are not alone. Only yesterday I received further details that Walkerville Nursing Home may well be forced to close the doors of its intensive nursing section and that about 40 patients who are receiving intensive nursing care may be forced into other accommodation. This is not an isolated circumstance, because other nursing homes are finding themselves in much the same situation. The Walkerville home (and rightly so) has been upheld as a model of what a nursing home infirmary should be, both in the rehabilitation field and in the intensive care field. However, because of the extreme difficulty it is having in meeting its wages bill, it may well be forced to close its doors next week.

These patients, who will be placed at the doors of Government geriatric hospitals and of Government hospitals generally, will have to be admitted, and beds that should be used for acute emergency cases will have to be used, because the number of geriatric beds is insufficient to accommodate them. That brings me to the question of whatever happened to the additions to the Northfield wards. That project was listed in last year's Loan Estimates but it does not appear in this year's Loan Estimates. It seems to have disappeared entirely, and we have been told that there is no prospect of that work taking place this year or, indeed, in the immediate future. It is perhaps somewhat ironic that the same inflation that has been forcing wages up to such an extent that these nursing homes cannot continue and will probably have to close is the same inflation as is placing more and more financial control in the hands of the Commonwealth Government.

In the last full year of the Liberal-Country Party Commonwealth Government (1971-72), the total income tax received was $5 303 000 000, whereas in the first year of the Commonwealth Labor Party Government receipts from income tax in 1973-74 totalled $7 523 000 000, an increase of over $2 000 000 000. Even more staggering than that is that in the current Commonwealth Budget the Government reveals that, during the current financial year, it

expects to derive an amazing $10 500 000 000 from income tax. This is an enormous increase in taxation funds to become available to the Commonwealth Government, but exactly what are the States to receive? In general revenue, not very much at all. Certainly in terms of a balance, or in terms of an equivalent sum, far less than they have received during the last few years.

This increase in taxation revenue and the decrease in the general allocations to the States are being made deliberately so that the Commonwealth Government can hand out special grants in the spending of which it insists that it have the major say. Why should a joint committee, with Commonwealth representatives on it, be better at determining the priorities to apply to our State health scheme? Obviously, the Hon. Mr. Banfield does not think it is better, and he knows what is needed. Why should we duplicate the work of the committee and the work of a department? The whole point is that the Commonwealth Labor Government is so driven by ideological considerations that, if the State disagrees with any of the proposals it puts up, it is likely to turn around, rather like the Prime Minister, in a fit of pique and go its own way. Indeed, we have already seen evidence of that in yesterday's *News*, in a report under the heading "Row as Government goes it alone", which states:

The Federal Government plans to "go it alone" on a 1 000-bed hospital in Melbourne's western suburbs, at an estimated cost of $60 000 000. The hospital originally was planned as a joint Federal-State venture. The Victorian Health Minister, Mr. Scanlan, attacked the decision as "the height of bloodymindedness" and "totally unnecessary". Mr. Scanlan said—

and this is important—

development of the hospital at Sunshine was contrary to priorities the State Government had put forward for hospital services expansion.

Farther down the report, it seems that the Commonwealth Government cannot even agree with the advice it receives from its own commission. The report continues:

The Federal Government's decision is reported to be in direct conflict with recommendations from the Hospitals and Health Services Commission.

This is an appalling situation, and we have no guarantee that that same situation will not apply here.

Mr. Evans: It's more than likely that it will.

Dr. TONKIN: That is my very next point: it is far more likely that it will happen here than in other States, because we have a Labor Government that kowtows at every possible turn to the Commonwealth Government, despite the odd noises the Premier might make every now and again. Basically, our Government will do anything it is asked to do by the Commonwealth Government: it will hand over whatever powers it is asked to hand over. It may make a noise about it occasionally, but let us not forget that the Premier and his Government regard this State as being the great Socialist experiment.

We want in this State (and I imagine in all other States) our fair share of the taxation revenue raised on our behalf. We want to be able to decide our own priorities for spending. We know our own priorities better. We know the needs of Hillcrest and Glenside Hospitals, of the Northfield wards, and of the nursing homes. We know where the needs are, and we will deal with our essentials first. There is no room at this critical time of health care for any form of experimentation. There is no need for an expensive network of community health centres: there is a need for community health centres, as we were told by the member for Flinders this afternoon, but I seriously question whether the many health centres and other centres recently announced by the Commonwealth Minister for Health are strictly necessary in priority, when one considers the deplorable lacks in our existing institutions. I believe we should have the right to say that we believe the situation at Glenside, Hillcrest, or anywhere else, is of such priority that it must take precedence of a community health centre at St. Marys, or anywhere else one may think of.

Mr. Payne: The people at St. Marys are rather glad that there will be this facility.

Dr. TONKIN: I am not arguing, but I think the people there would want to go without such a facility for a time until the facilities at Glenside and Hillcrest were brought up to a reasonable standard. If you put that question to them, I think they would say, "Yes, we'll do without it." What we are experiencing in this State is the imposition of outside control and the setting of priorities by an outside authority. We are being told what we need by people who are not in touch with our needs as closely as they might be: certainly, not as closely in touch as is the local department.

Mr. McAnaney: Are they making a good job of their own priorities?

Dr. TONKIN: No, not particularly. Let us have first things first, and I make the point that the Premier (as well as his Government) should make up his mind where he stands. The Premier is very good at keeping a foot on either side of the fence. He either supports or rejects the take-over (and I suspect he supports it ideologically, as he is committed to centralism and will work for centralism because it is in the book and is Labor Party policy), and if he supports the take-over he will continue to campaign for the Commonwealth Labor Party Government in by-elections at Coogee or at a general election, regardless of what happens to the people of this State and their welfare. On the other hand, he (and it would be rather nice if he rejected it, although I would be amazed if he did) may reject the attitude of the Commonwealth Government. I mean totally reject it, and I do not mean merely making token noises and saying "Tut, tut" when it comes to making a special plea for aid for South Australia: that was a good story in the *Advertiser* of October 1.

Obviously, the Premier has an eye to the next State election, but he hopes that the next one will be a State election: if he is to appeal to the people, he must dissociate himself from the disastrous performance by his Commonwealth colleagues in Canberra. If the Premier were really honest about this matter and fair dinkum in his attitude, he would repudiate the action of the Commonwealth Labor Government and actively attack it and refuse to work for it. We urgently need money in this State for many projects which should go ahead and in respect of which we have determined our priorities. Particularly, we need money to spend that we can allocate ourselves. We urgently need to be able to take money from revenue and to be able to apply it where it is needed most: in this instance on hospital renovations. I repeat that we know what our needs are and are capable of managing our own financial affairs. We demand that the Commonwealth Government give us our fair share with no strings attached, and we demand that the Premier and his Government insist on the Commonwealth Government's giving us our fair share of general revenue with no strings attached.

The Hon. L. J. KING (Attorney-General): The speech we have heard from the member for Bragg is the strangest hotch-potch and confusion of remarks about capital grants,

current expenditure, State priorities, and other things, with the sauce of parochial-minded anti-national sentiment that pervaded his speech from beginning to end.

Members interjecting:

Dr. Tonkin: Do you support the Commonwealth Government?

The Hon. L. J. KING: Of course I do. What nonsense! Do the members for Bragg and Davenport think that I would be supporting Snedden, Bjelke-Petersen, Askin, and Court regarding national politics? Of course I support the Commonwealth Government. In this country there is no alternative to that Government and, if the member for Bragg is willing to campaign for Snedden and Bjelke-Petersen, let him do it and account to the people of this State for the consequences if he is successful. Of course South Australia needs more money. It needs funds from the Commonwealth Government to provide services for the people of this State, but does the member for Bragg suggest that we should refuse money the Commonwealth Government is providing for hospitals in South Australia merely because the Commonwealth Government wants representation on the working party that will determine priorities? What absolute nonsense! When the Commonwealth Government says, "Here is $2 800 000 for immediate use for hospitals, and we suggest a joint working party to establish priorities and where the money is to be spent," the member for Bragg says that that is completely wrong.

Dr. Tonkin: Too right!

The Hon. L. J. KING: The national Government is useful enough to provide the money now and again, but it should have no say in what is to be done, no say in national priorities, and no say in what sort of services are to be provided for the people!

Dr. Tonkin: If you believe that, what are you doing in a State Parliament?

The Hon. L. J. KING: Exercising the constitutional powers the State has for the benefit of people of South Australia, and co-operating with the national Government, of whatever political complexion, for the benefit of the people of this State. I remind the honourable member that when a Liberal and Country Party Government was in office in Canberra, for over two years when this Government occupied the Treasury benches in this State it co-operated with the Commonwealth Government whenever that co-operation was for the benefit of the people of South Australia. We were not animated by the petty Party spirit the member for Bragg has demonstrated today by saying that, whilst there is a Labor Government in Canberra, he and his Party will not engage in dealings with it at all. In that attitude he emulates the example of his colleagues from Queensland, New South Wales, and Western Australia, and to a considerable extent those from Victoria, as he has proved from the material from which he has quoted.

