HOUSE OF ASSEMBLY

Wednesday, October 23, 1974

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

PETITION: COUNCIL BOUNDARIES

Mr. GOLDSWORTHY presented a petition signed by 179 persons stating that they were dissatisfied with the first report of the Royal Commission into Local Government Areas, and praying that the House of Assembly would not bring about any change or alteration of boundaries.

Petition received.

QUESTIONS

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

LAND TRANSFER

In reply to Mr. EVANS (September 17).

The Hon. J. D. CORCORAN: The Minister of Lands has provided me with a report on the matters raised by the honourable member. Incidentally, although the letter to the Minister from which sections were read when the question was asked was dated March 25, 1974, it was not received in his department until August 22. The land concerned is held under two perpetual leases. In 1971 the lessee applied for the consent of the Minister of Lands to transfer the leases to two people, one of whom at the time was an officer of the Lands Department. As in all cases of application for consent to transfer, this application was dealt with strictly in accordance with the requirements of the Crown Lands Act and established procedures. It was gazetted for the statutory period, and a formal objection was lodged by the person on whose behalf this question was asked.

The Minister wishes it to be clearly understood that his responsibility in applications for consent to transfer is solely to decide whether the transfer is satisfactory in terms of the Crown Lands Act. Furthermore, he merely consents to the transfer, and it is then up to the parties, if they so wish, to take the action necessary to complete the transaction and register the transfer. There is no obligation on them, so far as the Minister is concerned, to act on the consent. The objector appeared before the Land Board and was given every opportunity to present his case. The board is a statutory body, which has been in existence for many years, and was not, as has been alleged, a hastily constituted body. The objection was fully considered and, as one of the parties to the transaction was a departmental officer, the Minister obtained the advice of his legal advisers before a decision was made. This action was taken to ensure scrupulously fair treatment to all persons involved. The objection was disallowed, the application was approved, and consent was issued.

It is relevant to mention that the matters raised by the objector were largely outside the scope of the Minister's responsibilities under the Crown Lands Act. The contract between the vendor and the purchaser was a civil matter. It was open to the objector to consider instituting civil proceedings in respect of those matters. When hearing the objection, the board pointed out that its considerations were confined to the eligibility, in terms of the Act, of the parties to sell and purchase the leases. In the circumstances of this application, the departmental officer was not permitted access to the departmental files, even though it is difficult to see what advantage it would have been to him had this been the case. The Land Board and the Minister were quite competent to make their own decisions on the facts and within their responsibilities.

It is true that two years after consent was issued the objector wrote to the Minister applying to purchase the land. This could not be considered as the land was not Crown land but land leased from the Crown. The holder of a Crown lease has a legal right to negotiate a transfer of the lease, subject, of course, to the requirement that a transfer cannot be effected without the Minister's consent. No subsequent application for consent to transfer the leases had been received by the department when the Minister wrote the letter dated January 29, 1974. However, an application was received on February 26, 1974. By this time, the lessee, who had formerly been an officer of the department, was no longer a member of the Public Service, having resigned quite some time earlier. This application was also duly processed and considered on its merits. Presumably, the amount of consideration on transfer was arrived at by agreement between the transferors and the transferees. The Minister has no authority to intervene in the price agreed upon between the parties. There are no conditions in the leases requiring any specific improvements to be effected or development to be carried out.

The Crown Lands Act provides that the Minister shall not capriciously withhold his consent to transfer. As there were no grounds upon which consent could be refused, the Minister had no alternative but to approve the application. The same situation applied in the earlier application. The Minister of Lands has concluded his report by strongly denying any suggestion or inference that there has been any impropriety in dealing with either of the two applications. On the contrary, he and his officers went to great lengths to ensure that the Minister's responsibilities were fairly discharged. One further point is that both applications to the Minister were lodged on behalf of the respective vendors by recognised firms dealing in real estate.

DUKES HIGHWAY

In reply to Mr. NANKIVELL (October 10).

The Hon. G. T. VIRGO: The schedule of proposed works for 1974-75 does not include any reconstruction or resealing of the Dukes Highway, primarily because of lack of funds. Normal maintenance expenditure has been budgeted for and, although sections of the road are deteriorating, it is expected that general maintenance will hold the road in reasonable condition during this financial year. The Highways Department is aware of the present condition, which is normally worse at this time of the year, and is keeping the road under observation.

HOUSING TRUST

In reply to Mr. EVANS (October 15).

The Hon. D. J. HOPGOOD: When the Minister of Education verbally replied to the honourable member's question, he correctly drew attention to the large increase in funds made available for housing by the present Australian Government. Normally, the amount allocated for housing by the Australian Government is fixed at the beginning of the year, and the present method of making additional funds available to meet an unusual situation is to be commended. Although the Housing Trust did not obtain the amount it asked for, this will not lead to any reduction in its programme. This can be supported by the following extract from the proceedings of the conference held in Canberra on October 11, when Mr. Johnson said:

The States should endeavour to maintain their 1974 housing works programmes without reduction of activity, at least for the next two quarters, on the basis of further consultation between the State housing authorities and my

department, and on the present submission of the State housing authorities and with further consultation in regard to the progress of work and the state of the housing industry during the next three months, we stand ready—I am talking about the Commonwealth Government now—to further reconsider the advances to the States for 1974-75.

In reply to Mr. McANANEY (October 16).

The Hon. D. J. HOPGOOD: The trust has an unusually large building programme in Mount Barker, amounting to more than 40 dwellings, nearly all of which are under construction at the present moment. In the early part of the year building activities were somewhat restricted by the shortage of suitable on-site labour, and to a lesser extent by the shortage of some building materials. In more recent months, progress has been delayed by unusually wet seasonal conditions, which have hampered work on houses not already roofed and quite severely impeded progress on engineering works, particularly those with a common effluent system. The trust hopes that seasonal conditions will improve soon and permit the completion of the drainage system, although it is doubtful whether experienced tradesmen of the type required can be recruited in the area by the trust's builders. Very much the same conditions apply in Woodside where the trust has undertaken to construct three houses, one of which is now completed.

MINING LEASES

In reply to Mr. MAX BROWN (October 1).

The Hon. D. J. HOPGOOD: An inspector of mines intends to visit Whyalla during the first week of November to discuss proposals for mining barytes in the Mount Laura area with the Whyalla City Council.

COMMONWEALTH INTERVENTION

Dr. EASTICK: Can the Premier guarantee to the Parliament that his Government will not sell out the South Australian people by mortgaging our health service, particularly the hospital system, and our major interest in the Murray River by accepting financial promises from the irresponsible Commonwealth Government? The explanation of my question will be brief, because we have recognised that we cannot accept the promises made by the Commonwealth Government to this or any other State, and, because that Government is trying to erode the authority of the States by the involvement of funds tied to specific purposes, I want an assurance from the Premier that his Government will not sell out the heritage of the people of South Australia to gain some financial advantage from the Commonwealth Government.

The Hon. D. A. DUNSTAN: Obviously, the Leader is trying to put on some public turn or other.

The Hon. G. T. Virgo: As usual.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The people of this State know very well—

Dr. Eastick: That they can't trust the Government.

The Hon. D. A. DUNSTAN: If the Leader is going to be so childish, there is no point in my replying to his question. If he is willing to listen to a reply, I am willing to give him one, but, if he is going to carry on in the way he has done, there is no point whatever in replying to him. The people of this State know full well that the course that this Government has taken has been to stand up for South Australia, regardless of Party involvement. Supporters of the Party to which honourable members opposite belong also know that full well and express it constantly. People in South Australia say one thing about the Premiership of this State, and that is that I will stick up for South Australia, and anyone who "has a go" at South Australia will get some pretty good curry from me.

Mr. Goldsworthy: Do you take no responsibility for your Commonwealth colleagues? What about the fact that you're in the same Party?

The Hon. D. A. DUNSTAN: Let me say clearly that I take the same kind of responsibility for my Commonwealth colleagues as honourable members opposite took for their colleagues when they were in office. When their then Leader (they have got rid of him since) properly condemned the Commonwealth Government, I did not put on the kind of turn that honourable members opposite are putting on: I supported him. I said that he was right, and he was. As far as the hospitals situation is concerned, in Australia, under previous Commonwealth Governments, far too little money had been spent in the health and hospitals area. This State Government is willing to accept from the Commonwealth Government funds which will retain the control of hospitals development in this State, which will provide us with additional money to ensure that the gross lag in hospital services, evident under the Playford Government, which for 27 years—

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: —spent less a head of population—

Members interjecting:

The SPEAKER: Order! The honourable Premier.

The Hon. D. A. DUNSTAN: For 27 years the Playford Government spent less a head of population on health and hospitals than did any other Government in this country.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The result was that when the Labor Government came to office in 1965 the State had, on a population basis, fewer hospital beds and trained nursing and medical staff members than any other State. In four years, this Government has increased expenditure on health and hospitals by 300 per cent. However, that is not yet enough to catch up on the woeful, shameful, and disgraceful backlag in these services for which members opposite who have sat behind previous Liberal Governments are responsible. In fact, we need more money, and we are willing to accept money from the Commonwealth Government which will give us the extra cash we need to develop our hospital services and which will retain control for South Australia over those services.

In relation to the Murray River, I point out to the Leader that, under the River Murray Waters Agreement, this State has absolutely no guarantee of the quality of water reaching this State, as we are at the end of the system. The State depends for 80 per cent of its industrial and domestic water supply on the Murray River. As a result of that situation, two years ago I sought a meeting with the Prime Minister and the Premiers of Victoria and New South Wales at which I asked for a revision of the River Murray Waters Agreement that would enable a control to exist under the River Murray Commission over the water quality in the tributaries of the Murray that are not at present under the commission. A working party was set up between the Commonwealth and the States. The Prime Minister has rightly criticised the work of that working party, which has not reported satisfactorily in the areas that the Premiers and the Prime Minister, by agreement, had set for it.

Mr. Coumbe: Why is that?

The Hon. D. A. DUNSTAN: I can only say that it has not done its job. The Prime Minister has rightly expressed concern about the continued quality of water in the Murray, which is a vital national resource. We are the people to whom it is most vital that it should be good quality. I agree with the Prime Minister that action should be taken nationally in this matter and agreement obtained between the States. At the time of that meeting, which I sought and obtained, we had approval from Sir Robert Askin and Mr. Hamer that action should be taken to amend the River Murray Waters Agreement. I believe this is vital to South Australia. I assure the Leader that there is not much point in his talking in the political way he has talked this afternoon. If he wants to guarantee water quality to South Australia, he must co-operate in getting something done to ensure that the water quality to this State is satisfactory. That is not selling out South Australia: it is looking after it.

COUNCIL BOUNDARIES

Mr. PAYNE: Can the Minister of Local Government say whether, if the Local Government Act Amendment Bill that deals with council boundaries is proceeded with, the group of service stations now situated in the Meadows council area at South Road, Darlington, will have their hours of operation severely curtailed by the early closing provisions of the Industrial Code? These service stations are on land that is presently part of the Meadows council area, and the Bill to which I refer provides that the land will become part of the Marion council area.

Mr. EVANS: On a point of order, Mr. Speaker. Can a member ask a question relating to a Bill that is at present before the House?

The SPEAKER: I take it that the honourable member's question is outside the terms of the Bill, although connected with it. I took the honourable member's question to concern service stations outside a certain council area, which will be classified as being in that area if the Local Government Act Amendment Bill is passed. I rule that the question is in order because it is seeking information about something that is outside the Bill at present before Parliament.

Mr. PAYNE: Irrespective of the point of order—

The SPEAKER: Order! No comment can be made at this stage.

Mr. PAYNE: Considerable fear has been expressed by some proprietors that their service stations may be on land that will become part of the Marion council area and that the early closing provisions of the Industrial Code will apply and will result in a severe curtailing of their operating hours and a loss to the public of the considerable facility that now exists where people can choose the brand of petrol they wish to have outside what might be described as normal hours.

The Hon. G. T. VIRGO: I was disturbed this morning when I heard that allegations were being made about the effect of the passing of the Bill currently before Parliament and that service stations on the South Road at Darlington would be closed or subject to the same hours of business as service stations within the Marion council area. It seems to me that the people opposing the Royal Commission's report into local government boundaries will stoop to almost any level to achieve their objective.

Mr. Goldsworthy: You're talking about yourself.