This Government will ensure that we co-operate with Commonwealth Governments of any political complexion, but especially with the present Government, which is trying to make funds available for the better health of people in South Australia. We will co-operate with that Government to provide the facilities for which national money is being made available to provide (and we will always seek, as the Premier has sought on behalf of the Government) better facilities for the public. We will seek more money, by way of reimbursement to this State for the general revenues to be applied according to the priorities of the South Australian Government. We will always do that and continue to fight for it. However, let there be no mistake about it: if the national Government comes along (whatever its political complexion may be) and says, "Here are funds that are available for hospitals in South Australia; we want to work with you for the benefit of the people of South Australia", we shall be only too willing to co-operate with it and to work out the joint priorities which will be satisfactory to both Governments and which will provide the maximum advantage for the people of the State.

Immediately the announcement was made during the Budget speech of the availability of these funds, the South Australian Minister of Health contacted Canberra and, almost immediately, there was a meeting of officers of the Commonwealth and South Australian Governments to determine what were the next steps. There followed a letter from the Premier to the Prime Minister and the establishment of a joint works council to consult on priorities and the way in which the money should be spent. In fact, Australian Government officers will be in Adelaide on October 8 to begin deliberations to determine how the money is to be spent.

The member for Bragg is confused about this. His motion, as I understand it, is that the additional funds offered by the Commonwealth Government for hospital upgrading should be made available urgently, and without any conditions attached by the Government as to their use, for the immediate alleviation of the critical situation applying to many of the hospitals, nursing homes and other health institutions in the State. In the course of his remarks, he got involved with discussions about the difficulties facing nursing homes concerning their current expenses. What in the world that has to do with the $28 000 000, which is a provision of capital moneys for upgrading State hospital facilities, I do not know. I do not believe he knows the difference between capital money and recurrent expenses. If he does, he managed to conceal it during the course of his remarks. I have no doubt that nursing homes in South Australia are in considerable difficulties: increases in the cost of operations have made their problems acute. The State Government has been in touch with the Commonwealth Government on their behalf with a view to obtaining relief.

What is needed in order to assist nursing homes to meet current expenses is an increase in the allowance made for that purpose. It is nothing to do with the provisions of money for upgrading State hospital facilities. It is absurd to believe that the State Government could, under any conditions, make use of moneys provided to upgrade State hospitals for the current expenses of nursing homes. It is absolute nonsense, and the member for Bragg either does not understand the elementary principles of Government finance in this regard or is choosing deliberately to ignore them to make a political point. I do not know which it is, but perhaps he knows. Remarks were made about Hillcrest which, of course, is an institution that needs much work done and money spent on it. Everyone knows that; the State Government knows it, and the Minister of Health knows it. It is a matter that will be high on the list of priorities when the joint works council meets to consider how this money should be spent.

Mr. Dean Brown: We've been trying to get something done for 10 years.

The Hon. L. J. KING: Maybe you have, but I remind members that 10 years ago Labor was not in office: it took office in 1965. What has happened in South Australia (the Premier referred to this yesterday, and I suggest

that members think about it carefully) is that, during the long years of the Playford Administration, South Australia under-spent on the provisions of money for hospitals. When the Playford Government went out of office, less per capita was being spent on hospitals than was being spent in any other State in Australia. We have now reached the stage where we are spending more per capita for that purpose. No-one suggests that, in public affairs, one can reach an ideal situation. There is never enough money to do all the things that should be done. The two Labor Governments, however, have given a high priority to allocating public expenditure in South Australia to the sphere of health and hospitals.

Make no mistake: we regard the position as urgent. We regard the situation at Hillcrest as meriting early attention. For that very reason, we welcome with open arms the allocation of these funds by the Commonwealth Government for expenditure on South Australian hospitals. We will work with the Commonwealth Government to see that the pressing needs at Hillcrest, Glenside, and the Northfield wards, etc., are met. We will not allow ourselves to be animated by any narrow, parochial, anti-national sentiments in rejecting the funds that the Commonwealth Government is making available. If Mr. Bjelke-Petersen wants to reject these funds, let him take the responsibility in Queensland; if Sir Charles Court wants to do it, let him account to the people of Western Australia; and if the member for Bragg wants to go to the people of South Australia and say, "We should reject Commonwealth funds because the Commonwealth wants some say in how they are spent", let him do so and take the political responsibility for it.

Dr. EASTICK (Leader of the Opposition): The Attorney-General certainly laced his remarks with venom. He said that what had been stated was a hotch-potch. He claimed that the member for Bragg had laid a track through Loan funds, capital funds, recurrent funds, and so on, and that the honourable member did not know where he was going. It was clear to anyone following the debate that what the member for Bragg said, and what the Attorney failed to accept, was that we in South Australia believe we should have a just return from the Commonwealth Government and be allowed to use funds according to the priorities determined in this State. We have not received funds from the special hospital grant outlined in the press earlier this week: we have been cut off altogether. It is all very well for the Premier to say, "Ah, under my Government we have so improved our hospital system that we don't need those additional funds." I have heard the Minister of Works stand up and defend the Australian Government for reducing the per capita sum allocated to South Australia for sewerage purposes because South Australia is—

The Hon. G. R. Broomhill: We are getting it for water treatment.

Dr. EASTICK: —ahead of other States in that regard. Simultaneously, he was saying, "But we have been able to obtain funds from the Commonwealth Government to upgrade our water supply." In other words, whilst there was an initial announcement relating to the amount of funds available to South Australia for an important project, a balancing sum had been determined for another project. There is nothing in what the Premier said, nor is there anything in any statement that has been made by the Commonwealth Government, to indicate to Parliament that, because of some managerial skill (and we could debate that matter for some time), we do not need additional funds for hospitals. We do need it for hospitals.

The work being undertaken at Elliston, Mt. Pleasant, Kimba, and at the Hutchinson Hospital in Gawler (just four examples of action that is needed) has been curtailed or scaled down because funds are not available to supplement or subsidise schemes previously agreed to. I accept that planning for the Hutchinson Hospital was not as advanced as that for the other projects to which I have referred.

Mr. Gunn: His own Minister said he did not have any money.

Dr. EASTICK: The member for Eyre will detail that information soon, and will make it available to Ministers. The list I have given is not exhaustive by any means: the hospitals mentioned merely happen to be those that I know need funds. We have not got from the Commonwealth Government a commitment of funds in an untied way that allows this Parliament to appropriate money to improve hospitalisation where necessary in the State. Indeed, the Premier accepted yesterday (and the Attorney-General has accepted this afternoon) a situation in which Canberra will tell this Government exactly what it will do and how it will do it.

The Hon. L. J. King: You don't think that's a slight distortion of what I said, do you?

Dr. EASTICK: The Premier and the Attorney have indicated that clearly. Further, a few weeks ago the Minister of Transport stated that he would accept direction from Canberra in relation to roadworks. In this House, he denied that there was any need for the Senate to withstand a proposal that would allow funds for roadworks to be spent in a way that Canberra dictated. In that situation, every roadwork would have to have Canberra's stamp on it. There are other areas of commitment to Canberra, although the State Government knows its own priorities best and should determine how the funds will be used.

The Premier and the Attorney-General would have us believe that they accepted that to allow unnecessary duplication would be a reasonable approach to these matters. For a long time, vocational guidance for people in this State was provided capably by the Commonwealth Employment Service, and now that work will be duplicated by the activities of the Further Education Department. That situation is the reverse of the other situations that I have mentioned, but two empires are rising side by side, with a wasting of public funds.

It was all very well for the Premier to state earlier this afternoon that the expenditure that would be required to research a Question on Notice was against the best interests of the South Australian community. I say without hesitation that this Government will accept and allow a duplication by the present Commonwealth Government, whether in regard to hospitals, road transport, general transport, or local government, or under the Australian assistance plan. That will be a total waste of taxpayers' funds, resources, and man-hours.

Local government in this State was asked to send a three-member deputation to Canberra to have discussions extending for a day and a half about funds to be made available to councils in South Australia. Those three people travelled by air to Canberra and were discharged after they had been in an office for 10 minutes. This kind of duplication is taking final decision-making and priority-arranging from the State Government.

At 3.15 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

BOATING BILL

Returned from the Legislative Council with amendments.

EVIDENCE ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

OCCUPATIONAL THERAPISTS BILL

Received from the Legislative Council and read a first time.

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Savings Bank of South Australia Act, 1929-1973. Read a first time.

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

That this Bill be now read a second time.

It merely introduces the provision outlined in the Budget regarding the Savings Bank of South Australia, and 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 related to another measure (that is, the State Bank Act Amendment Bill, 1974) which is also before this House, provides for the payment by the bank established under the principal Act (the Savings Bank of South Australia Act, 1929, as amended) of an annual sum in aid of the general revenue of the State. This measure, it goes without saying, is one of a series of amendments designed to enhance the revenue position of the State. If enacted it will result in a payment to revenue in this finanical year of about $500 000, based on the declared surplus of income over expenditure of the bank for the financial year 1973-74.

Members will recall that the State Bank and the Savings Bank of South Australia are not required to pay income tax. If these institutions were required to pay such tax at this time, they would be required to pay 47½ per cent of their profits by way of taxation. It does not seem unreasonable that such a contribution should be required, as it were, in lieu of the income tax otherwise payable. Members will recall that the State Bank Act Amendment Bill lifted the levy on the State Bank to 50 per cent of its net profits. This Bill proposes the creation of a similar arrangement in relation to the Savings Bank of South Australia.

In the case of that bank, however, one additional factor has to be taken into consideration. During the period January, 1946, to September, 1952, the sum of $8 000 000 was lent to the Government by the bank at the clearly concessional rate of 1½ per cent a year interest, repayable on a credit foncier basis, over 42 years. Of this amount about $4 000 000 was outstanding in January of this year. In addition, since 1964 the bank has from time to time advanced moneys to the South Australian Housing Trust at concessional rates of interest. In the discussion between the Government's advisers and the management of the bank, it was suggested that this advantage to the Government arising from the concessional rates of interest referred to above should be taken into account. This point is readily conceded by the Government, and appropriate provision has accordingly been made.

Essentially, the Bill consists of one operative clause (clause 2), which repeals section 65 of the principal Act and re-enacts a new section 65. Although on the face of it the proposed new section 65 looks a little complicated, in principle it is comparatively simple. It is based on the surplus of income over expenditure of the bank that may be characterised as profit. From this profit in relation to a particular year is deducted the prescribed deduction for that year; the prescribed deduction is either $202 000 or $61 000, depending on the year under consideration. This prescribed deduction represents the monetary value of the concessional rate of interest adverted to above. Necessarily, the value of this concessional rate declines as the loans to which it relates fall due. The sum payable by the bank as the prescribed amount is half the balance arrived at after that deduction.

In addition, provision is made to cover the somewhat remote possibility that in any year the profit of the bank will be less than the prescribed deduction. In that case an appropriate carry forward will be provided for. The balance of the profit remaining in the bank's hands after its obligations to the Government are satisfied will, of course, continue to be dealt with as the needs of the bank require. Clause 3 is purely consequential on clause 2.

Dr. EASTICK secured the adjournment of the debate.

STATE GOVERNMENT INSURANCE COMMISSION ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the State Government Insurance Commission Act, 1970. Read a first time.

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

That this Bill be now read a second time.

It merely introduces a provision which concerns the investments of the State Government Insurance Commission and which has been before this House previously. The previous provision obtained the agreement of both Houses at that time. The previous Bill also related to life assurance, but this measure does not. I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This short Bill has only one operative clause (clause 2), to which the attention of honourable members is particularly directed. It removes the present limitation in section 16 (*a*) of the principal Act on the investments that may be made by the commission to what may be generally termed trustee securities and replaces it with a considerably wider power of investment. The only limitation now proposed is that the investments must be approved by the Treasurer. It goes without saying that the investment policy of the commission will be a prudent one, if for no other reason than the existence of section 15 of the principal Act. The plain economic facts of the matter are that, in these inflationary times, an investment programme limited to relatively long-term and relatively low-interest trustee securities is just not capable of keeping pace with the economic situation.

Mr. GOLDSWORTHY secured the adjournment of the debate.

FOOTBALL PARK (RATES AND TAXES EXEMPTION) BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to exempt the land comprised in Football Park from certain rates and taxes. Read a first time.

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

That this Bill be now read a second time.

It gives effect to an arrangement entered into by the Government with the South Australian National Football League. The substance of the arrangement is that, so

long as the land in the West Lakes area known as Football Park is leased by the league from West Lakes Limited and is occupied by the league as its headquarters, the land will be afforded some relief from charges under the Sewerage Act and charges under the Waterworks Act and complete relief from land tax. At the time the arrangement was entered into it was thought possible that the Recreation Grounds Taxation Exemption Act, 1910, would be a suitable vehicle for such an exemption. Indeed, it applies to many recreation areas in South Australia. However, the Government's advisers have suggested that the bare application of that Statute would go further than was intended, in that it would touch on local government rates as well. On the basis of this advice the Government has determined that a special Act would be appropriate, if only for the reason that the area of relief to be provided for can be delineated with greater precision.

Clause 1 is formal. Clause 2 sets out the definitions necessary for the purposes of this measure. Clause 3 exempts Football Park from rates under the Sewerage Act during the period of the lease from West Lakes, but in its application leaves the way open for charges to be made under section 68 of that Act which is commended to members' attention. Briefly, this enables the department to charge the league for the "drainage of, and the removal of "sewerage matter" from the land, and it goes without saying that such charges will be made. Clause 4 exempts Football Park from water rates under the Waterworks Act during the period of the lease but again enables a charge to be made for water actually used by the league. Clause 5 provides a complete exemption from land tax for Football Park during the period of the lease. Clause 6 is in furtherance of the terms of the arrangement mentioned above and provides for the expiring of the Act presaged by this Bill on the league's ceasing to occupy Football Park as its headquarters.

Finally, I would indicate that the Government has regarded the development of Football Park as a matter of great public interest sufficient to warrant the giving of a guarantee to facilitate the provision of finance and the giving of some concessions in its own charges. The Government would not propose to grant similar concessions to other sporting or other bodies unless similar circumstances and considerations involving the same degree of public interest emerged. At this stage, the Government is not aware of any other sporting complex, either existing or proposed, which would meet these criteria. This is necessarily a hybrid Bill and will have to be referred to a Select Committee, and I need the passing of the second reading to enable that to be done.

Mr. BECKER secured the adjournment of the debate.

GAS ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Gas Act, 1924-1974. Read a first time.

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

That this Bill be now read a second time.

It is to give effect to the provisions of the Budget, which has already passed this House, relating to the impost on the sale of gas for domestic use in South Australia. I seek leave to have the second reading explanation incorporated in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

It is one of a series of measures intended to enhance the revenue position of the State. The need to find new sources of revenue, particularly those which have a growth element, has, it is suggested, already been amply demonstrated. There are in this State two suppliers of "piped gas" and here the term is used in contra-distinction to "bottled gas". These suppliers are the South Australian Gas Company and the Mt. Gambier Gas Company. Essentially, this measure seeks to provide the legal framework within these suppliers, and any new entrants into the field will be required to hold an annual licence. The consideration for the grant of the licence will be a fee related to the gross amount received by the proposed holder for the price of gas supplied during a period antecedent to the period to which the licence relates.

It goes without saying that in the drafting of this measure somewhat more than passing regard has been paid to the constitutional implications of a recent decision of the High Court in *Dickensons Arcade Pty. Limited v. The State of Tasmania* where the constitutional validity of the Tobacco Act, 1972, of the State of Tasmania was considered. In that case, the principal matter in issue was whether the method of calculating the licence fee for a licence to sell tobacco by retail set out in that Statute could be validly enacted by the State of Tasmania. This method is substantially the method proposed in this Bill. For present purposes it is sufficient to observe that in that case the High Court affirmed what has come to be regarded as a bench mark in Australian constitutional law relating to this method of computation of licence fees, that is, *Dennis Hotels Proprietary Limited v. The State of Victoria* (1960), 104 C.L.R. 529.

Clause 1 is formal. Clause 2 amends the long title to the principal Act by setting out the new matters proposed to be covered. Clause 3 inserts in section 5 of the principal Act the interpretation provision and a number of new definitions, the need for which will become evident during the consideration of the remaining clauses of the Bill. Clause 4, first, repeals section 5a of the principal Act, this being the section that provided for a person to be proclaimed as a "gas supplier" for the purposes of this Act. In view of the licensing system now proposed, such a provision is otiose and has, in terms, been replaced by the definition of "gas supplier" as to which see clause 3 (*b*) of the Bill. In addition, this clause proposes the insertion of a number of new sections which for convenience will be dealt with *seriatim*.

New section 5a provides that the licensing provisions of this measure will come into operation on and from a day to be fixed by proclamation. This will enable appropriate administrative arrangements to be made after the measure is enacted into law. New section 5b provides for applications for and the grant or renewal of a licence, and subsection (2) of this section in effect ensures that existing gas suppliers will have the right to be granted a licence. New section 5c makes clear that the licence is an annual licence. New section 5d is commended to members' close attention, since it sets out the method by which the annual licence fee is to be determined. In the case of existing suppliers, this fee is ascertained by reference to gross payments for the price of gas supplied during the financial year immediately preceding the licence period in respect of which the licence is to be granted or renewed.

In the case of a new supplier where no such supply would have taken place, the amount of the first licence fee will be determined by the Treasurer. In its terms the method of computation proposed follows broadly that set out in our present Licensing Act in relation to fees for certain licences under that Act. Applicants are, pursuant to subsections (3) and (4), required to provide

the Auditor-General or the Treasurer, as the case requires, with material on which a determination of the licence fee may be based. Subsection (6) of this section provides that a determination of a licence fee is final and conclusive. New section 5e provides for the payment of licence fees in quarterly instalments and also provides an appropriate sanction for non-payment of the fee.

Clause 5 repeals an exhausted provision. Clause 6, by inserting a new section 25a in the principal Act, provides for a general regulation-making power in matters relating to licences and, by paragraph (*b*) of subsection (1) of this section, also provides for the imposition on any gas supplier of conditions and restrictions similar to those at present imposed on the South Australian Gas Company by certain specified provisions of the principal Act. Clauses 7, 8, 9 and 10 are also proposed in furtherance of the legislative philosophy given effect to by the latter portion of subsection (1) of new section 25a already adverted to. Briefly, this approach is to ensure that, so far as the regulating aspects of the law are concerned, all suppliers will be on an equal footing.