The Hon. G. T. VIRGO: No; I am talking about the member for Kavel. If the legislation that has been introduced to give effect to the Royal Commission's report (as amended) is passed by this Parliament, the Royal Commissioners will be required to do many things to give effect to their recommendations, including the amendment of regulations by the Government under the early closing provisions of the Industrial Code so that the alteration of local government boundaries would not be used as an instrument to alter the *status quo* in relation to early closing. The rumour is completely untrue: it is just one of the many furphies being circulated in an attempt to discredit recommendations of the Royal Commission.

The SPEAKER: Order!

The Hon. G. T. VIRGO: Let me make plain that there will be no alteration.

The SPEAKER: Order! I ruled that the honourable member's question was in order because it was related to an Act that was not directly connected with the Bill being considered by Parliament at present. The Minister's reply must be on the same basis in relation to the Act referred to: his reply must not be directly connected with the Bill being considered.

The Hon. G. T. VIRGO: I am referring to regulations under the early closing provisions of the Industrial Code and trying to make plain to members and the public that the regulations will be amended so that the *status quo* will be maintained in relation to the hours of trading of the service stations concerned; in fact, many other matters will be dealt with similarly.

WAGE-FIXING TRIBUNALS

Mr. COUMBE: Will the Premier clarify for the benefit of the House the statement attributed to him today, I believe, that he may promote legislation to bind wage-fixing tribunals in this State to indexation, after allowing time to correct gross anomalies? If this is the case, or if it is the Premier's intention, will he say whether he believes in the freedom of South Australia's industrial courts to determine claims before them on their own merits, without interference, or does he, as a matter of policy, maintain that the courts should be directed by legislation, such as he is reported to envisage?

The Hon. D. A. DUNSTAN: In normal circumstances, one would not want to lay down rules for the tribunals other than those that Parliament has already laid down. However, I point out that, if we are to contain the cost-inflationary influences in the economy at present, we must contain leap-frogging wage demands that influence both cost-of-living changes and productivity. At a time of an inflation rate of about 15 per cent a year and an improvement in productivity of only 3 per cent a year, there is no way Australia can contain a series of wage increases of 60 per cent a year. That is accepted not only by this Government but also by the Governments of every Liberal-governed State in Australia. The proposal to legislate in relation to wage-fixing tribunals in the States was an agreed proposal, put to the Commonwealth Government at the most recent Premiers' Conference. In fact I put it, but it was agreed to by Mr. Hamer, Sir Robert Askin, Sir Charles Court, and Mr. Reece.

Dr. Tonkin: You're almost a Liberal.

The Hon. D. A. DUNSTAN: At the moment, I am being attacked by the Deputy Leader of the Parliamentary Liberal Party for proposing it.

Mr. Coumbe: I asked for your policy.

Mr. Venning: What about South Australia?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Opposition members are so much at sixes and sevens that they sling in a series of

contradictary interjections. Obviously, they do not know where they are going now, any more than they normally know. The proposal is that we should go jointly to the Commonwealth Conciliation and Arbitration Commission on an indexation principle and seek, Commonwealth and State alike, to have that indexation principle agreed to by the commission. The Commonwealth Parliament does not have power under the Constitution to direct the commission, whereas all State Parliaments have power to direct their own wage-fixing tribunals. Therefore, as a corollary of that approach to the Commonwealth tribunal, we should all say that our own wage-fixing tribunals be required to follow the same principle, and that the Prices Justification Tribunal should follow the same principle with regard to prices and incomes. The recommendation from the other Liberal Premiers was that the States should vest that tribunal with jurisdiction in those areas which, at present, it does not have, namely, with regard to persons, non-corporate persons, and co-operatives. This is part of an overall policy of restraint. I understood that restraint was supported by the Liberal Party; if it is, I think the Opposition would support what the Government proposes here.

STATE FINANCES

Mr. CRIMES: Can the Acting Minister of Works say what savings could be made by the Engineering and Water Supply Department if it acted on the Leader of the Opposition's suggestion that funds could be saved by slowing down work on water filtration and Torrens River pollution?

The Hon. HUGH HUDSON: I was interested in the comment published by the *Advertiser* this morning that the Leader has suggested certain areas in which savings could be made, so I inquiried in relation to the matter. The programme for water filtration this year is $4 400 000 and the entire funds for this programme are being provided by the Australian Government. The only consequence of slowing down work on water filtration would be a reduction in the amount of funds provided by the Australian Government for that purpose and there would be no effect on the Budget whatsoever. That disposes of that suggestion.

Dr. Eastick: What about sewerage?

The Hon. HUGH HUDSON: It could not go to sewerage, because it is specifically from the Australian Government for water filtration.

The SPEAKER: Order!

The Hon. HUGH HUDSON: The grant has been made; it is in our Budget and in the Commonwealth's Budget for this purpose. If work on water filtration is slowed down, there would be no effect on the State Government's budgetary position: we would just have less money from the Australian Government to the extent we slowed down the work. The second suggestion made related to Torrens River pollution. We were not sure what this meant, but we have assumed it refers—

Dr. Eastick: Who are "we"?

The Hon. HUGH HUDSON: Myself, as Minister, and Mr. Lewis (Director and Engineer-in-Chief of the Engineering and Water Supply Department). We have assumed it refers to the north-east trunk sewer being constructed to prevent sewage flowing into the Torrens River during peak flows because the present trunk sewer is overloaded. The programmed expenditure is $920 000, all of which is being funded by the Australian Government under the national sewerage scheme. If that is what the Leader is referring to, again, if we slowed down work on that project, the purpose of which is to prevent the Torrens River pollution, no impact would be made on the State's Budget. Under the heading of Torrens River beautification, the South Australian Government subsidises local councils of a $1 for $1 basis for beautification and recreation improvements along the Torrens River. The programmed expenditure under this heading for 1974-75 is $24 000 but I suspect that is not what the Leader was talking about.

The Hon. G. R. Broomhill: We don't know what he was talking about.

The Hon. HUGH HUDSON: He may be talking about a matter that is being investigated at present: the setting up of a general feasibility study into the whole Torrens River area. There is, however, no expenditure flowing as a result of that situation at present. No prospective saving could be made in the financial year 1974-75 as a consequence of that. I do not want to intrude on the responsibilities of other Ministers, but no doubt the Minister of Environment and Conservation would not object to my saying that coast protection involves an expenditure this year that will be largely financed by borrowing by the Coast Protection Board, and the saving that could be made on that in the Budget is virtually minimal.

The Hon. G. R. Broomhill: I do not know whether the member for Hanson would appreciate that, either.

The Hon. HUGH HUDSON: If the Minister of Development and Mines were here, he could tell members that 80 per cent of the expenditure this year on Monarto is to be financed by the Australian Government. Therefore, doubtless if we reduced expenditure there, we would get less funds from the Australian Government. The suggestions made by the Leader that involve my area of responsibility at present (and, I believe, the other suggestions that he has made) would involve virtually no savings whatsoever for the State Budget. I think the members of this House and the people generally of this State should be aware that this is just another example of the Opposition's irresponsible idiocy.

Mr. EVANS: Will the Treasurer say in what areas he recommends that the Commonwealth Government should vary its work and monetary programmes to help the States' economy, and particularly the national economy? The Treasurer has said he is not pleased about the sum the Commonwealth Government has made available to the States. He has said that, because of that Government's let-down in making money available to this State, he has had to introduce new taxes recently, and in all probability there will be others soon.

The Hon. D. A. Dunstan: I didn't say that.

Mr. EVANS: I will say that probably there will be others soon: I vary my earlier statement.

Mr. Venning: Listen to the question!

Mr. EVANS: No, that was fair comment. The other point that should be acknowledged is that the Treasurer, when challenged about what variations should be made to State programmes, threw the challenge back to the Opposition, and in future we will prove where the variations should be made. It is up to the Treasurer to say where he considers that the Commonwealth Government is going wrong in its works and monetary programmes so that the people will know what he is talking about when he attacks his Commonwealth Government colleagues.

The Hon. D. A. DUNSTAN: I have already given support for the Adelaide plan. If the honourable member cares to read it, he will find that it is explicit.

Mr. McAnaney: It's impracticable.

The Hon. D. A. DUNSTAN: It is not impracticable. It is the work of leading economists in this State, and I consider that they are in no way impractical: they are

entirely practical men. There is a difference between the situation of this Government, which has had a cash balance provided in the Loan Account and Revenue Account at the time I introduced the measures, and that of the Commonwealth Government, which, in fact, because of the inflationary situation, is getting in a surplus and will have a much larger surplus than that for which it has budgeted.

Mr. Coumbe: Out of income tax?

The Hon. D. A. DUNSTAN: Yes. I do not believe it is necessary for the Commonwealth Government to change its works programme. I believe that on present indications one or two Commonwealth Government departments will be unable this year to spend the money that has been budgeted for them.

Mr. Goldsworthy: Which are they?

The Hon. D. A. DUNSTAN: The Urban and Regional Development Department is one department that will find difficulty in spending the money this year; that is a clear case. At this stage, I can point to the fact that the Commonwealth Government will have a substantial surplus in revenue, and that is not the situation in South Australia. It is possible for the Commonwealth Government to provide from its sources of funds in a way which, under the Financial Agreement, no State can do. If the honourable member does not realise the difference in budgeting practice enforced on the States by the Financial Agreement between the States and the Commonwealth, I suggest he read it.

Mr. Evans: I understand it.

The Hon. D. A. DUNSTAN: Then I suggest that the honourable member, in applying the same criterion to the State Government as he has applied to the Commonwealth Government, is simply not facing the facts.

Mr. LANGLEY: Can the Treasurer say whether the $23 500 000, approved by the Grants Commission as a special grant to this State, was considered before the Treasury suggested recent additional charges?

Mr. Gunn: Who wrote this for you?

Mr. LANGLEY: I went to school, although I do not know whether the honourable member did. A report in today's *Advertiser*, headed "South Australia receives $23 500 000 aid", tends to give the impression that there is no need for further taxation in South Australia. The matter was brought to my notice by a person who contacted me at my district office today and asked why, in the circumstances, charges needed to be increased.

The Hon. D. A. DUNSTAN: The amounts that we had received and would receive in prospect from the Commonwealth Grants Commission were taken into account in the State Budget; they were already brought to account before it was found necessary to impose additional charges. I only wish I could get an additional hand-out of $23 500 000 from the Commonwealth Government, but unfortunately that sum was already in the accounts.

Mr. GOLDSWORTHY: Does the Treasurer expect to be dishonoured any further undertakings of the Prime Minister to provide funds for South Australia? Yesterday, we learned that South Australia was not to receive $6 000 000 that had been promised to help our Budget position. In the absence of the Treasurer yesterday, the Minister of Education said that it had been clearly understood that we would get additional assistance. There are numerous other examples of the Prime Minister and his colleagues making undertakings that they have subsequently dishonoured. I do not think I need outline these instances, the list of which is getting longer every day. Indeed, in relation to technical education, this morning's newspaper reports that the recommendations that the Commonwealth Government has previously said it will adopt have been delayed and funds have not been made available.

The Hon. Hugh Hudson: That's not what—

The SPEAKER: Order!

Mr. GOLDSWORTHY: I did not catch the Minister's interjection. One understands the very difficult, almost impossible, position in which the Government finds itself. I ask the Treasurer what further undertakings he expects to be dishonoured and, if there are to be any, will he approach his colleagues to ascertain whether they can learn to be a little more trustworthy?

The Hon. D. A. DUNSTAN: I have made my comments on the situation, and I do not intend to add anything on the subject.

RURAL INDUSTRY

Mr. VENNING: Will the Treasurer say whether the Government intends to exempt from the effects of the proposed fuel tax the rural sectors of the economy engaged in export industries that are so vital to the economy of the State? Already, since the Treasurer made his statement in the House yesterday, rural industries and industries associated with the export trade have been up in arms about the Government's intention to raise the price not only of petrol but of all fuel. People in those industries (and I must agree, without commenting) are concerned about not only the effect of the increased price for all fuel but the escalating increase in the prices of all goods and services that would flow from such a Government decision.

The Hon. D. A. DUNSTAN: There are no proposed exemptions of the kind the honourable member has mentioned. I point out that this tax will be imposed in South Australia on exactly the same basis as that introduced by the Liberal and Country Party Government of New South Wales previously, and that the tobacco and cigarette impost also will be exactly the same as that imposed by the Liberal Party Government in Victoria.