Mr. COUMBE secured the adjournment of the debate.

STATE BANK ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the State Bank Act, 1925-1972. Read a first time.

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

That this Bill be now read a second time.

This gives effect to the provisions of the Budget relating to the impost on the profits of the State Bank, and I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Bill

Section 34 of the principal Act (the State Bank Act, 1925, as amended) provides, amongst other things, that nine-twentieths of the net profits of the State Bank, established under that Act, are to be paid to the Treasurer for the credit of Consolidated Revenue. This contribution required of the bank approximated the amount that the bank would, at the time, have been required to pay by way of income tax were it liable for a tax of this nature. The present rate of taxation that, but for its exemption from tax, would be applicable to the bank would be 47½ per cent of the net profits of the bank.

This short Bill is one of a series of measures designed to improve the revenue position of the State and, as has already been indicated, this need arises from the reluctance of the Australian Government to increase its grants in aid of the revenue of the States. The Australian Government's position in this matter was made clear at the recent Premiers' Conference. This Bill accordingly proposes that the present contribution by the bank will be lifted from 45 per cent of the net profits to 50 per cent of the net profits. This measure impacts the financial year just concluded, that is, the 1973-74 financial year, and each subsequent financial year, and the additional revenue that will accrue to the State, if this Bill is enacted into law, in respect of the financial year 1973-74 is of the order of $60 000.

Mr. COUMBE secured the adjournment of the debate.

MORPHETT STREET BRIDGE ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Morphett Street Bridge Act, 1964-1967. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

Although the second reading explanation is relatively short, I believe a further explanation is necessary. The Adelaide City Council approached me some months ago and explained the financial problems it was facing. I believe there was merit in its case and suggested that it present itself to the Premier, and this it did in June. I introduced the deputation to the Premier, appropriate Government officers, including the Under Treasurer and the Highways Commissioner, also being present. The Adelaide City Council was able to show that it had a real and perhaps unique financial problem: unique in that its problem was not common with that of other local governing bodies in South Australia.

Its only means of gaining the additional finance necessary was to increase its rates, and it was able to show that, if this were done, office and other commercial accommodation in Adelaide would be rated higher per square metre than the rate applying in any other capital city of Australia. The Government, certainly not wishing that situation to occur, accordingly looked carefully at the council's problem. There are several reasons why the Adelaide City Council is the first council to face this problem. It should not be construed, however, that it will be the last. I hope it is the last, but I will not be surprised if it is the first of a number of councils faced with a similar problem. The Adelaide City Council does not receive grants, as do other councils in South Australia, especially country councils, for special road purposes, for example. The arrangement for street widening in the city of Adelaide is quite different from that applying in other areas, and consequently the City Council suffers financially.

The council has to repay $122 000 a year under the Morphett Street Bridge Act, and Fire Brigades Board and festival theatre charges are considerable. The other unusual commitment of the Adelaide City Council is in relation to the park lands. I do not suggest for a moment that the City Council should not be involved with the park lands, but the fact is that it will spend about $1 000 000 this year simply to maintain them. Although this money is well spent, we must ask whether it should come solely from ratepayers within the area of the City Council or whether it should come from a wider area, bearing in mind that nearly everyone in at least the metropolitan planning area benefits from these park lands.

Those were the circumstances that faced the Government. The facts I have related, when presented by the City Council, impressed the Government. The council was able to show that the additional annual costs in all the areas to which I have referred amounted to more than $1 800 000 this financial year. In these circumstances, the Government believed that a sound case had been made out for some action to be taken; we then had to decide what to do. We did not just blindly accept the financial statements put forward by the council. We believed that we had an obligation to the people of South Australia to prove to our satisfaction that the council's statements were accurate. After an examination, the Under Treasurer made several suggestions that were helpful to the council. The two principal suggestions with which this Parliament is involved are, first, the matter in the Bill now before us, and secondly, the matter of the festival theatre which, at some later stage, the House will be asked to consider.

To summarise, following discussions with the Corporation of the City of Adelaide as to the corporation's present and future financial position, the Government is minded to free the corporation from its liability to make further

repayments pursuant to section 9 of the Morphett Street Bridge Act, the principal Act. As the payments are made on an annual basis and as inquiries show that they are made at about the end of June each year, there is no question of a refund this year. Payments of $120 000 were, pursuant to that Act, recouped to the Highways Fund, which was the original source of funds for the Morphett Street bridge reconstruction.

Clause 2, which enacts a new section 10 in the principal Act, effects this discharge of liability. This Bill being a hybrid Bill will, in the ordinary course of events, be referred to a Select Committee of this House. When the Highways Department programme was drawn up for this financial year, it was known that the Government was looking sympathetically at the request of the City Council and that there was a strong possibility we could act as we are acting now. Therefore, provision has been made in the Highways Department budget so that there will be no need to juggle the position further.

Mr. COUMBE (Torrens): I support the Bill to the stage of appointing a Select Committee. Yesterday, the Minister was good enough to give me a copy of the Bill and some details connected with it. So that there will not be undue delay, the Opposition is willing to give the support I have indicated. The Morphett Street bridge is most important to Adelaide, being an integral part of the road system of Adelaide and also of North Adelaide. In fact, it is partly in my district. Adelaide and North Adelaide suffer serious difficulties with regard to the passage of traffic that are caused mostly by traffic going to and from areas outside Adelaide and North Adelaide. As I was the Chairman of the Select Committee (rather uniquely, as a back-bencher I was made Chairman) that dealt with the original legislation, I know something about this matter. In 1967, the Act was amended to remove, in connection with the Highways Fund, the restriction on the Minister of Transport's making payments exceeding one-half of the cost of work. The amendments empowered the Minister to increase payments from the Highways Fund to meet commitments involved in this project.

When the original legislation was enacted in 1964, the Adelaide City Council and the Government agreed to the financial arrangements. Work on this project is now completed. For some years after the bridge had been completed, work continued on the widening of the section of Morphett Street between Hindley Street and Light Square. I understand that the late Hon. Frank Walsh opened the bridge, but it was not until late last year or early this year that all work on the project was completed. Since the original financial arrangements were made, the circumstances have changed considerably. I agree with what the Minister said about the financial difficulties of the City Council. I am aware of the case put forward by the Lord Mayor in relation to this matter. Like many councils in capital cities throughout Australia, the Adelaide City Council has peculiar problems that do not face other councils. In saying that, I do not wish to detract from the importance of other councils. However, if some relief were not given to the City Council, I am afraid that residents and occupiers of premises in the city of Adelaide would face inordinate rate increases.

Although most councils received grants this year from the Australian Grants Commission, the Adelaide City Council did not receive such a grant. Apart from what the Minister has said, I believe the City Council can justify a case for some relief. With other capital city councils, the Adelaide City Council faces the disability of not being paid rates in respect of offices operated by the Commonwealth and State Governments, a different position from that which applies in the case of commercial undertakings. I cite the case of King William Tower, from which the City Council hoped to receive certain rates. However, as the Commonwealth Government has now purchased that building, no rates will be payable. I am concerned about the impact of rates on city residents. The City Council, the Government and I desire to see people return to the city to live.

The SPEAKER: Order! The honourable member must link up his remarks with the Bill.

Mr. COUMBE: Yes, Mr. Speaker. I believe that the council is entitled to relief in line with the provisions contained in the Bill. I indicate my support for the measure and hope that the Select Committee's deliberations will be favourable.

Bill read a second time and referred to a Select Committee consisting of Messrs. Max Brown, Coumbe, McAnaney, Virgo, and Wright; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on October 22.

EMERGENCY POWERS BILL

(Continued from August 15. Page 510.)

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That this Bill be laid aside.

Consideration of what has been said on this Bill, on the nature of amendments moved in another place, and on events in another State concerning a measure not containing the safeguards sought to be removed by the amendments made in another place, have given the Government cause to examine the measure again in some detail. It is apparent to us that, even though the measure contains safeguards not contained in the Western Australian legislation, other parts of the Bill could conceivably have been used, if those measures were even left in the Bill, in such a way as to carry out the avowed purposes expressed in another State. In these circumstances, we do not think it is safe that this legislation should be on our Statute Book.

Dr. EASTICK (Leader of the Opposition): The very fact that the Premier has sought to remove the measure from the Notice Paper gives great heart to Opposition members in knowing that, but for the astuteness and the existence of the Upper House, the measure which the Premier now seeks to run away from would have been placed on our Statute Book.

Mr. Venning: Deny that!

Dr. EASTICK: Quite apart from trying to analyse the Premier's statement on the merits of the Bill and the merits of a similar Bill in another State, I believe that the Premier's statement on this occasion clearly indicates the value in having a bicameral system of government.

The SPEAKER: Order! I point out for the Leader's benefit and that of any other honourable member who may speak on this subject matter that the Premier has moved a substantive motion, namely, that the Bill be laid aside, and that is the motion now being considered. During the course of moving a motion a member has the right to state the reasons why a Bill should be removed from the Notice Paper, but he cannot open up a discussion on the Bill itself. At this stage any remarks made must deal only with why the Bill should or should not be laid aside. The Leader must confine his remarks to the motion.