Mr. Coumbe: What about Tasmania?

The Hon. D. A. DUNSTAN: Tasmania is trying to fall into line, having had a case in the High Court.

Mr. Venning: What about land tax?

The Hon. D. A. DUNSTAN: I am sorry that I cannot make any promise to the honourable member about land tax, because South Australia is a claimant State before the Grants Commission.

The SPEAKER: Order! There is in the question no reference to land tax, and the reply must be related to the question.

The Hon. D. A. DUNSTAN: I am sorry that I cannot dilate on that subject. I tell the honourable member that, in this matter, we reluctantly and with much heartburning—

Mr. Dean Brown: It's the most inflationary tax you could have thought of.

The Hon. D. A. DUNSTAN: The honourable member has not done his homework, because I assure him that the alternatives have been considered and that they would have been much more inflationary. If it is such an inflationary disaster and a dreadful tax, why are the honourable member's colleagues in Victoria and New South Wales imposing it?

Dr. Eastick: Because the Commonwealth Government let them down, too.

The Hon. D. A. DUNSTAN: In that case, I should have thought that the Leader would be joining me in saying that he disagreed with the Commonwealth Government's attitude, instead of charging me with imposing a tax in this form. I assure the Leader that, if he was in Government at present, he would have to do exactly the same thing, and he knows that.

SNAKE FOOD

Mrs. BYRNE: Will the Minister of Environment and Conservation say whether he has seen a report, in the *Sunday Mail* of October 20, about the consumption of snakes by human beings, and will he investigate the allegations made and obtain a report, particularly in respect of the environmental and health aspects? The report states:

A leading Adelaide herpetologist said the reptiles were being cropped at a rate that threatened species in some areas, particularly along the Murray River . . . Species most endangered are the harmless carpet snakes, the tiger snakes, the common swamp black, and, in the South-East, the copperhead. Besides the impact on the snake population, there is the interference with their value as vermin controllers . . . He said not only the snake was at risk, and pointed out that no hygiene and sanitation control was exercised over the slaughter or marketing of snake meat . . . Snakes were prone to severe parasite attack and diseases . . . Not only that, I have dissected a lot of snakes of all species and have seen what is inside them. They are very prone to parasites and diseases. I could never be tempted to eat a snake.

The Hon. G. R. BROOMHILL: I saw the report, and things are changing: instead of snakes biting people, people are biting snakes. I have asked the National Parks and Wild Life Service for a report on this matter, because certainly I have not heard other reports of people selling snakes in restaurants and in the other areas referred to in the press report. I will let the honourable member know when I receive information.

PORT LINCOLN WHARF

Mr. BLACKER: Can the Acting Minister of Marine say what the Government intends to do about the future of the present bulk handling facilities at Port Lincoln? If it intends to remove the grain handling equipment, will it consider converting the wharf into a marina for the local fishing fleet? When the new deep sea loading facilities have been completed at Port Lincoln, the present loading gantries will become redundant. Although they may be retained for the loading of smaller ships, it appears that this would be gross over-capitalisation. If the gantries are removed, the remaining wharf would provide an ideal basis on which a marina could be built. I seek the support of the Minister and the Government in converting the redundant wharf into unloading facilities for the fishing fleet.

The Hon. HUGH HUDSON: I shall be pleased to examine the honourable member's suggestion and see what can be done.

MILK

Mr. DUNCAN: Is the Minister of Education, representing the Minister of Agriculture, aware that, following the abolition of Sunday milk deliveries and the conversion to metric containers, many shops selling milk are now refusing to handle milk in bottles, selling it only in cartons? Also, is the Minister aware that this practice, which is becoming widespread, is causing a rapid decline in sales of milk in returnable bottles through retail outlets? Will he take action urgently to see that this trend is arrested, reporting to the House on whatever action the Government is able to take on the matter? Several constituents of mine have contacted me about the fact that retail outlets in the Elizabeth area are refusing to handle bottled milk. This is causing considerable hardship to many people in my district who are not used to having milk delivered to their houses and who have been in the habit of purchasing milk from shops. The effect of shops refusing to sell milk in bottles is that people are forced to pay, I think, 2c extra for a pint (·56 *l*) of milk. In addition, the more important effect is that valuable resources are being wasted because of the increased number of cartons used, whereas previously returnable bottles were used many times, thus saving resources. As the Government's policy is to conserve scarce resources, I should be grateful for any information the Minister can provide.

The Hon. HUGH HUDSON: I will take up the matter with the Minister of Agriculture who, no doubt, will want to consult the Minister of Environment and Conservation about it.

PETROL TAX

Mr. BECKER: Can the Treasurer say what motivated his change of mind and the Government's changed attitude in relation to the introduction of a petrol tax? The Treasurer was reported in the *Advertiser* of September 13 this year as saying that he did not plan to introduce a 6c a gallon sales tax on petrol as proposed for New South Wales. He was quoted as having said, "If we are looking at a consumer tax, it will not be of that kind." What or who changed the Treasurer's mind? Why was it necessary to impose such a severe impost on motorists? Bearing in mind the report in the *Advertiser,* does this mean that the Treasurer's word is no longer his bond (as is the case with his Commonwealth Government colleagues), or was he overruled by the Treasury?

The Hon. D. A. DUNSTAN: What changed my mind was a working party established by the economic intelligence unit of my department and the State Treasury that examined alternatives.

Mr. Dean Brown: Why did you make such a specific statement?

The Hon. D. A. DUNSTAN: At that stage I believed it, and so did they.

Members interjecting:

The SPEAKER: Order! One question was asked and one question will be answered. Interjections are out of order.

The Hon. D. A. DUNSTAN: I am really finding it well nigh impossible to reply to questions successfully in the House when I get so many senseless interjections from members opposite.

The SPEAKER: Interjections are out of order.

The Hon. D. A. DUNSTAN: Yes, I know, but it is difficult to ignore them and get on with answering questions, when I am faced with the kind of juvenile and jejune comments that come from members opposite.

Mr. CHAPMAN: Will the Treasurer exempt Kangaroo Island from the increase in the fuel tax of 6c a gallon? Today I have received a telegram from the Chairman of a district council on Kangaroo Island, and I understand that an identical message has been sent to the Treasurer. The Chairman of the council, in expressing deep concern at the published fuel tax and its effects on the island community, particularly with respect to its present desperate economic situation, refers to the excessive freight rates and the worsening condition of the rural economy of Kangaroo Island. My question is also reinforced by other factors, and I bring to the notice of the Treasurer that the Manager of Airlines of South Australia has claimed today that the air transport link between

Kangaroo Island and the mainland carries a higher passenger and freight rate a kilometre than does any other service provided by that company in South Australia. The manager also claims that this rate is probably one of the highest rates applicable to any service conducted by that company in Australia. Responsible leaders of the island community also claim that the sea transport fees applicable to the m.v. *Troubridge* operation are also higher a kilometre than those that apply to any other form of produce transport in South Australia, and that the effects of this situation are crippling the community in that valuable part of this State.

The Treasurer would be well aware that there are no railway services and no other form of public transport servicing that community: in fact, all residents of the island depend totally on privately owned motor vehicles for their transport. Recent information reveals that the freight differential loading in respect of fuel for part of that community has risen to 10·9c a gallon. That situation applies since the recent removal of the freight differential subsidy that applied to the whole State. Information received from the major fuel company servicing that area reveals that about 1·3 M*l* of white fuel products was used in that community during the year 1973-74. The explanation for the extremely high volume of fuel required is that it is not merely desired but essential for the people living in that community.

On that basis I ask the Treasurer seriously to consider removing this latest burden from the people of Kangaroo Island, who have been inflicted with disabilities and disadvantages that do not apply to other South Australians.

The Hon. D. A. DUNSTAN: It is not possible to exempt any part of the State from the petrol tax. The honourable member referred to two types of transport to Kangaroo Island. I am aware of the high rate in relation to the Airlines of South Australia service, but I can assure the honourable member that I have taken up with other airlines the possibility of providing an alternative and less costly service to Kangaroo Island. I point out that the Government has been responsible for providing extremely heavy subsidies in connection with the *Troubridge* service to Kangaroo Island. If it had not been for this Government, Kangaroo Island would not have had such a service.

Mr. Chapman: Don't kid yourself; rail services are—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: South Australia cannot run a railway service to Kangaroo Island, because there is no land on which it could run. I point out to the honourable member that it was this Government which continued the *troubridge* service, which bought the *Troubridge* for Kangaroo Island, and which heavily subsidised it for the people of Kangaroo Island.

STATE ELECTION

Dr. TONKIN: Does the Premier intend to announce an early State election and, if so, when? There has been considerable activity recently that has painted the Premier in a somewhat different light. I refer to the *News* yesterday, to a front page report and to the editorial. Indeed, the view has been expressed that the leader was written by the Premier's Press Secretary. There has been general agreement among people of this State that the championing of the State the Premier is now undertaking is worth while, but that it would have been much better if it had been undertaken a long time ago. I point out this action has been consistently sought by the Opposition for almost as long as this Government has been in office.

The Hon. G. T. Virgo: What Opposition?

The SPEAKER: Order! As Speaker of the House of Assembly, I do not intend to allow members to take control of this House during Question Time. If members persistently and consistently disregard the authority of the Chair, Standing Orders will prevail, and I will have no hesitation in naming any member who disregards Standing Orders. The honourable member for Bragg.

Dr. TONKIN: Thank you, Mr. Speaker. Whilst there is general agreement in the community that such action is long overdue and necessary, there has also been considerable criticism.

The Hon. D. A. Dunstan: This is nonsense. Question!

The SPEAKER: "Question" has been called. The honourable Premier.

Mr. Gunn: They can't take it.

Mr. Goldsworthy: This is what—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The honourable member is apparently trying to head off criticism that will naturally be levelled in relation to the sheer incompetence shown by his Leader in a published statement yesterday.

Dr Tonkin: Not at all: I only want to know.

Mr. Goldsworthy: It's really getting under the old skin, isn't it?

The SPEAKER: Order! I warn the honourable member for Kavel.

The Hon. D. A. DUNSTAN: The Leader knew that it was likely—

Members interjecting:

The SPEAKER: Order! In relation to the remark made by the member for Kavel, I warn the honourable member for the second time.

Mr. Gunn: He never said a thing!

Mr. GOLDSWORTHY: I rise on a point of order, Mr. Speaker. I understand you have been advised by the Clerk Assistant. If I understand the interchange that has occurred since you warned me, the Clerk Assistant suggested to you that I had made some remark. In these circumstances, I bitterly resent the second warning.

The SPEAKER: Order! The honourable member made the remark "Hear, hear!" and, in relation to that remark, I warned the honourable member for the second time. I do not uphold the point of order. The honourable Premier.

The Hon. D. A. DUNSTAN: Last evening the Leader of the Opposition suggested that he might force an early election in this State. Apparently, he is not aware of the fact that he has no means of doing so.

Members interjecting:

The SPEAKER: Order! My remarks apply to the Government side, too.

The Hon. D. A. DUNSTAN: Appropriation has been passed by Parliament, and I need not present a Supply Bill this side of next July. If the Opposition chooses to use its majority in the Upper House in order to refuse further taxation measures of the Government, I do not need to take the Government to an election.

Dr. Tonkin: You won't go!

The Hon. D. A. DUNSTAN: What may well happen is that the consequences of the irresponsibility of the Opposition's refusing the very same revenue to this State as has been raised by its own Party colleagues in other States—

Dr. Tonkin: Not good enough!

The Hon. D. A. DUNSTAN: If that is done, I assure honourable members opposite that we will make the retrenchments that they impose, and the people who are sacked will place the blame—

Dr. Tonkin: On the Government!

The Hon. D. A. DUNSTAN: —on members opposite.

The SPEAKER: Order! I warn the member for Bragg who has consistently disregarded my authority, and I warn him for the second time.

Mr. Wells: He's talking rubbish.

The SPEAKER: Order! I warn the member for Florey, under Standing Order 169.

The Hon. D. A. DUNSTAN: If Opposition members are so irresponsible as to refuse in this State revenue measures that other Liberal State Governments have found necessary in order to pay for basic services, then on their own heads will be the consequences. If members opposite think they can simply call an election, that shows how little they know about constitutional procedure in South Australia. The Leader of the Opposition demonstrates in this, as he demonstrated in his remarks about the State Budget, that he only came into politics recently and has not caught up with the times.

Mr. McAnaney: You don't have that excuse!

The SPEAKER: Order!

LAND TAX

Mr. DEAN BROWN: My question is to the Treasurer as he is the official executioner of taxpayers in—

The SPEAKER: Order! That remark is out of order. The question!

Mr. DEAN BROWN: What worthwhile financial relief will the Government give to those people who have genuine hardship in paying the grossly inflated new land tax? People of Burnside are currently receiving their new accounts for land tax, which is now based on the new valuations placed on land by the Valuer-General and which in some cases has been increased by as much as 500 per cent. One gentleman's property assessment has been increased from $24 to $62, another's from $322 to $1 999, another's from $22 to $42, another's from $22 to $56, and another's from $16 to $34. When the water rates of the area were increased, the Acting Minister of Works made a glib statement on television that the South Australian Government would give relief to people who could not pay their water and sewerage accounts. History has shown (and I have documentary evidence to prove it) that no relief whatever has been given to people experiencing hardship in this regard. It was a totally untrue statement made simply to pacify people watching the television programme on that occasion.

The Hon. Hugh Hudson: That's a lie.

The SPEAKER: Order!

Mr. DEAN BROWN: The Minister knows it is not a lie, because he made the statement.

The SPEAKER: Order!

The Hon. Hugh Hudson: Liar!

The SPEAKER: Order!

Mr. DEAN BROWN: The people of Burnside genuinely need some sort of relief from the heavy increases in their land tax and water and sewerage rates. The worst part of land tax is that it is a completely iniquitous tax, for which people receive no service in return.

The Hon. D. A. DUNSTAN: Land tax in South Australia is a graduated tax on the aggregation of all properties that are owned. It is a tax on the basis of people's ownership of property: it is a graduated tax based not on improvements but on the value of unimproved land. Valuations are made periodically. The honourable member referred to the previous year's tax but I point out to him that his area has not been re-assessed for some time and that he should therefore relate—

Mr. Dean Brown: It was two to three years ago.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: —the increase to three years and not to one year. He is not referring to what happened last year, and it is not a percentage increase over one year: it is a percentage increase over a number of years.

Mr. Dean Brown: It's still over 100 per cent!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: In some cases it is an accrual of property value. If the honourable member suggests that, when selling their properties on the market, people cannot obtain the price at which their properties have been assessed and that, therefore, they have not had that capital increase, he is in a position to tell his constituents to appeal. The same relief, however, will be given in relation to land tax as is given in relation to Engineering and Water Supply Department rates and that is that, as from July 1 next, an equalisation programme will be introduced so that there are not the same marked increases as have occurred this year in an inflationary period.

At 3.6 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

BRAKING REQUIREMENTS

Mr. RUSSACK (Gouger): I move:

That the regulations under the Road Traffic Act, 1961-1974, in respect of braking requirements, made on June 27, 1974, and laid on the table of this House on July 23, 1974, be disallowed.

According to Standing Orders, it is necessary to move for the disallowance of complete regulations, although I should like to make clear that it is not my opinion that the relevant regulations in their entirety are wrong: only one section concerns me, and that is regulation 6.02 (3) (*a*), which provides:

Any trailer the laden mass of which exceeds 10 tonnes shall have brakes acting directly on all road wheels.

Because it is necessary under Standing Orders to move for the disallowance of the regulation as a whole, I have moved my motion in order to bring one point to the notice of the Minister and other members and in the hope that the weight referred to in the regulation might be amended from 10 tonnes to 12 tonnes. I am conscious of and accept the good intention of the Minister and the Government, after increasing road speeds, to bring about safety concerning these vehicles in conformity with the increased speeds. Nevertheless, I consider that it would be within the realms of safety, as well as within the scope of the Act, to make the alteration to which I have referred and which will not at all impede safety precautions. I will submit reasons for making that statement. The main reason is that the regulation affects, in the main, primary producers who cart their grain to silos and who have approached me.

I have undertaken some research into the matter, and consider it appropriate that I move my motion. Regarding the safety factor, I know that the Subordinate Legislation Committee has laid on the table of the House a letter from Mr. E. J. O'Donnell, Manager of the Government Motor Garage, in which he supports the present regulation.

Although I will not read his letter (members may sight it) it sets out Mr. O'Donnell's reasons for believing that any dog-type trailer, exceeding 10 t, with four wheels and a turntable front, should be equipped with brakes on all road wheels.

However, other technical people have expressed different opinions. Diametrically opposed opinions have been expressed by technical people experienced in this field who consider that the brakes on the front wheels of dog-type trailers can be dangerous. It is essential that the brakes on the rear wheels operate momentarily, prior to the brakes on the front wheels. There could be a jack-knifing effect if the brakes on the front wheels were applied before or even instantaneously with the brakes on the rear wheels. The brakes on both front wheels must operate simultaneously. If the brake on one front wheel operated even only a fraction of a second before the brake on the other front wheel operated, it could present a danger. Because of this, it is considered by experienced people and those with technical knowledge that the front wheels of a four-wheel dog-type trailer can be dangerous. So, we have these opposing views on safety. It will be mainly farmers who own trailers who will be caught by this regulation. Farmers who cart their grain to silos have a commendable road safety record that cannot be disputed, and I am sure that their good safety record will continue under the present requirement. Because of the nature of the roads that most of the cereal-growing farmers traverse to deliver their grain to the silos, they cannot drive at an excessive speed; they must maintain a moderate speed, and I am sure that this practice has contributed to their good safety record. Most of these farmers' trailers are, in the main, used for only one or two months of the year, either during seeding or, more particularly, during harvest when the grain must be carted to the silos. For brakes to work efficiently and as they should, they must be subjected to regular maintenance.

It is debatable whether the brakes of a trailer used for the first time after being left in a shed for some months would be efficient enough to comply with all road safety requirements. Therefore, it is considered desirable that brakes be not fitted to front wheels, because it is the brakes on these wheels that must operate most efficiently. Following the dormant months, during which the trailers are not used, a road safety hazard could arise. The cost of fitting brakes to the back wheels only of a dog-type trailer is between $800 and $1 000, whereas the cost of fitting brakes to all four wheels would be an additional $600 to $800. Increasing the provision in the regulation from 10 t to 12 t would obviate the necessity for farmers to spend that extra $600 to $800. Some people might say, "What of the cost?", but the primary producer faces escalating costs almost daily. To this cost must be added the unjustifiably high rural land tax now being imposed, in addition to the proposed fuel tax.

The SPEAKER: Order! As the honourable member has moved a motion, he must confine himself to that subject matter.

Mr. RUSSACK: I am linking up the proposed cost with the cost of the trailer and submitting that, if the braking regulation is not amended, it will necessitate more trips, thus more fuel; therefore, the increased fuel tax will have a considerable bearing on my motion. This additional cost will be added to the ever-increasing costs of primary producers. It will soon be beyond their ability to compete, because any cost or tax must be within their means. I have tried to ascertain the number of people who will be affected by the regulation or helped if the 10-tonne limit is increased to 12 t. Many farmers on Yorke Peninsula will be so affected, and I am sure that other members who will speak on the motion will give details of the numbers of people in their districts who will be affected. I have a list of names of 38 owners in the northern part of Yorke Peninsula (some of whom live in the Goyder District) and, although I will not give those names here, if the Minister wishes to know who they are I will tell him. The area from which those 38 owners come covers about 25 km^2.

I have moved this motion because of the safety record of the operators involved who will be helped by increasing the weight limit. I commend these operators for their safety record, which would not be affected. In some respects safety would be enhanced because of the necessity for regular maintenance. In His Excellency's Speech, about the only agricultural matter referred to was that relating to rust this season which is now prevalent. Primary producers are facing increasing costs and a decreasing income; they are concerned about rust; and the cost of running their farms is getting out of hand. I believe this motion should be considered seriously because of the number of people involved. If the Government is sincere about the provision in the Road Traffic Act Amendment Act of 1973 allowing an exemption for vehicles carrying primary produce in certain circumstances, I am sure the Government will consider this motion seriously and approve the raising of the limit from 10 t to 12 t. The producers concerned will contribute just as much to safety, they will be assisted financially, and they will be able to transport their primary produce more easily and cheaply from their properties to the silos. I appeal to members to consider all the matters I have raised and to support this motion.

Mr. GOLDSWORTHY (Kavel): I support the motion, which is important not only to the people who cart grain but also to people in my district who cart grapes to wineries during the vintage. I seek leave to continue my remarks.

The Hon. G. T. Virgo: No.

The SPEAKER: Leave is refused. The member for Kavel.

Mr. GOLDSWORTHY: That is an amazing call from the Minister of Transport when we are dealing with private members' business. The member for Gouger moved this motion because of its importance to his district. One major speech has been made in this debate, and I always thought that private members were in charge of their own business. This is the first time since I have been in this House that leave has ever been refused, and it is a disgraceful state of affairs.

The SPEAKER: Order! I cannot allow a debate on a decision of the House. A decision of the House has been made. We are dealing with a motion and therefore no reflection can be made on the decision of the House. The honourable member for Kavel.

Mr. GOLDSWORTHY: Thank you for that ruling, Mr. Speaker. Under Standing Orders, one dissenting voice can refuse leave and that is what has happened. The Minister of Transport has denied private members the rights they thought were theirs on private members' day. I agreed to second this motion when the member for Gouger approached me a few days ago, because I am interested in the matter. I assumed the Minister would not have the gall to do what he has done today. The regulation concerning braking requirements is causing consternation in my district. Members receive requests from constituents

from time to time, and I believe that in the matter of road transport I receive as many approaches from primary producers as from any other group of constituents. Several grapegrowers have tried to find out what these regulations contain and how they will be affected. It is amazing that the Minister has taken this attitude. On behalf of my constituents I protest, first, at the way in which these regulations have been drawn and, secondly (and most vehemently) at the treatment handed out to the Opposition by the Minister this afternoon. I believe it is absolutely disgraceful.

The Hon. G. T. VIRGO (Minister of Transport): Let me put one or two things quite straight for the record. First, we are dealing with a piece of Government legislation that a private member has sought to disallow. It is still a piece of Government legislation, and it is one of four matters associated with road safety that were piloted by me through this House. The other three matters involved the speeds of commercial vehicles, their loads, and hours of driving. I know every member received (and I hope read) the report on commercial road transport produced by the committee that considered the conditions of operation of commercial road transport.

It is rubbish to talk about private members' business; the member for Gouger will be the first to say that he has spoken with me on this matter during the past few weeks and I have told him that, provided it remained on the Notice Paper without being promoted, I could live with the situation. However, if the matter was to be debated in the House, it had to be resolved so that everyone would know the position. Unless this House, having promoted the matter, resolves it, no-one will know whether these regulations will be effective. Surely no-one will argue about the logic of that.

Mr. Goldsworthy: They're not coming in until next year, anyway.

The Hon. G. T. VIRGO: Let us get the record straight. The point that has been at issue is not the uncertainty about which the member for Kavel has spoken but rather the operational date that the member for Gouger has discussed with the Chairman of the Road Traffic Board. The Chairman has been co-operating fully with the honourable member and I understand that a new operational date is being determined—

Mr. Goldsworthy: July next year.

The Hon. G. T. VIRGO: —because of the lack of components necessary to give effect to the regulations. No-one is arguing about that, and I believed until today that that was the only point involved. Are we going to take it on ourselves to alter the figure from 10 t to 12 t and throw away the expert advice of the people concerned? If we did that we would be saying that we knew more about whether brakes ought to be fitted than was known by the members of the committee to which I have referred. We would be saying that we knew more about that matter than did Mr. Rex Chown (Senior Vice-President of the South Australian Road Transport Association), Mr. Jim Crawford (Managing Director of Commercial Motor Vehicles Proprietary Limited), Mr. Jim Crinion (Executive Engineer of the Road Traffic Board), Mr. G. Grotto (Manager of the truck engineering section of Chrysler Australia Limited), Mr. Hosking (Executive Officer of the Tip Truck Operators Association of South Australia Limited), Senior Inspector Howie (Traffic Region of the South Australian Police Department), Mr. Love (Chief Engineer of the Royal Automobile Association of South Australia Incorporated), Mr. Jack Nyland (Secretary of the South Australian Branch of the Transport Workers Union), Mr. Ern O'Donnell (Manager of the South Australian Government Motor Garage), Mr. Scott (Managing Director of Scotts Transport Industries Proprietary Limited), or Mr. Shanahan (Senior Vice-President of United Farmers and Graziers of South Australia Incorporated).