Dr. EASTICK: Thank you, Mr. Speaker; I accept your explanation. I come back to the point that the Premier's

action is possibly the result of the considered attention given to the measure in another place on a previous occasion. I believe that the way in which the Premier now seeks to have the Bill removed from the Notice Paper validates the stand taken by my colleagues here and in another place on an earlier date.

Mr. MILLHOUSE (Mitcham): I do not think that during this session I have supported any motion with greater pleasure than that with which I support this motion. From the moment when the Bill was introduced in the House, my colleague the member for Goyder (the other member of the Liberal Movement) and I have consistently opposed it at every stage. In supporting the motion, I will read what I said in the second reading debate on the Bill (at page 280 of *Hansard*), when I summed up my opposition to it, as follows:

These are my fundamental objections to the Bill: the sweeping nature of the powers bestowed by clause 3 (1), and the period of time that could elapse. The Bill, at the least, is capable of being so much abused by a Government for political ends that one should oppose it, and there is no gainsaying that at all.

I was the only member in this House who at that stage opposed the Bill, and I had the experience (which, alas, I have had on many occasions) of being defeated overwhelmingly in a division on the second reading that was supported by every member of the so-called Liberal Party; one has only to read pages 287 and 288 of *Hansard* to see that. The Bill was passed in this House on the second reading by 38 votes to two. Now, we have the Leader of the Opposition getting up and congratulating his colleagues in another place on what they have done. However, the Leader and his colleagues in this place have absolutely ignored the warnings I gave about the Bill immediately it was introduced, and they have all supported it at the second reading.

I am glad at least the warnings I was able to give, first of all here, and the time that elapsed before the Bill came before the other place provided the opportunity for people to see and realise how dangerous the Bill was. I do not accept for a moment what the Premier has said this afternoon as an excuse for not going on with the Bill. The Government had decided within a week of the Bill's being introduced that it would not proceed with it. The message from another place has been on our Notice Paper for consideration for a month or more now; I do not have the exact date on which we received it. We all got the word that the Government was not going on with the Bill within a day or so of the message coming back to us from another place. I have been waiting patiently to see what would happen.

Let there be no mistake about this: the Government may like to use the Bill introduced in the Western Australian Parliament as an excuse for its not going on with this measure, because of the great opposition that has been aroused in Western Australia by members of his own Party. However, that is not the real reason why the Premier is not going on with the Bill. The real reason is that, in time, people in this State came to realise how utterly dangerous the Bill was. What was far worse in the Government's action, condoned by members of the Liberal Party, is that this Bill was forced through the House in one day. Standing Orders were suspended to allow the Bill to pass, and I have no doubt that the aim of the Government was to have the Bill through both Houses (if it could) before there could be any proper reaction. There could have been no other reason for what happened. At that time there was an emergency, and I tried in Committee to have carried an amendment that would limit the effects of the Bill to September 30.

The SPEAKER: Order! I have pointed out previously that the Premier has moved a motion which is now being considered by the House and which will be accepted or rejected. The debate will not be on the Bill itself, because that subject matter is not being considered by the House. The House is considering a motion that the Bill shall lapse. The honourable member for Mitcham.

Mr. MILLHOUSE: The Premier said then that the Bill was so urgent that it should be passed immediately, and my amendment and other amendments were rejected. What is the usual procedure in this place when we receive a message of a nature such as this from the other place? It is dealt with immediately, but in this case that has not been done. It was allowed to lie, because the Government knew that its ploy had failed, that it would not get the Bill through without a great fight, and that there would be much opposition in the community to it, as there is now in Western Australia to the Bill before that Parliament. I am very pleased that the Government's ploy has failed, and all I can say to my erstwhile friends in the Liberal Party is that they should wake up to themselves and not encourage the Government (as they did) to introduce a Bill and have it passed immediately. On the day on which notice of the Bill was given, the Leader of the Opposition wanted it brought in and passed there and then.

The SPEAKER: Order! A motion of this kind is not to be subjected to the type of thing that the member for Mitcham is trying to introduce. Personalities are not involved in this motion: the motion is that this Bill shall lapse. That is what the House is considering and what it will determine. The member for Mitcham must confine his remarks to the motion being considered, otherwise Standing Orders will prevail. The honourable member for Mitcham.

Mr. MILLHOUSE: I refer to that incident merely to emphasise the point I am making: that all members, but particularly Opposition members, should scrutinise critically all legislation that is introduced and not, as they did, after half an hour's consideration, support this Bill. I know that some Government members had reservations about the Bill even though they supported it, and what I have said applies equally to them if they are to do their jobs as members of Parliament. However, by good luck, if not by any good judgment by members of the Party in front of me, this Bill is being foiled, and this Government, which tried to grab under it the most sweeping powers ever sought by any Government in this State, has been foiled. We find that the reasons for seeking these powers, as given by the Government, have turned out to be as specious as the Bill was dangerous.

Mr. GOLDSWORTHY (Kavel): I must correct one or two false impressions that the member for Mitcham again tried to promulgate. He made two assertions concerning the Opposition, the first about the statement of the Leader, when he said that the Leader had sought to rush the Bill through this House.

Mr. Millhouse: So he did. He tried to suspend Standing Orders the day before to make the Government introduce the Bill.

Mr. GOLDSWORTHY: If the honourable member will contain his exuberance, I will explain the situation. The Leader made clear there was only one motion he could

move that would enable the Bill to be considered. He also made clear that he would support the suspension to allow the Bill to be considered, but not necessarily to allow its passage through the House immediately. The member for Mitcham said that the Opposition was unanimous in supporting the Bill. For his edification, however, I refer him to page 296 of *Hansard* on which the division on the third reading is recorded. He will see there that the Opposition *in toto* voted against the third reading.

Mr. Millhouse: Why did you vote for the second reading?

Mr. GOLDSWORTHY: Once again the member for Mitcham seeks to make political capital by distorting the truth, as he has done so many times before in this place. The Opposition supports the motion, but the fact that the Bill has been lying around for so long gives the lie to the urgency with which it was rushed in. However, at that time there was considerable industrial unrest (and there still is), but—

The SPEAKER: Order! I have ruled already that we are dealing with a motion moved by the Premier, not with the Bill. The motion, not the Bill, is the subject that must be discussed.

Mr. GOLDSWORTHY: The motion is for the Bill to be laid aside. Perhaps the Bill should have been laid aside before today. Originally, the possibility of a delay in petrol supplies at that time was a matter of great urgency to the public. Any responsible member of the community would have believed that the industrial situation in South Australia should be considered by Parliament. The fact that the Government in its wisdom now seeks to withdraw the Bill can hardly in all conscience be linked in any way with what is happening in Western Australia. The Bill has been dormant for more than a month, but probably the Government has been waiting for what it considers to be the appropriate time to let the Bill disappear. For the benefit of the member for Mitcham, I say that in our judgment the course we took was somewhat more responsible than the course he sought to take, and it ill behoves him to get up in this House and preach to us as he has, when he enjoys less respect in this place from both sides in relation to having a genuine concern for the welfare of the people of this State.

The SPEAKER: Order! I have ruled that personalities must not be discussed in this debate. We are discussing whether the Bill shall lapse: that is the motion and that, not personalities and not clashes of individuals, is the subject for debate. The honourable member for Kavel.

Mr. GOLDSWORTHY: It ill behoves the member for Mitcham to chastise Opposition members for their attitude to this Bill and to this motion. I refute completely the spiteful remarks of the member for Mitcham and support the motion, although, as events have proved, the Government has obviously been hypocritical about this whole exercise.

Dr. TONKIN (Bragg): In supporting the motion, I do so with great pleasure because I was not happy about the Bill when it was introduced.

Mr. Millhouse: You supported the second reading.

Dr. TONKIN: The honourable member should read *Hansard*. I should now like to read part of the Earl of Chesterfield's speech delivered in the House of Lords in 1737, when he said:

Let us consider, my Lords, that arbitrary power has seldom or never been introduced into any country at once. It must be introduced by slow degrees, and as it were step by step, lest the people should perceive its approach. The barriers and fences of the people's liberty must be plucked up one by one, and some plausible pretences must be found for removing or hoodwinking, one after another, those sentries who are posted by the constitution of every free country, for warning the people of their danger.

Mr. Max Brown: You should send a copy of that to your Western Australian colleague.

The SPEAKER: Order! Western Australia is out of order.

Dr. TONKIN: I had intended to quote Chesterfield's remarks in another debate but, in quoting them in this context, I have must pleasure in supporting the motion.

Mr. McANANEY (Heysen): The motion before members—

Mr. Millhouse: How about—

Mr. McANANEY: Mr. Speaker, will you restrain the child behind me, please? I am pleased to see that this Bill is to be taken off the Notice Paper because it would discriminate against certain sections of the community while giving other sections of the community complete immunity from its provisions. For that reason it is bad legislation. Surely the member for Mitcham realises that, if a democracy is to survive and the freedom of the individual is to be preserved, we must have legislation to protect the majority of people and to ensure that minorities retain their liberty. Certain interests could work so as to limit the freedom of the individual, but if Australia is to survive as a democracy the Government of the day (admittedly it could be an irresponsible Government) must have the power to see that democracy and the freedom of the individual survive and that members of the public are not pushed around by a minority, as is happening in our country today. I deplore such a situation. For an elected member of Parliament to get up and talk the twaddle we have heard from the member for Mitcham makes me, as a member of Parliament, ashamed to sit alongside him and even ashamed to be a member of Parliament.