Please, let us be reasonable. These people are experts and people who are qualified. Who in this House has the acadmic qualifications to say that there ought to be brakes on two wheels or on four wheels and that the weight specified ought to be 8 t, 10 t, or 12 t? The member for Gouger has said that we should make these regulations apply to everyone other than the primary producer when he is carting grain. Although I have much respect for the primary producer, whether he is carting grain or anything else, I consider that he ought to be subjected to the same safety requirements as is every other person on the road.

It is wrong for us to try to show that we have more knowledge than have the people who are experts in their own fields. The member for Torrens and the member for Victoria would be the first to acknowledge that when they were Ministers they sought advice from people competent to give it to them. Ministers weigh up that advice and then make a decision based on it. They do not ask a person who has been selling shirts, ties or suits at John Martins what the specifications of a new bridge ought to be. In the same way, they do not ask an engineer in the Highways Department what should be the mark-up on a shirt that John Martins is selling.

We have taken advice, and I consider that the regulations are correct. We could argue for ever, but sooner or later we must decide whether we will have proper braking requirements in the interests of the public. We have legislated for increased speeds, weights, and hours of driving. We now have the last of that four-part deal, namely, provision regarding the brakes on trailers. Let us not run away from our responsibilities, and I hope that this House today endorses the regulations that have been introduced on expert advice.

Mr. EVANS (Fisher): I point out that the motion is a private member's motion, and many such motions are directed towards Government legislation and regulations. A private member has moved a motion to the effect that a Government regulation should be disallowed because of one aspect in it. The Government, through the Minister, has chosen to take that motion out of the hands of private members because the Minister considers that people have doubts. If the motion had remained on the Notice Paper without being moved, would there not be doubts? The Minister knows as well as I do that, whilst that motion was on the Notice Paper, there was a possibility that it would be moved by a member on any Wednesday while private members' time remained. The Minister is trying to take business out of the hands of private members on private members' day, regardless of whether that business affects Government legislation or regulations. There can be no justification for that action. If the Minister goes on with this, we will set a precedent for saying that the Government can take private members' business out of their hands.

The SPEAKER: Order! I have already referred to the motion before the House. Whilst I have allowed some latitude, the House has made a decision and, therefore, it is bound by that decision, in accordance with Standing Orders. I will not allow this debate on the motion moved by the member for Gouger to become a debate on a decision of the House. The decision can

be referred to, but only in relation to the motion being considered. The debate will not develop into a debate on something that has no relevance.

Mr. EVANS: I seek leave to continue my remarks.

The Hon. G. R. Broomhill: No.

The SPEAKER: Leave is refused. The honourable member for Fisher.

Mr. EVANS: I support the motion. The Minister of Transport has implied that no member in this House has practical knowledge of the braking requirements of motor vehicles or the effect on vehicle safety. Some members on this side have had considerable practical experience involving a heavy vehicle with a trailer. Whether those members have had more experience than Mr. Nyland, Mr. Scott (who, we know, has a big business), Mr. Crawford or anyone else on that committee, I do not know. In one section of the community, people who use trucks and trailers believe that these regulations have gone too far, going beyond the point that is necessary for the sake of safety; in some instances, they could actually create danger. In other words, people who are not members of committees and who are not members of Parliament have knowledge of this subject. For the Minister to suggest that eight or 10 members of a committee and 47 members of this House have all the knowledge of the subject is utterly ridiculous, yet that has been his approach on this occasion. I saw that the Minister of Environment and Conservation supported his colleague in refusing me leave to continue my remarks. Private members had planned to finish their business today in a reasonable time, but now, as Government members know, that cannot occur.

The regulations to which the member for Gouger has referred set the limit at 10 t. Not only farmers are involved in these regulations, as other people in the community tow trailers in this category. In this case, the Minister knows well that there is no real risk of a greater traffic hazard being created. I have never known the complete acceptance of any report made to Parliament. Therefore, for the Minister to use as his only argument the fact that a report lays down certain recommendations is foolish. Recommendations have been varied on most other occasions. I cannot understand why the Minister is unwilling at least to discuss the matter with those whom it is likely to affect adversely.

In moving this motion, the member for Gouger had in mind (and my colleagues also thought this) that, if publicity were given to the motion, people in the community would have an opportunity to represent to the Minister and members their support of or opposition to it. By rushing it through this afternoon, this will be impossible, and perhaps that is why the Minister is taking this action; perhaps he does not want such representations to be able to be made. If the Minister wants the matter through, he knows he has the numbers to carry the vote. Had the motion been able to be adjourned, people concerned would have had an opportunity to approach the Minister or other members. I believe it is a disgrace for a Government that says it believes in open government to force this matter through. People who have been contacted by the member for Gouger and other members about the matter know something about it, but many other people in the community who use trucks and trailers do not know that this motion is on the Notice Paper.

The Hon. G. R. Broomhill: It's been around since July 23.

Mr. EVANS: The Minister knows that 98 per cent of the people (perhaps more) never see a Notice Paper. Only a few people see it as they walk past the front of the building.

The Hon. G. R. Broomhill: If you haven't told them about it in the time you've had, you're to blame.

Mr. EVANS: People other than those I have contacted are affected by this matter. It is wrong to rush the motion through today. Perhaps there is some reason why the Government believes the motion should be opposed, but the Minister has said nothing to justify that opposition. I support the motion.

Mr. BOUNDY (Goyder): I support the motion, and violently and totally disagree with the Minister of Transport, who has said that he has expert opinion on the matter of braking provisions, suggesting that it is the only valid opinion on the matter. I, too, have an interest in these regulations, as I represent many people who, as practical farmers, use dog-trailers. From their experience, they know what is involved at harvest time in towing these trailers. All rural truck operators in my district believe and accept that brakes should operate on the rear wheels of dog-trailers whose unladen weight is ·75 t. Regarding the weight limit of 10 t, most dog-trailers used in primary production come into a different category. An exemption in relation to the additional 2 t would mean that many trailers, which are used during only a couple of months of the year, would not need to have brakes fitted to the turntable axle.

The Hon. G. T. Virgo: They should apply to the Road Traffic Board for exemption.

Mr. BOUNDY: I will give a couple of examples to indicate that the rear axle brakes on most dog-trailers are more than adequate. In one case in my district, a trailer loaded with 12 t of superphosphate became unhooked at the tow bar. The brakes were then automatically applied and were so effective that the trailer stopped dead, shooting the whole load over the front of the trailer on to the ground. That would seem to indicate efficient braking. Practical truck drivers also use rear-wheel trailer brakes to stop an outfit when it is loaded, without having to use the brakes on the prime mover. The brakes are adequate and effectively stop the outfit in a straight line, thus preventing jack-knifing. The Minister has suggested that experts in the transport industry have recommended these regulations, but it has been submitted to me that the Brambles transport company is not pleased, Air Freight is not, nor is Hamilton Transport. Mr. Bill Hamilton of that firm in submissions at a meeting at Kadina said that in no circumstances would he accept brakes on both axles of dog-trailers. Exemptions should be extended to 12 t so that more trailers would be exempt from the need to have brakes on both axles of dog-trailers.

Mr. BLACKER (Flinders): I support the motion because of its sheer practicality. Part of the regulations about which I am most concerned and in respect of which disallowance was moved provides:

Any trailer the laden mass of which exceeds 10 tonnes shall have brakes acting directly on all road wheels.

Anyone who has operated a truck in this category would shudder at the very thought of this practice. With this class and tonnage we are dealing not with heavy transport but with medium transport in about the six-seven and seven-eight tonnes range of trucks. That range does not have the weight in the prime mover to be able to control adequately a trailer should something happen and the hitch-pin come out. The air-line brake should automatically

apply, and the four wheels would skid in a line. Eventually the trailer would go across the bitumen with one wheel skidding on the gravel and the other on bitumen, so that it would roll into the middle of the road in line with oncoming traffic. Also, the truck range in this category is used primarily by primary producers and light delivery carriers who need a vehicle with a long tray. Therefore, the hitch-pin is a considerable distance from the wheels of the dog-trailer and a whiplash action develops.

With a heavier truck circumstances are different because the hitch-pin is closer to the driving wheels and, if anything should happen, there is more control over the trailer. Most members will realise that, when the front wheels of a motor vehicle that are out of adjustment strike loose gravel, the driver may easily lose control. The same situation occurs with a trailer, but in that case the driver does not have the means of steering the vehicle out of trouble. The same situation applies to a motor car and caravan. A person driving a tractor operating a header, with a trailer bin, over undulating country would know what I mean, because it would be the weight behind that had the effect. I was rather disturbed by some of the Minister's comments, because he did not indicate details of what we are trying to achieve. He said that the reason for disallowance referred to the date of operation, but that is not so. It is advisable that the date of operation be extended, because not many truck operators yet know how they will be affected. The gross vehicle weight and gross combination weight are becoming available as registrations are renewed, but until all truck registrations have been renewed it will be impossible to know how many vehicles will come into this category.

The Minister said that members did not have academic qualifications. I do not claim to have them, but I take exception to his remark. As a result of a vehicle accident, I have an artificial leg, and I know what happens to a vehicle when brakes are applied to all wheels. The Minister suggests he is trying to impose a safety measure, but I think it will have the opposite effect. No evidence can be provided to show that the fitting of brakes to front wheels of trailers, over and above their adequate fitting to rear wheels, is any greater safety factor. I suggest that fitting front wheel brakes to four-wheel dog-trailers would be disastrous. Other factors must also be considered. If we fit brakes to all axles of a trailer, it will be necessary for brakes on the turntable wheel to be free brakes.

If a trailer parts from the prime mover, it will be held from the back wheels. If a four-wheel trailer tried to brake from the front, the results could prove disastrous. Most trailer accidents are caused because the trailer cannot be controlled. I have seen instances in which trailers were pulled up and did not go over to the side of the road, but had they been equipped with front-wheel brakes, the trailers could have finished in line with on-coming traffic. I have tried to ascertain how many people would be involved in my district, but it is difficult to know, because many truck owners have not received their registration yet, so that accurate figures cannot be obtained. However, taking into account the reduction of the g.v.w. and g.c.w. limitations that have been applied, I estimate there would be about 12 per cent to 15 per cent directly involved in this matter. The member for Gouger explained the cost angle. The cost of fitting brakes to trailers has risen tremendously: in the past six months it has gone from $840 to $1 130. If brakes are to be fitted to the front wheels of trailers, the cost to any carrier who put his vehicle on the road would be prohibitive and would rule out the possibility and practicality of owning a trailer.

I am not opposed to fitting larger capacity brakes to the rear wheels of a single-wheel four-wheel trailer. In other words, where the trailer is carried on four single wheels it is in order that 15 cm brakes with a capacity of 8 t or 9 t should be fitted to the rear wheels and the front wheels be left alone. Although that is a practical approach to the problem, it indicates the disaster that could easily occur in the event of a trailer's coming loose after a mishap on the road.

A four-wheel trailer should be judged in its correct perspective: it is not just a single-jointed highway rig, but a double-jointed rig with a hitch-point between and another hitch-point at the turntable. It would be impossible with any sort of impetus to try to brake from behind and to keep the vehicle under strict control unless the brakes at the rear of the rig were applied with sufficient force to hold the trailer in correct line. If the front wheels of the trailer were to lock, it would jack-knife, as has been explained on several occasions: it is inevitable that the vehicle would jack-knife. Any primary producer who operates tractors and uses heavy implements or trailers on undulating country would know all about jack-knifing, because it is easy enough to jack-knife a vehicle.

The member for Gouger's proposed alteration would increase the total exemption for front-wheel brakes from 10 t to 12 t and would effectively exempt all trailers of a single-wheel nature because the limiting factor above 12 t would be the axle loading. There has been some criticism that the axle loading on a trailer of that capacity is greater than could be reasonably expected to be carried safely by the vehicle's tyres. We have only to look at some of the buses travelling around Adelaide to realise that that applies throughout all sections of the community. It is difficult to say, "Look, a trailer should not carry those loads" when one turns around and sees vehicles in metropolitan and country areas carrying far greater loads than the tyres are designed to carry.