Mr. GUNN (Eyre): I will—

Mr. Millhouse: Here's another one. You're all making fools of yourselves.

Mr. GUNN: I will let the House judge who has made a fool of himself. I support the motion because, like my colleagues, I was most unhappy when this legislation was first put before the House.

Mr. Millhouse: You voted for it.

The SPEAKER: Order!

Mr. GUNN: As a responsible member of this House, however, and, in accordance with the responsible attitude we in the Liberal Party always try to show (and I believe we do show such an attitude), I supported the second reading and make no apology for doing so.

Mr. Millhouse: You ought to make an apology, because it was a fool of a thing to do.

The SPEAKER: Order!

Mr. GUNN: I will leave the House to judge who is making a fool of himself.

Members interjecting:

Mr. GUNN: From the way members opposite are interjecting, they are obviously feeling ashamed of themselves because of their action in this matter. I hope the reasons for introducing the Bill will never again be experienced in South Australia. If the Government has any influence on its colleagues in the trade unions I hope it will discipline them and carry out what its members often proclaim in this House.

Mr. Wright: Tell that to Sir Charles Court.

The SPEAKER: Order!

Mr. GUNN: The Government obviously did not have the courage to put the Bill in order or it would not be moving this motion today.

The SPEAKER: The motion before the Chair—

Mr. McAnaney: Who is laughing now?

The SPEAKER: Order! I am not laughing. The honourable member knows what is expected of him when the Speaker is putting a question to the House.

Motion carried.

LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL

In Committee.

(Continued from October 1. Page 1224.)

New clause 6h negatived.

New clause 7—"Amendment of section 259 of principal Act."

The Hon. L. J. KING (Attorney-General): I move to insert the following new clause:

7. Section 259 of the principal Act is amended—
(*a*) by striking out from subsection (1) the passage "eight thousand dollars" wherever it occurs and inserting in lieu thereof, in each case, the passage "twenty thousand dollars";
(*b*) by striking out from subsection (1) the passage "ten thousand dollars" wherever it occurs and inserting in lieu thereof, in each case, the passage "twenty thousand dollars";
and
(*c*) by striking out from subsection (1) the passage "two thousand one hundred and twenty dollars" wherever it occurs and inserting in lieu thereof, in each case, the passage "three thousand one hundred and eighty dollars".

In moving the amendment I wish to advert to a topic that arose in relation to the question of jurisdiction on another clause, when the Leader of the Opposition asked about the Law Society's reasons for opposing an increase of the jurisdiction. I did not have with me at the time a letter from the Law Society, so I could not reply adequately to the Leader's question. I later discovered that I had not received a letter at all but had seen a copy of an agenda of a Law Society council meeting, which I had received as a member of the council. The agenda referred to a subcommittee's report setting out its recommendations to the council. When replying to the Leader, I believed I had received a letter from the Law Society. I merely refer to that to put the record straight. However, I now have a letter from the Law Society and, so that it is clear, I will read the society's resolution, which is as follows:

Resolved that the recommendation of the Common Law Committee—

that is the committee whose report I saw—

be adopted and that the Attorney-General be advised that the society strongly opposes the proposals that the jurisdiction of the Local Court be increased generally to $20 000. The Attorney-General is to be advised that the society would have no objection to increasing the jurisdiction of the court to $12 500 in personal injury claims on the basis that inflationary trends would justify such an increase. The Attorney is also to be asked whether he will consider making appropriate amendments to the Local Court Act and rules, if necessary, to penalise parties in costs in appropriate cases.

Other matters are contained in the resolution, but I believe I have referred to the relevant part. The last sentence of the resolution refers to the question of the proportion of the claim that must be recovered to avoid penalty in cost and to the amendment we have adopted increasing it from one-fifth to one-half of the claim. In fact, the original document that I saw referred to an increase from one-fifth to one-half. The resolution passed by the council is not as specific as that, and the council resolution is the attitude of the Law Society, not the recommendation of the subcommittee. Beyond that, I cannot give the honourable member further information about the reasons that may have motivated the members of the council who supported that view. I still take the view, which I have expressed here, that the alteration in jurisdiction ($10 000 to $20 000) is fully justified for the reasons I have given.

New clause inserted.

New clause 6i—"Creditor may obtain warrant for arrest."

Mr. MILLHOUSE moved to insert the following new clause:

6i. Section 271 of the principal Act is amended—
(*a*) by striking out from paragraph (*a*) the passage "twenty dollars" and inserting in lieu thereof the passage "thirty dollars";
and
(*b*) by striking out from paragraph (*a*) the passage "one hundred dollars" and inserting in lieu thereof the passage "one hundred and fifty dollars".

New clause inserted.

New clause 6j—"Procedure where debtor claims to be brought before court."

Mr. MILLHOUSE moved to insert the following new clause:

6j. Section 277 of the principal Act is amended by striking out from paragraph (*a*) of subsection (4) the passage "sixty dollars" and inserting in lieu thereof the passage "ninety dollars".

New clause inserted.

New clause 6k—"Powers of court in actions."

Mr. MILLHOUSE moved to insert the following new clause:

6k. Section 279 of the principal Act is amended by striking out from paragraph (ii) of subsection (3) the passage "sixty dollars" and inserting in lieu thereof the passage "ninety dollars".

New clause inserted.

New clause 6l—"Judge or special magistrate may issue order for examination of witnesses about to leave the State or unable to attend from illness."

Mr. MILLHOUSE moved to insert the following new clause:

6l. Section 284 of the principal Act is amended by striking out the passage "sixty dollars" and inserting in lieu thereof the passage "ninety dollars".

The ACTING CHAIRMAN (Mr. Crimes): Will the honourable member for Mitcham please stand up when he addresses the Chair?

Mr. MILLHOUSE: I did; I am sorry.

New clause inserted.

New clause 6m—"Judge or special magistrate may issue commission for examination of witnesses outside the State or who reside more than one hundred miles from court where action to be tried."

Mr. MILLHOUSE moved to insert the following new clause:

6m. Section 285 of the principal Act is amended by striking out the passage "sixty dollars" and inserting in lieu thereof the passage "ninety dollars".

New clause inserted.

New clause 6n—"Practitioners entitled to costs according to certain scale."

Mr. MILLHOUSE moved to insert the following new clause:

6n. Section 295 of the principal Act is amended by striking out from subsection (1) the passage "two thousand five hundred dollars", twice occurring, and inserting in lieu thereof in each case the passage "four thousand dollars".

The ACTING CHAIRMAN: I will have to insist that the honourable member for Mitcham stand erect.

Mr. Mathwin: Like a soldier!

Mr. MILLHOUSE: Certainly. If you would like to see me in this posture, I am only too pleased.

The ACTING CHAIRMAN: You may resume your seat.

New clause negatived.

New clause 6o—"Costs as between solicitor and client."

Mr. MILLHOUSE moved to insert the following new clause:

6o. Section 296 of the principal Act is amended by striking out from subsection (1) the passage "two thousand five hundred dollars", twice occurring, and inserting in lieu thereof in each case the passage "four thousand dollars".

New clause negatived.

Title passed.

Bill read a third time and passed.

ROYAL INSTITUTION FOR THE BLIND ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 1. Page 1215.)

Mr. RUSSACK (Gouger): I support the Bill. Everyone is sympathetic to anything that will help blind people and will do whatever is possible to help them. The history of the Royal Institution for the Blind in South Australia goes back to about 1884, when the institution was founded and was located in King William Road. Apparently, there was difficulty about the land on which the building was established, and, therefore, it was necessary to enact a private Act of Parliament. This was done on November 8, 1934.

Because that was a private Act and because the legislation affects only part of the community, I expect that this Bill is regarded as a hybrid Bill. When the measure was before another place, it was referred to a Select Committee, which approved it and recommended that it proceed. Having been passed there, it came to this House for consideration.

Many years ago, I suppose before the time of men like Louis Braille, it was difficult for people inflicted with blindness to be able to live a normal life. In fact, a Mr. Hauy, who taught Louis Braille, saw blind people being teased in a market place. He established a school, and one of his pupils was Louis Braille. Mr. Hauy found that blind people could read letters that were impressed heavily on cardboard, and through this process Louis Braille developed the wellknown method that we know today as the Braille method. This institution helps people learn Braille; and many other aids, such as the talking book, the walking stick, the portable radar system, and guide dogs, have been introduced.