When inquiring about this matter, I contacted two brake specialists, one in Port Lincoln and the other in Adelaide, and they had differing views. The first general reaction was that, if there were to be a certain number of tyres to carry a load, the same number of tyres should be used to brake the load. However, when it got down to tin tacks and we tried to ascertain just what were the practicalities not only regarding costs but also regarding safety measures, it became obvious that, with a prime mover with a long tray trying to control a dog-trailer which, through a mishap, got out of control, a disaster would occur. It is almost impossible to compare these regulations with regulations that apply in Europe because European regulations are a totally different kettle of fish as the prime mover is designed basically with a 13 t axle load and is stable enough to handle a trailer on chains. Under Australian conditions at present such a trailer would be thrown around. It is only common sense that the longer the length of the drawbar of the trailer, the more stable the trailer would be. The same happens if a trailer becomes unhitched: it would certainly be easier to control if it were swinging on the safety chains. There are many factors relating to this matter, but I am firmly convinced that, because of my practical experience (and I will not argue as to how extensive that experience is) in operating a truck and trailer, leaving this matter as it is would be dangerous from the viewpoint not only of safety

but also of economics when all factors are considered. I oppose the regulation as it stands and fully support the motion.

Mr. RUSSACK (Gouger): I thank members who have supported the motion. It is true that I discussed the matter with the Minister of Transport, that he approached me initially, and that I saw him on two consecutive Wednesdays. This afternoon, prior to the sitting of the House, I told the Minister that I intended to speak to my motion and that it would then be adjourned to another day. I was disappointed to see the attitude the Minister adopted because, in future, I will consider every word of discussion and procedure that I adopt so that I will know the right course to take.

In thanking the Minister for speaking to me on the occasions I have referred to, I point out that there may have been a slight misunderstanding and that the Minister thought I was referring to the time when the motion would be debated. Whatever the situation, I make no apology for moving the motion. I have a responsibility to my constituents, and it is my right and privilege to speak for their needs. If I consider that their concern is well based and can be substantiated, it is my right and duty to stand up and represent them in this place. I accept, as the Minister has said, that the members of the committee who handed down the report are learned gentlemen in this sphere. Indeed, I would not for one moment say that they did not know what they were talking about, because I consider they do. However, their consideration of the matter was right across the board. Regarding this aspect, I believe that I have referred to a section of the people in the community who will be adversely affected, and that is why I have moved my motion. I thank the Minister for pointing out the provision in the legislation under which exemptions may be granted and where this aspect is covered. I have spoken to the Parliamentary Counsel, who has also assured me on this point, and I accept the Minister's assurance.

The SPEAKER: Order! Officers' names must not be referred to in the debate.

Mr. RUSSACK: I did not mention any name.

The SPEAKER: You did mention a name.

Mr. RUSSACK: I mentioned a position.

The SPEAKER: A position cannot be mentioned, either.

Mr. RUSSACK: I am sorry, Mr. Speaker. It will be interesting to see how many applications are approved, because that is where the proof of the Government's genuineness on the interpretation of the legislation will be seen. Because of this assurance, I will not call for a division on my motion. I thank those members who have supported me. I have had acceptance of my approaches to the Commissioner of Highways in my discussions with him, and I thank him for such acceptance.

Motion negatived.

ROAD TAX

Mr. GUNN (Eyre): I move:

That in the opinion of this House the road maintenance contribution tax should be abolished immediately.

My reason for moving the motion is that, yesterday, the Treasurer told the people of South Australia that he was about to introduce what, in actual fact, would be a fuel tax. For many years, this road tax has been imposed on this State's road haulage industry. The original legislation was enacted for two reasons. The first reason was that South Australia's case before the Grants Commission was prejudiced by the Government's failure to tax in this field, because other States complained that we were not availing ourselves of revenue we should collect from our own haulage industry. The second reason was that a large South Australian company was going to ship, direct by road transport from Broken Hill to Port Pirie, its raw materials in direct competition with the railways.

Taking this into consideration, the Government of the day introduced the tax that is the subject of the motion. I believe that there is now no longer any justification for this type of tax, because it penalises people in outback areas. The farther one lives from the metropolitan area, the more tax one must pay. Many of the people who are paying this tax are using the worst roads in Australia, and I will give some examples. People living at Andamooka and Coober Pedy, who drive on the most deplorable roads in Australia, must pay this tax. It is interesting to note that, in 1965, Mr. Walsh, as Leader of the Opposition, solemnly promised the people on Eyre Peninsula that, if elected, he would abolish this tax. We know how hollow that promise was because, on election to the Treasury benches, the Australian Labor Party, through its Premier, failed to honour its promise, which proved that it was nothing more than an election gimmick. Now, the State can levy a far more fierce and unjust form of taxation on the road haulage industry, namely, a fuel tax.

The Hon. G. T. Virgo: Do you support it?

Mr. GUNN: I would support a fuel tax rather than a road tax.

The Hon. G. T. Virgo: You would support the replacement of the road contribution tax with a fuel tax?

Mr. GUNN: Yes. So, I believe, would the whole of the road haulage industry. Obviously, the member for Flinders and others on this side would also support it. I will now explain it in more detail for the Minister's benefit. In several discussions I have had with people in the industry, those primary producers who must pay this tax complain about it for several reasons: for example, it is unfair and unjust; and that it takes considerable time and effort to fill out the many forms involved. In the case of a primary producer, the forms must be filled out every three months. In the case of a haulage contractor, whether or not his vehicle is taken out of the shed, the forms must be filled out, and the returns must be posted to the Commissioner of Highways every month. The 1972 Auditor-General's Report, at page 74, under the heading "Road Maintenance (Contribution) Act", states:

> Since 1966 reports on the above have stressed the necessity for action to recover a greater percentage of the charges due under the Road Maintenance (Contribution) Act. It has been estimated that less than 70 per cent of the amounts so due are being collected.

If we are to inflict any kind of tax it should be a tax every eligible person must pay: the law should be such that no section of the community should be able to avoid paying the tax. As it is difficult for the authorities to police the Road Maintenance (Contribution) Act, I believe that the House and the Government would be doing a service to the road haulage industry, particularly those members of it who live in outlying areas, if this tax were abolished. Although the Labor Party promised on an earlier occasion to abolish the tax in parts of the State, it renegued on its promise.

The Hon. G. T. Virgo: Why?

Mr. GUNN: It was not practicable.

The Hon. G. T. Virgo: It was not constitutional.

Mr. GUNN: Which the then Leader of the Opposition and his shadow Attorney-General (Mr. Dunstan) knew at the time. They knew that it was unconstitutional, but

the Labor Party thought that it had a chance of winning the seat of Eyre at that election or at least of ensuring that the Liberal Party did not win it. However, Labor members were wrong.

Mr. Evans: They were worried about Millicent.

Mr. GUNN: Yes. I believe that the revenue from this tax will amount to $3 800 000 a year, and that that sum must be recouped elsewhere.

The Hon. G. T. Virgo: What?

Mr. GUNN: That is the sum given in the most recent Auditor-General's Report. In commending the motion to members, I hope that the Minister, when replying, will accept it.

Mr. EVANS secured the adjournment of the debate.

BILL OF RIGHTS

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

Report received.

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

That the report be noted.

Members will have had the opportunity of reading the report of the Select Committee and will have seen from that that it was the view of the committee that this Bill should not be proceeded with. The reasons are adequately set out in the report of the committee and I therefore do not find it necessary to add anything further.

Mr. BOUNDY (Goyder): I speak for the member for Mitcham as well as for myself in expressing great disappointment that the Bill is not to proceed. It was obvious from the time the member for Mitcham introduced the Bill that the Government wanted to block it. In the last two sessions this was achieved by the trick of the Attorney-General nominating a date for the Select Committee to report after the date on which the Government knew the House was to rise, thereby ensuring the Bill would lapse. This session the Government has had to express outright opposition.

We do not accept the reasons given in paragraphs 4 and 5 of the report: they are mere excuses. The real reason for opposition is contained in paragraph 6: that we must wait to see what happens to Senator Murphy's Human Rights Bill, which has not yet been introduced in the Commonwealth Parliament let alone debated or passed. This reason is weak and faint-hearted in the extreme, and, as my colleague the member for Mitcham would say, pusillanimous. It shows the subservience of the State Government in every way to the Commonwealth Government. We believe that this Bill should proceed.

Dr. TONKIN (Bragg): I would like to pay a brief tribute to the members of the Select Committee. Their report is excellent and I am pleased personally that the Bill as it was introduced will not proceed. My reasons are much the same as those for opposing the Privacy Bill. I find it a paradox that the Attorney-General should oppose this Bill, as I believe he should, yet advocate the Privacy Bill. I think it is tremendously disappointing that the member for Mitcham should be overseas at this time and not in the Chamber while this matter is being discussed because I believe he would have had much to say on the matter.

Mr. Evans: Do you know what he's doing?

Dr. TONKIN: I understand he is engaged in some sort of legal employment. Although I do not support his Bill, I believe he should have been here to put his point of view.

Mr. Evans: He could have been, had he wanted to be.

Dr. TONKIN: I cannot comment on that. The reasons given in the report leading to the final recommendation that the Bill should not further proceed are equally applicable to the Privacy Bill. I believe a Bill of Rights would present tremendous difficulties to this State, as it would to this country. I am a strong believer in the traditions and heritage of the common law, and I am certainly well convinced of the common sense and stability of the common law. I am pleased this Bill is not to be proceeded with.

Motion carried.

Mr. BOUNDY (Goyder) moved:

That this Bill be now read a third time.

Third reading negatived.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 2. Page 1259.)

Mr. PAYNE (Mitchell): I support this Bill, which repeals section 7 of the principal Act. Section 7 provides:

> Nothing contained in this Act shall apply to, or make unlawful, the hunting or coursing of hares which have not been liberated in a mutilated or injured state in order to facilitate their capture or destruction.

The nature of that section makes me wonder why it has survived for so long. It excludes specifically "the hunting or coursing of hares which have not been liberated in a mutilated or injured state". It seems as if the framers of the original legislation expected that something of the kind of prohibition listed in the interpretation section of the principal Act was likely to occur during a run or course. In this respect the section sought to be repealed prevents the application of section 4 of the principal Act in conditions I have outlined. Section 4 provides that "ill-treat" shall include, among other things, "to wound, mutilate, overdrive, override, overwork, abuse, worry, torment, or torture". Hitherto coursing has been permitted by virtue of the section we seek to repeal. I do not find it difficult to believe that the framers of the legislation clearly had in mind that something similar to what I have just outlined was more than likely to occur during the course. We should ask ourselves whether this sort of thing does happen in coursing. I do not doubt that things of this kind happen in coursing in South Australia at present. I do not suggest that people deliberately set out to do this, but that is not the point: we need to consider whether cruelty is occurring.

The member for Fisher did not seem to have any doubts. He has told us that, when a hare is coursed or hunted by dogs, there must be cruelty: he did not say that there was cruelty only sometimes. To support his statement, he said that he had been brought up with a country background and had had much to do with hares, the hunting of them, and the use of dogs in this connection. He reminded us that, where no physically-caused cruelty had occurred, he had seen hares die from shock, even though the dogs had not caught them. He said that no-one could deny that that was cruelty.

Other members have spoken in this debate, and the matter has been referred to on television and in the press. We have had conflicting statements about what may occur, and there have been various suggestions that some statements in the report from the Royal Society for the Prevention of Cruelty to Animals, to which the member for Ross Smith referred, were correct and that other statements in it were incorrect. It seems that members

who have had no direct connection with coursing (and I am one of them) would be willing to listen to those who have had experience. Certainly, I would not deny that the kind of thing to which the member for Fisher was referring was cruelty. I heartily agree with him.

The member for Frome made an interesting and lengthy speech. He gave much information about coursing that I did not have, and I am indebted to him. Because of the lapse of time since that honourable member spoke in the debate, I should remind members that he supported the second reading but said that, unless action was taken by way of amendment or something similar, he would not continue with his support at the third reading stage. The honourable member said:

I wish to make clear from the outset that I am not opposed to live hare coursing, provided all steps are taken to ensure that the hare does not suffer unduly.

I do not want to be pettifogging or to engage in a battle of semantics, but I do not want the hare to suffer at all. I do not want people, or dogs under their control, to take part in what some people call a sport and cause cruelty to a defenceless animal like a hare.

Mr. Allen: Are you aware that more hares are killed on the roadway by motorists than are killed in live hare coursing?

Mr. PAYNE: That is probably true, but we are discussing the inflicting of cruelty on hares in what some people refer to as a sport, and the interjection has no bearing on the matter we are discussing. If the honourable member asked me privately about motorists killing hares on roadways, I would agree that that was deplorable, but we are considering whether it should continue to be lawful to punish and ill treat the hare, and I do not think that should continue to be lawful.

I am explaining why I believe that and, if some members are not convinced of my viewpoint, I may cause them to consider the activity again even if I do not convince them. It is beyond my comprehension how people can engage in this so-called sport without having any thought for the hare. It is no good members saying that the hare is looked after, brushed and combed, fed, and kept in safe custody. What is done when coursing is involved? The member for Frome said:

Open enclosure coursing is now the only coursing in the State. Hares are reared all year in a paddock.

I have no quarrel so far: I am pleased that they are being reared, whether in a paddock or anywhere else. The member for Frome also said:

On the morning of the meeting they are driven into a paddock of lucerne.

He did not explain why that was done, but I suppose it would be like giving the condemned man a hearty meal before he died. I do not know why hares should have a special liking for lucerne. The honourable member also said:

They are driven out one at a time and driven up a hill.

One gets various ideas about how this is done and whether it is a reasonable activity. The honourable member also said:

Consequently, they are warm and there are very few chances of a kill.

I understand from discussion with two members of the National Coursing Association that until recently, anyway, points were allowed for the infrequent kills referred to by the honourable member. It is curious that this kill, which they do not try for and which they hope does not happen, is given points, anyway. The complicated procedure that is followed by those people is engaged in just so that some people can watch dogs chasing a hare.

Let us consider what happens when there is a kill (and all members have agreed that occasionally there are kills). Do the people who have watched the run also watch the kill, or do they avert their eyes? I think they should have the decency to do so. True, hares will be hurt, maimed and will die before their allotted time in natural ways, but why should we provide additional ways? With the help of our excellent library staff, I traced back to an Act of 1921 the provision that we seek to repeal in this Bill. I then found that that provision had been taken from a United Kingdom Act of 1911, and that provision dated back even further to United Kingdom legislation of 1876. This is a long time for such an outrage to have been perpetrated on a defenceless animal. The member for Alexandra can grin about this, but I am on the side of the hare and not on the side of people who wish to wager $2 on which dog bites the hare first.

Mr. Chapman: Do you go fishing? Do you show sympathy when you interfere with the natural course of a fish's life?

Mr. Wells: Cut out the betting on coursing and there's no coursing.

Mr. PAYNE: The member for Alexandra, who so persistently interjects and tries in his sneering way to dissuade me from my outlook on these matters, will not succeed, because he has demonstrated more than once his total lack of feeling in matters affecting human beings, let alone defenceless animals. Like many other members, I received a letter inviting me to contact the National Coursing Association of South Australia. To be fair, I thought I should find out what it had to say about the matter, so I met the President of the association (Mr. Alsop) and one of the members (Mr. C. Harris). We spent about three-quarters of an hour in what I believe was useful discussion. I found that these gentlemen sincerely and genuinely attempted to answer my questions about an activity which they regard as a sport and which I regard as something else.

Perhaps the member for Alexandra at last realises that I am not attacking people connected with coursing: I am simply pointing out that I find it a disgusting attack on small animals. I have read about bear baiting, which was a terrifying sport. I am sure that no-one would support the return of that sport, yet it could be argued that a bear was better equipped than a hare to handle dogs set upon it. Members have had outlined to them how a hare, when chased, squats and attempts to hide; it can offer no opposition. It is wrong for this sort of thing to be allowed. Mr. Alsop told me that there were about 25 clubs in South Australia with an average of about 100 members (as he had not been warned about my question, he did not have exact figures of membership). He said that a committee of 10 delegates was elected. I assume that there are therefore between 2 000 and 4 000 people with an interest in this activity. I asked him why he liked what I regarded as something other than a sport, and I also asked Mr. Harris. I believe they replied to me genuinely and in a proper spirit, and both said they liked the friendly companionship of being out in the field with dogs, and the activity associated with it. They said they loved dogs, and Mr. Alsop said that he enjoyed their grace and skill in working. No-one will deny that greyhounds racing at speed are a picture of grace. Mr. Harris pointed out that he was interested in older things generally, and regarded this sport as one of the ancient sports that could be traced back for many years. They both agreed that they liked being in the open country.

However, of all the things they said, nothing involved hares except that a dog chasing a hare exhibits unusual grace and skill that does not seem to apply when the dog is just running. There was no argument based on deprivation or the loss of their right to follow the sport. It seems to me that, if one wishes to go into the open country with dogs and enjoy friendly companionship, at no stage is it necessary to involve a hare. It has been suggested that betting is involved, but members of the association told me that wagering is limited and only in small amounts. I have no reason to dispute that statement, but I am not concerned with betting. I am concerned with the cruelty involved, and I want it stopped. I earnestly ask members to support the Bill, which will stop cruelty being continued in this State.

Mr. CHAPMAN (Alexandra): On June 19 this year I received a letter from a Mrs. Blee, signing herself as Secretary of the Women's Christian Temperance Union of South Australia, who expressed some concern about the "unfortunate practice" that is continuing in South Australia. She also requested that my attention be drawn to the legislation to be introduced, and sought my support. At that time I had no appreciation of the sport known as live hare coursing. Since receiving that letter and perusing the subsequent legislation, I have tried to make myself aware of what live hare coursing is about. I have depended much on correspondence and information given to me, and from listening to this debate. On the evidence that has been put forward I cannot support legislation to ban live hare coursing, but I will reluctantly support the second reading so that amendments may be considered. The Bill expresses an emotionally packed view of a few eccentric sympathisers who claim jusification in knocking the practices of those involved in the sport.

All this rot that has been spoken about the scarcity of hares, how they should be preserved, and the cruelty practised, is packed with emotion, and I believe that ill-founded evidence has been submitted by many speakers. I have never seen the sport, and I make my comments on evidence I have received from those who support coursing. I emphasise that the letter from Mrs. Blee of the W.C.T.U. is the only letter I have received since June 19 that supports the Bill. Many people do not know why coursing should not be abolished and, from the information I have received, I refer to some of those reasons. It is appreciated that there are many hunting sports (fox hunting, shooting, spot-lighting, duck shooting, spear fishing, and so on), but coursing is the only hunting sport where the object is to try to allow the hare to get away and not be injured or killed.

All coursing clubs are registered and controlled, and have been so controlled since the original constitution was set up by the National Coursing Club. I have a revised edition of the copy of the rules of the National Coursing Club, printed in 1923. As far back as that date, due protection was given to the hare. For example, greyhounds running at an unregistered meeting were disqualified, together with the owners (or the owners' nominator or nominators) and trainers, until such disqualification was removed by the National Coursing Club. A strict constitution was prepared to protect the interests of the coursing club, those involved in the sport, and the animals required for it. Plumpton coursing has caused much discussion. I just wonder how many people really know what plumpton coursing is all about. It has been the basis of many cruelty charges that have been levelled at the practices of the National Coursing Association. In fact, that form of housing and paddocking hares was abolished by the association, anyway, so some members have rested their arguments on history.

The matter of muzzling dogs has been raised by several speakers. I have been assured, not by members of this House but by members of the coursing clubs, that they would be happy to introduce muzzling. I heard an accusation a few days ago that a club had come forward with the suggestion merely because it had been under pressure. Apparently, the question of muzzling dogs has been under discussion for some time, and the association has been willing to bring it in if requested to do so by those interested in the welfare of the rabbit and hare.

An honourable member on this side of the House intends to move an amendment to enable the muzzling of greyhounds, and I am willing to support that amendment. Therefore, arguments put up by the promoters of this Bill have already been largely eliminated, and the problems they earlier feared do not exist. The National Coursing Association is willing to restrict its coursing to male hares, and then only late in the season. The member for Tea Tree Gully raved on in an emotional speech the other day about pregnant hares. Pregnant hares have never been coursed during the breeding season. It has been noted that hares breed earlier in some areas than in other areas. Usually, the early breeders depend for cover (for hiding places for their young) on crops, particularly lucerne, which grows in the spring. Later breeders depend on vines for their shelter, and must wait on sufficient foliage on the grapevine. It is often the middle of October or later before young leverets are born, and that is out of the coursing season, anyway. I do not know, therefore, why the member for Tea Tree Gully was raving on about it and expressing sympathy for pregnant hares.

Mr. Venning: She was talking about something she knows nothing about.

Mr. CHAPMAN: It was another example of the emotion-packed speeches made in the debate. The member for Tea Tree Gully has now come into the House. I am sorry she was not here to hear what I had to say earlier about her speech. The National Coursing Association is willing to consider any suggestion made by the Royal Society for the Prevention of Cruelty to Animals, and it is also willing to continue to co-operate with the society. I have been informed that the association has had no problems with the R.S.P.C.A. In fact, the association has invited members of the society to coursing events, has welcomed them to the courses and has discussed with them suggestions on how to improve various aspects of the practice of coursing and the sport generally, and there has been no conflict between the two organisations.

Therefore, how could any eccentric individual justify this legislation? The people directly involved, who have set out to protect the industry, have liaised and worked in close co-operation with the sporting authority and have not had any fights or conflict; certainly no evidence has come to my notice from the R.S.P.C.A. that suggests anything to the contrary.

Mrs. Byrne: You should read what has been said in the papers.

Mr. CHAPMAN: The member for Tea Trea Gully is back now and is willing to buy into the argument. The honourable member might be willing to refer to the petitions that have been presented to the House on this matter. I have been furnished with a letter by one of the signatories to a petition who said he was told a lot of rot at the time he was encouraged to sign the petition.

He took the trouble to write to the association and to apologise for the trap into which he had been led. The signing of petitions or the writing of letters to a newspaper does not carry much weight as far as I am concerned. Let people come up with reasons why legislation should be introduced. Such evidence has not come forward in this case and, until it does, I will not support anything that will clutter the Statutes of this State with such rot.

To abolish coursing would not help the hare population of South Australia; rather, the opposite would be the case, and hares, normally saved by coursing people, would have to take their chances along with their less fortunate comrades and face the spot-lighters, the shooters, and so on. I notice that the member for Mitchell has left the Chamber; he is not willing to listen to what I am saying. Undoubtedly, he has sneaked out to do a bit of spot-lighting or fishing and has no tears to shed as a result of his catching animals and fish before they lead the natural course of their lives.

Mr. Duncan: He didn't care to listen to your twaddle.

Mr. CHAPMAN: An interesting comment was made in an article produced by the coursing association as follows:

For every hare lost to coursing each year in South Australia thousands must be accredited to other more painful deaths. There is no doubt that hares multiply rapidly. On less than a quarter of an acre, 42 hares were bred in an Adelaide suburb in 1966.

I do not have to go into detail about other areas where hares can be killed, not destroyed outright but injured and allowed to go off to suffer. At least in the isolated cases where the hare is killed by the dog, it is killed properly, and no pain or lingering injury is involved.

Mr. Nankivell: It's not like a rabbit trap.

Mr. CHAPMAN: I do not know about rabbits, there being no rabbits or hares on Kangaroo Island, but there are plenty of wallabies and kangaroos, and I know that, when shooters go out to kill them for sport or other purposes, the chances are that those animals will be wounded and have to suffer. The member for Fisher scraped the bottom of the barrel to find evidence to support his case and indicated that, in his opinion, coursing was carried on by its supporters for gambling purposes only. Gambling plays a very small part in the sport, it is claimed by the association, whose claim I support. To show what a small part gambling plays, I refer to Mr. Reg Williams of Jamestown who is apparently one of the few bookmakers connected with the sport. He apparently runs a book at Mintaro, Kenderleigh and Strathdownie, and is the only licensed bookmaker in attendance. No doubt he is the only one carrying on a bookmaking practice!

Let us now look at what the member for Fisher had to say. It is the bookmaker's practice to bet $100 maximum on each competing dog. This business about the great gambling practice carried on and that it is a large part of the exercise is unfounded. What twaddle he ended his speech with! For a bookmaker to begin with a maximum $100 (the Minister of Environment and Conservation, who is smiling away while scratching his ear, would understand what this is all about), how great is this exercise on the field where 10 punters bet, say, $10 each at evens?

Mr. Evans: You said that I bet $100 a dog.