The Royal Institution for the Blind outgrew its premises in King William Road and is now located in Blacks Road, Gilles Plains. It occupied the new building in about the middle of December last year, and I understand that there will be an official opening in November next. At the institution, blind people are given employment in making brooms, basketware, and mats. The institution is also a rehabilitation centre. From an early age these people are taught how to cope with the ordinary simple tasks of life. Audio typing is also taught. The people are conveyed to the rehabilitation centre by voluntary drivers. I believe several hundred *bona fide* blind persons are helped by the institution. The legislation changes the name of the institution from the Royal Institution for the Blind to the Royal Society for the Blind of S.A., Inc. I think the change in name is commendable, and the word "society" will be accepted readily by the community. I am sure we all believe this is a most acceptable change. The Bill provides for the appointment of an Executive Director who would be a person qualified to carry out the administrative duties of the society. The Bill also provides for the Executive Director and an employee to be members of the board. Clause 5 provides:

Section 9 of the principal Act is amended—

(*a*) by inserting in subsection (2) after the passage "at least two vice-presidents," the passage "Executive Director,";

and

(*b*) by striking out from subsection (2) the passage " and Treasurer," and inserting in lieu thereof the passage "Treasurer, and one employee of the institution elected, in accordance with the rules, by the employees of the institution".

Clause 3 of the Bill defines "employee" as an employee of the institution, including any afflicted person to whom in the course of its benevolence the institution is for the time being affording work. In other words, the employee on the board will be a person afflicted with blindness who can make recommendations for the assistance of other blind persons. I commend this Bill and hope all members will accept it, because it will be of great assistance to people in this State who are unfortunately handicapped by blindness.

Dr. TONKIN (Bragg): I cannot let this opportunity go by without paying a tribute to the work of what has been the Royal Institution for the Blind and is now to be the Royal Society for the Blind. I am pleased indeed to support the Bill and to see this change being made. I think it is representative of the entire change that has been made within the institution. With the move from North Adelaide to Gilles Plains, the Royal Society for the Blind has entered an entirely new era. I remember 10 years ago in Toronto being tremendously impressed by the facilities available to the Royal Canadian Institute for the Blind in a new building which had been resited on the outskirts of the metropolitan area of Toronto. Those facilities were remarkable, and I am happy to say that the facilities now available at the Royal Society for the Blind at Gilles Plains are equal to any in the world.

The work being done by the society, as the member for Gouger has outlined, provides employment and rehabilitation services and amenities for blind people. I am pleased that one of the working members is to be a member of the board, because he or she can do nothing but provide added experience and first-hand knowledge on the board. The other members of the board generally have been associated with the institution for many years and have given their services freely and with a devotion to duty. There have been difficulties in the past, but I believe these have been ironed out (I think the Attorney knows this), and basically we can be grateful for the activities of the board members. Indeed, we can be grateful to the other members of boards of similar institutions and societies in the community. There is much to be said for the introduction of rehabilitation as a prime part of the activities of this society, and I hope that the Government will be in the position to support fully the activities of the society in the future. I support the Bill.

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

LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 26. Page 1172.)

Mr. BECKER (Hanson): Certain amendments that this Bill makes to the principal Act are welcome. The Bill extends hotel hours on Fridays and Saturdays from 10 p.m. to 12 midnight. No doubt this provision is necessary, because many hotels offer their clients entertainment facilities in the form of floor shows, discotheques, and other functions. For some time there has been a greater recognition in the community of the excellent facilities provided by most hotels. The local hotel provides a sensible means whereby people can enjoy a drink, friendship and entertainment. I therefore see little reason to object to this provision. As a result of the growth of tourism in this State, the hotels at Glenelg will especially welcome this move, because they will be able to provide more easily the necessary facilities.

Further, if hotels desire to do so, they may open at 5 a.m. Such hotels would be in areas such as industrial areas, where three shifts may be worked in factories. In those circumstances it is convenient for workmen coming off a shift to take advantage of hotel facilities. Similarly, hotels near the East End Market open at 6 a.m. and provide breakfast for the market gardeners. The provision for an even earlier opening at 5 a.m. will be appreciated by those people. I do not say that people want longer drinking hours because they have nothing better to do than to spend their time at hotels drinking liquor, but we must be realistic and provide good facilities and sane trading hours. In doing that, we should give an opportunity to people to have a meal with their drink.

It may be argued that, if we extend the hotel trading hours, we will encourage greater consumption of alcohol, with a resulting increase in the road toll. However, because of the common sense of the community, the extended hours will not lead to any great increase in the consumption of alcohol in this State; rather, they will spread the consumption of alcohol over a longer period. Indeed, they may very well add to the cost of running hotels, and it is to hotelkeepers' credit that they are evidently willing to accept that responsibility. I hope the extended hours do not mean that the price of drinks will be increased.

The Bill provides for the licensing of taverns, which will be a welcome innovation, although I can see one or two problems that may arise. A tavern does not have to provide accommodation and it is not essential that a tavern provide meals. We do not want to see a tavern bar along the lines of a milk bar. I will be disappointed if the tavern takes the form of a long, narrow, dark bar in small premises where people gather to drink and do nothing else. If we are to have taverns, they should provide meals for drinkers; this is a part of sane drinking laws. I would not like to see taverns springing up all over the place, because there may be problems in country towns, where a tavern could have a serious effect on existing licensed premises. No doubt the Licensing Court would consider this point.

Hotels must provide accommodation and parking. I point out that the cost of providing parking can sometimes be almost as expensive as the cost of constructing the main building. Older hotels that need to have their accommodation upgraded may be converted to taverns. This would help preserve some of our older and historic hotel sites. The Premier recently announced that many old hotels of architectural and historic value should be preserved. Such hotels could be converted to taverns. I repeat that I would not like to see taverns taking the form of long, dark and narrow bars similar to those in New York.

Mr. Millhouse: That has not been suggested. Don't you think the Licensing Court has any brains?

Mr. BECKER: I know someone, who is interjecting, who has not any brains. Clause 4 deals with the retail storekeeper's licence, and we have a welcome change in this area. At present it is extremely difficult to obtain a retail storekeeper's licence, the Licensing Court insisting on various requirements. Most hotels have had to upgrade their bottle departments, and many hotels have established drive-in bottle departments. The upgrading of bottle departments makes one wonder whether it is necessary to have many retail storekeeper's licences. The problem that has arisen is that smart promoters have gone out into isolated country and suburban areas and obtained a retail storekeeper's licence in order to transfer it later to a supermarket or large shopping complex.

I understand that, at Glenelg, one retail storekeeper's licence changed hands for $60 000. The stock was not worth much and little rental could have been charged for the premises. Therefore, obviously the $60 000 was paid with the idea of transferring the licence later to a property in a more advantageous situation. Under the Bill, a licence can be transferred only within an area of 500 metres, so that this will affectively prevent the practice to which I have been referring. In Adelaide, a retail storekeeper's licence is reported to have changed hands for $110 000. This situation has arisen as a result of an anomoly in the legislation. As one who stands for free enterprise and initiative, I think it is wrong that someone should be able to take advantage of a weakness in the law.

Clause 6 deals with a provision that has caused conflict in certain areas. At present, permit clubs must obtain their liquor from hotels. As soon as the retail sales of liquor of a permit club exceed $15 000 a year, that club must apply for a club licence. In this area, one wonders whether the Attorney-General has considered the effects of the restrictive trade practices legislation, although State legislation can overrule that legislation. Many permit clubs have suggested that this provision could be removed from our legislation and that they could be permitted to obtain their liquor direct from the supplier. Such a situation would be of great advantage to permit clubs and licensed clubs as well. However, one can see the problem that would arise affecting hotels situated close to these clubs, particularly in country areas.

In country towns with a population of about 400 or 500 people, there may be a football club, a bowling club, and perhaps one other sporting club. Without the permit system, they could take all the business away from the hotels, in respect of which the capital expenditure has been considerably greater than is the case with permit clubs. There must be some balance in the legislation. We must recognise the service that hotels have given the community, at the same time considering the benefit to members offered by sporting organisations and groups of interested people that form clubs. We must remember that most permit and licensed clubs have a limited membership. A member of a permit club is entitled to introduce only one guest at a time, whereas a member of a licensed club is entitled to introduce five guests.

We should look at the situation in which members of permit clubs can introduce only one visitor to a club. In some sporting clubs, especially bowling clubs, where more than one person is in a team or rink, a member may be required to look after more than one visitor. No great difficulty would be created by amending that provision.

Clause 9 deals with new permits for auctions. As the Attorney-General said, an auction could be held at

Nuriootpa or a central point to conduct an auction of wine or collectors' items of various wines. This is something that has come about in the past few years, and I think it is creating a false situation in relation to certain types of wine. Some bottles of liqueur port are of great value, yet the purchaser has no guarantee that the contents of the bottle are as stated on the label. This situation has arisen with various sales of Para liqueur port. I believe it is still possible to get some 1922 Para liqueur port, yet it seems strange that anyone should have a number of bottles of that vintage. Apparently, irrespective of what one must pay (and I believe it brings about $200 a bottle), there is no guarantee that the contents are true to label.

While these auctions will always be held, and while this is an encouragement to the decentralising of auctions, I should not like to see a situation in which a so-called wine expert could give his opinion of a certain wine, with resultant greatly inflated prices, yet there is no guarantee how long it will keep or whether or not it will improve with age. We are creating a situation of "let the buyer beware", and I should like to see some protection in that regard if wine auctions are to increase in popularity. There is always the danger that labels can be copied, and people will capitalise on any weaknesses in such schemes. I cannot see how consumer protection legislation could benefit the purchaser in this respect.

In South Australia, we have been fortunate in the high standard of our hotels and licensed clubs. Both serve the community well, and the licensed clubs are part of the community today. We should protect them, but at the same time we must realise the tremendous amount of capital required in establishing a hotel and maintaining a high standard. In this, as in every other industry, costs are increasing. What I fear more than anything else (and this revolves around clause 6) is that we could see within a short time, open price discounting between hotels. We already have it from one publican and, if it spreads to country areas, it could force another publican to undertake similar tactics; of course, only one would survive. There should be a method of price fixing for our various hotel prices. I see nothing wrong with that. If there is open warfare on discounts (and I see no point in having our wines stored in the corner of a supermarket) it could be difficult for permit clubs to obtain their 10 per cent discount from hotels.

I should not like to see many taverns popping up simply as drinking bars; I should like to see meals insisted on. Apart from this aspect, I consider this Bill will lead to saner drinking hours in South Australia. I believe the responsibility will come back to the industry and that it will provide facilities for its patrons, at the same time providing meals and accommodation at the local hotel. I support the Bill.

Mr. COUMBE (Torrens): This is essentially a Committee Bill, and I compliment the member for Hanson on the comprehensive way in which he has dealt with it. I do not intend to go through every clause, because I believe it boils down to three of four fundamental principles that we have to consider in the light of present-day practice in licensed premises, of whichever type they may be. Today, we must be realistic and pragmatic in our attitude to the community's outlook on the whole question of drinking, which has undergone a remarkable change in recent years. We have to consider the operation of the outlets as well as the social impact. The first matter contained in the Bill is the question of midnight closing on Fridays and Saturdays and the number of hours during which a hotel remains open. The Bill proposes that, if a licensee wishes (and I emphasise "wishes"), he may apply to the court for permission to remain open on Fridays and Saturdays until midnight.

Let us consider the present position. South Australian hotels work on a staggered hours system; that is, some open early in the morning, such as those near the market, and close early. Some hotels in certain industrial areas close at 6 p.m., whereas some others remain open until 10 p.m. In the square mile of Adelaide many hotels do not open their bars at night; it is uneconomic for them to trade in the bar, as sufficient custom does not exist. In my own district several hotels do not attract much patronage at night, especially in the later hours and, instead of two or three barmen being employed, as would normally be the case, it is often only the publican, his wife, or a member of his family who is on duty.

On the other hand, some newer suburban and country hotels (I speak more particularly of the metropolitan area, because I have a greater knowledge of that) would be attracted towards the new privilege, but these hotels would be open, anyway. I could name possibly a dozen or more such hotels, as no doubt any metropolitan honourable member could do, that trade under permit on Fridays and Saturdays, or some other day of the week anyway, not in the front bar but in other parts of the hotel.

The licensees of these hotels obtain a special permit from the court and open their premises. What we are considering is more or less regularising the extant position. Such hotels provide a certain type of facility or entertainment, and almost every Friday and Saturday night they are open until midnight. Being a realist, I think it would be these hotels in the main that would apply for the new type of licence. I do not for a moment believe that many of the hotels that find it uneconomical to trade late at night would undertake major modernisation of their premises so as to be able to avail themselves of this opportunity. In effect, what we are doing is regularising current practice in this regard.

Mr. Duncan: How do you think Mrs. Harmstorf will view this legislation?

Mr. COUMBE: It depends on the North Adelaide Football Club's plans. As the honourable member knows that place well, I am sure he would have some opinion on the matter.

Mr. Duncan: She's concerned about it.

Mr. COUMBE: I know. The question that arises immediately (and I hope that the Attorney-General will explain it in Committee) is whether the midnight trading being offered should be confined to lounges, dining and entertainment areas, but not permitted in the front bar. This question may have to be decided by the court or by the nature of the licensee's application, but I invite the Attorney to clear up this point. I believe a fairly major difference exists between the facilities offered at midnight in, say, the front bar and in other areas. I am not denigrating customers who use the front bar, but there is a difference in this context.

The question whether traffic at that late hour might lead to greater traffic problems has been raised with me. I have observed over some time now the application of late-hour trading, and I have made considerable inquiries since the present Bill has been introduced. I am not convinced that there will be any major increase in traffic problems. I may be wrong, but I hope that I am correct. I believe that, possibly, we will get

more civilised and saner drinking and, after all, people will take advantage of these opportunities. I hope that we will get a saner attitude in this regard.

An important aspect to be considered on the question of midnight closing is the impact of licensed clubs on hotels. Members know that some clubs operate on a restricted licence, whereas others operate on a full licence. The effect of these clubs on hotels in some instances has been most marked. As more and more of these clubs, especially sporting clubs and major football clubs, are being established each year, they are having a marked effect on the livelihood of the hotel licensee in the area in which they operate. I could cite one fairly prominent football club, not a league club, in my district that is equally spaced from three neighbourhood hotels that are about 200 metres away from each other, and I am sure that its activities could have an effect on the licensees of those hotels. I believe that the Bill will give some protection to the hotelier without removing the advantages of the licensed clubs. This is far more important in a country town in which there is only one hotel and the licensee relies on getting a certain amount of trade. The licensed club, which is a genuine activity, could have a marked effect on the hotel. The question has been posed whether the licensed club should obtain its bulk supplies from the local hotel. I believe that it should, as a form of compensation to the licensee.

The Act provides, in certain circumstances, for tavern licences. However, it is proposed that, in future, a tavern licence will be available on a much wider scale than at present and that some hotels need not necessarily provide accommodation. Some fine hotels have been erected in recent years in the metropolitan area, in the fringe areas, and in some country towns. As they provide good accommodation, I should hate to see the accommodation closed down or reduced. A case may be made out for tavern licences but I should hate to see, as I have seen in some other countries, taverns degenerating into what are called beer houses, because that would be a retrograde step. However, I am fully aware of the problems in this regard and I cite one hotel, namely, the Norfolk Hotel, in Rundle Street. How it provides accommodation I do not know, because it is difficult enough to get into the hotel as it is.

In my opinion, this is essentially a Committee Bill. I do not want to go through the whole gamut of the clauses, but I point out that we must be realists and pragmatists in this matter, as I have said. I think 12 o'clock closing will apply only to those hotels that presently open on Friday nights and Saturday nights. I assume that, if a hotel wishes to open on other nights, the normal permit facilities will apply, as in the past, for occasions like weddings or special parties. The question whether the front bar should be open until midnight should be looked at. My comments on the licensed clubs, especially in country towns, I think are germane to the whole argument. Having made those comments, I will reserve my further remarks for the Committee stage.

Mr. GOLDSWORTHY secured the adjournment of the debate.

ADJOURNMENT

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That the House at its rising do adjourn until Friday, October 4, at 2 p.m.

The reason for the motion is that there is still a very large withdrawal of funds from the Hindmarsh Building Society, despite the assurances given publicly and in this House today. In these circumstances, it may be necessary for me to ask the House tomorrow to give authority to the Government to provide assistance to the society to meet calls in the short term because, if a very large sum of liquid funds were withdrawn from the society, it would mean that the society would have to have time to realise on its assets before meeting other calls.

As I have said previously, the society is perfectly sound and has sufficient assets to meet all calls on it, although some short-term emergency assistance may be necessary. At this stage, I do not know what further assistance may be given immediately by the Commonwealth Government. It may not be necessary for me to seek any legislative authority from the House tomorrow, but in case it should be necessary I think the House should be able to meet and consider the matter, as it is of importance to the whole State. I ask members to bear with the inconvenience of having to meet tomorrow afternoon. I hope that it will be for only a few short moments and that we will not need to seek emergency approval for me to support the society.

Mr. COUMBE (Torrens): In view of the seriousness of the position outlined in the House earlier today, when the Premier gave the true facts of the position, and in view of the fact that the Leader of the Opposition, speaking on behalf of the Liberal Party in this House, indicated his support for the public statements made to the effect that there was no need for panic, I can say that the Opposition supports the motion, although we hope it will not be necessary for the Premier to take the action to which he has referred. I point out that, because of the commitments of country members and the engagements of other members, the attendance in the House may be rather thin. However, if the position does become serious, as the Premier has said it may, we support an emergency sitting. I make the proviso that we hope any legislation introduced will be of a temporary nature, otherwise other matters entirely would be raised. In these circumstances, I support the motion.

Mr. MILLHOUSE (Mitcham): I support the motion. I appreciate what the Premier has said about this in the House this afternoon and what he has said to me privately in amplification of that. I accept what he said earlier this afternoon, and I hope the general public will accept it. Certainly, I speak for myself and my Liberal Movement colleague, the member for Goyder, in saying that we do, and we will be prepared to consider any piece of legislation that may be considered necessary by the Government tomorrow afternoon. Like the Premier, I hope that the sitting of the House will be a formality and that there will be no business for us to deal with. However, if the situation is serious enough to warrant that, we shall be available to deal with any legislation the Premier or the Government considers it necessary to introduce.

Motion carried.

At 5.12 p.m. the House adjourned until Friday, October 4, at 2 p.m.