Mr. CHAPMAN: The invested sum of $10 each dog at 10 to 1 would exhaust the bookmaker's $100 maximum. I will give the formula the association brought forward. If 10 people each believed that a certain dog would win the race and wished to back their judgment, they could each have $1 on it. That is how ridiculous is the statement by the member for Fisher. He claimed that gambling formed a great part of the sport. In all practices involving sportsmen and animals, every reasonable effort is made to protect the animal's interest. One member who spoke in the debate referred to the odds against the hare but, ever since coursing was introduced in South Australia, the association has adopted significant protective measures as regards the hare.

I will quote again from the association's 1923 constitution, which is still observed in coursing, wherein even then, when apparently we did not have around the place these do-gooders who were concerned about protecting the lives of animals, such as wild pigs, wallabies and kangaroos in spot-lighting events, the hare had the leeway before the dog was released, as follows:

The order to slip may be given by the judge, or by the slip steward, or the stewards of the meeting may leave the slip to the sole discretion of the slipper. The length of the slip must necessarily vary with the nature of the ground, but should never be less than from three to four score yards . . .

There is no suggestion that the hare is disadvantaged: he has at least a 50 m start on the dog. So, no-one could claim that the hare is unfairly or unreasonably treated in that regard. Apart from the comments I have already made, it is reasonable to remind members and those so up-tight about hares that the hares are skilled and trained by association members.

The Hon. G. R. Broomhill: The hares enjoy it!

Mr. Slater: They come forward and volunteer!

Mr. CHAPMAN: They are skilled and trained by association members experienced in this field, and I therefore suggest that they are good and ready to beat the dog on most occasions; indeed, the statistics bear out this claim. It is only on the isolated occasion that a dog even gets close to the tail of a hare, let alone grabs, scruffs, buffets, or injures him, as some members have said. Which is better? Is it better to allow the hare to breed and have to be destroyed in the usual way by the community: that is, by trapping, shooting, snaring or drowning? These hares are protected by the coursing fraternity. If we are being truthful about protection, we ought to be praising the coursing organisation for the job it has done and is doing. It is interesting to note that hares were originally brought to Australia for coursing. They have bred prolifically over the years, despite all the cruel practices claimed by Government members, particularly the member for Ross Smith in his emotional speech. My only direct contact with hares is at the Adelaide Airport, where there are literally hundreds of them. The Manager of the airport, I understand, has a shoot down there occasionally; so, there should be no fears about the South Australian hare population. At any rate, if there are any such fears, they are ill-founded.

Mr. Becker: Are there any hares on Kangaroo Island?

Mr. CHAPMAN: No. I appreciate the opportunity of being able to speak on this subject. It has been an interesting exercise study in discussing the subject with those obviously close to the scene and knowledgeable in the sport. Certainly, they are well aware of their responsibilities in caring for the welfare of the hare to the extreme—much more than I ever thought was involved in coursing. When the matter was first raised with me, I gained the impression that coursing was a viciously cruel sport in which the dogs set out to kill the hare, but that

is not true. Until someone brings evidence to suggest that anything but a fair and reasonable practice is adopted in coursing, I will oppose this Bill and any similar Bill that is introduced to eliminate coursing.

Dr. EASTICK (Leader of the Opposition): To make my position clear, I have many friends associated with the coursing association and with coursing clubs throughout the State. Indeed, several of them live in my district, and I look forward to maintaining their friendship after the passage of this Bill, which, I believe, should be passed in its original form. Circumstances today are entirely different from what they were in the past. An alternative is available for the conduct of coursing, in the sense of the racing of greyhound dogs, and I believe that, because the requests of so many people in the coursing field have been met and acceded to, with several modifications over a period, it completely alters the situation that may have prevailed, say, 10 or even more years ago.

Unlike my colleague the member for Alexandra, I do not believe that those who undertake coursing intend to kill the hare, but I think it is pertinent that hares are occasionally killed. I also believe, despite the sincerity of my colleagues who have suggested the use of a muzzle, that a hit on the hare by the muzzle at speed from the angle at which the hit would take place would be just as damaging and just as likely to kill as would the actual physical catching of the hare. One would need time to develop that thought. That would not happen on every occasion, but we have only to see the injuries that occur on football fields where players, quite legitimately, collide with one another at an angle, causing broken limbs or other serious damage. It is a fact of life that, with a muzzle hitting a hare, the same situation would prevail.

I have been asked whether I attended a meeting at Mallala two or three months ago. I did, and I went there with my eyes wide open. I had no hesitation in accepting the invitation. I did not suggest that anyone should pinpoint my attendance at the meeting by way of a newsletter but I do not deny anyone the right to do that if he wishes. However, the inference has been drawn by some people that my position has been compromised by virtue of my acceptance of the invitation, so the situation should be put in its proper perspective.

It is also necessary for me to point out that, for many years, I have been Deputy Chairman of the general committee of the Royal Society for the Prevention of Cruelty to Animals in South Australia. That position in no way compromises my attitude to this Bill, and members of the general committee over a long period have observed the advice I have given as to the time to act or not to act in respect of measures such as this. Circumstances have changed, and there is no longer a growing and genuine community interest in coursing. I have no hesitation in giving my unqualified support, my personal support (I want that to be understood), to the passage of the Bill in its original form.

Mr. JENNINGS (Ross Smith): My remarks will be brief. No member has opposed the second reading of the Bill, although I understand from what has been said that differences of opinion will arise in Committee. I thank honourable members for the consideration they have given the Bill, as I thank those members who indicated their support for it. In regard to one member who spoke this afternoon, let me say that, if I had considered there would have been the slighest possibility that he was going to support the Bill, I would have sought the approval of the House to withdraw it.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Repeal of section 7 of principal Act."

Mr. McANANEY: I move:

To strike out "repealed" and insert "amended by striking out the passage 'which have not been liberated in a mutilated or injured state in order to facilitate their capture or destruction' and inserting in lieu thereof the following passage:

'where—

(*a*) the hares have not been released with a view to their being immediately hunted or coursed;

(*b*) the hares have not been mutilated or injured for the purposes of facilitating their capture or destruction;

and

(*c*) the dogs are muzzled.' ".

We have heard a good deal of debate on the Bill and, although some rebuttals have been made, the member for Mitchell made no effort to rebut what I said previously. I have been a member of the R.S.P.C.A. for many years, and also a member of the Animal Welfare League.

The approach to this matter has astounded me. If one were to see the cruelty suffered by sheep at abattoirs, one would see a shocking sight. The Committee must decide whether hares are worse off in a paddock than running free in the open. Through various causes, the hare is being gradually eliminated. In an enclosure of a reasonable size there is little risk of death, although admittedly the hare is chased occasionally; however, outside the enclosure it would be chased 20 times more often.

I am against the principle of plumpton coursing, where hares are boxed up and let out in an unnatural environment, but there is no cruelty in the paddock as compared with when the hare is in the open. Many people in the community treat hares very badly when the hares are living in their natural state. I have a petition signed by many thousands of people who wanted this type of coursing maintained. I ask honourable members to use their common sense in deciding what is right and just for the hare.

Mr. GOLDSWORTHY: I support the amendment. I am not an expert on coursing matters, but I have followed the debate with interest. I abhor cruelty to animals and I believe that shooting or trapping of animals is extremely cruel. I am convinced by the arguments put by the member for Frome and the member for Heysen that the amendment is desirable. If the practice proves hurtful and if hares are injured, I would consider going further, but the amendment should satisfy those who, for emotional reasons, are supporting the Bill in its original form.

Mr. ALLEN: I support the amendment. Muzzling is not new, and ever since we have had sheep, sheep dogs have been muzzled for most of the day while working. Further, muzzling is compulsory at the abattoir. If coursing dogs are muzzled, the muzzle will not be put on until the dogs are put into the slipper's hands and they will be muzzled for less than a minute. That would not be cruel. Although the Leader has said that it would be possible for hares to be hurt by the muzzle, I understand that there are occasions when a young dog bumps a hare but that there is no record of any hare being seriously injured. A hare may have suffered a broken rib, but certainly no hare has died because of muzzling.

Mr. JENNINGS: This amendment is not acceptable to me. I do not doubt that it is well-intentioned, but it does not achieve the purposes of the Bill. I wonder why the association, which is now so willing to muzzle dogs, was not willing to do that previously.

Mr. Nankivell: The association was not approached.

Mr. JENNINGS: Why did it have to be approached? We are concerned not only about the hare but also about the dog. The Leader has made a good point about the muzzling of dogs. Certainly, a dog can be muzzled, but that does not ensure that it is not capable of inflicting much buffeting and bumping on a hare.

Mr. Nankivell: Rubbish!

Mr. JENNINGS: Well, take it up with your own Leader. He made the point originally. It is fairly late and this Bill has been on the Notice Paper for a long time; we do not know what will happen to it in another place but I make clear that I do not accept any amendments of this nature.

Mr. GUNN: I am disappointed at the attitude of the member for Ross Smith. I had not given much thought to the matter until the member for Frome and the member for Heysen properly moved these reasonable amendments. I think the member for Ross Smith is not approaching this matter realistically; he is allowing, as one or two other members are, emotion to govern his judgment.

Mr. Nankivell: You're dead right.

Mr. GUNN: There is no spirit of compromise. If we are to outlaw this sport, which the honourable member for Ross Smith considers to be cruel, there are a hundred and one other sports where cruelty occurs. The honourable member should be practical (I say this charitably, as the honourable member has often displayed in this House that he is not a practical person). I strongly support the amendment.

The Committee divided on the amendment:

Ayes (15)—Messrs. Allen, Arnold, Becker, Blacker, Boundy, Max Brown, Chapman, Goldsworthy, Gunn, McAnaney (teller), McKee, Nankivell, Olson, Rodda, and Venning.

Noes (23)—Messrs. Broomhill and Dean Brown, Mrs. Byrne, Messrs. Coumbe, Crimes, Duncan, Dunstan, Eastick, Evans, Groth, Harrison, Hudson, Jennings (teller), King, Langley, McRae, Payne, Russack, Simmons, Slater, Tonkin, Virgo, and Wells.

Pair—Aye—Mr. Wright. No—Mr. Wardle.

Majority of 8 for the Noes.

Amendment thus negatived; clause passed.

Title passed.

The House divided on the third reading:

Ayes (27)—Messrs. Arnold, Broomhill, Dean Brown, and Max Brown, Mrs. Byrne, Messrs. Coumbe, Crimes, Duncan, Dunstan, Eastick, Evans, Groth, Harrison, Hudson, Jennings (teller), King, Langley, McRae, Olson, Payne, Rodda, Russack, Simmons, Slater, Tonkin, Virgo, and Wells.

Noes (11)—Messrs. Allen (teller), Blacker, Boundy, Burdon, Chapman, Goldsworthy, Gunn, McAnaney, McKee, Nankivell, and Venning.

Majority of 16 for the Ayes.

Third reading thus carried.

PYAP IRRIGATION TRUST ACT AMENDMENT BILL

The Hon. HUGH HUDSON (Acting Minister of Works) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received.

Mr. NANKIVELL (Mallee): I move:

That the report be noted.

I have been told by the Chairman of the trust (Mr. Tonkin) that at a meeting of the trust last Saturday morning the proposed amendments of the Select Committee, as set out in the report, were submitted to the trust, considered, and then approved.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Membership of Trust."

Mr. NANKIVELL: I move:

In new section 7 to insert the following new subsection:

(5) A lessee of land within the settlement that has ceased to be ratable by virtue of this section may, by notice in writing, given personally or by post to the trust, seek admission, or re-admission to the trust, and if the trust decides to grant that application, he shall be admitted or re-admitted as a member of the trust and the land held under lease by him shall again become ratable land.

The original proposal in the amending Bill was that provision be made for members of the trust to opt out of the trust. On due consideration by the committee, and after consultation with members of the trust, it is agreed, quite properly, that there may be times when land changes hands or where members of the trust who opt out may wish to come back for the good of members who are party to the existing trust lands. Consequently, this amendment makes it possible for those persons who have not been members of the trust and who buy trust land, or those who have opted out of the trust, at the discretion of members, to be admitted or re-admitted to the trust.

Amendment carried; clause as amended passed.

Remaining clauses (4 and 5) and title passed.

Bill read a third time and passed.

GAS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATE GOVERNMENT INSURANCE COMMISSION ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

ADJOURNMENT

At 5.57 p.m. the House adjourned until Thursday, October 24, at 2 p.m.