

HOUSE OF ASSEMBLY

Tuesday, August 5, 1975

The House met at 11 a.m. pursuant to proclamation issued by His Excellency the Governor (Sir Mark Oliphant).

The Clerk (Mr. A. F. R. Dodd) read the proclamation summoning Parliament.

OPENING OF PARLIAMENT

At 11.3 a.m., in compliance with summons, the House proceeded to the Legislative Council, where a Commission was read appointing the Honourable John Jefferson Bray (Chief Justice), and the Honourable David Stirling Hogarth (a Judge of the Supreme Court) to be Commissioners for the opening of Parliament.

SWEARING IN OF MEMBERS

The House being again in its own Chamber, at 11.9 a.m. His Honour Mr. Justice Hogarth attended and produced a Commission from His Excellency the Governor appointing him to be a Commissioner to administer to the House of Assembly the Oath of Allegiance or the Affirmation in lieu thereof required by the Constitution Act. The Commission was read by the Clerk, who then produced writs for the election of 47 members for the House of Assembly.

The Oath of Allegiance required by law (or the Affirmation) was administered to and subscribed by all members.

The Commissioner retired.

ELECTION OF SPEAKER

The Hon. D. A. DUNSTAN (Premier and Treasurer): I remind the House that it is now necessary to proceed to the election of Speaker. I move:

That Mr. Edward Connelly do take the Chair of this House as Speaker.

The Hon. J. D. CORCORAN (Deputy Premier) seconded the motion.

Mr. CONNELLY: In compliance with Standing Orders and in accordance with the traditions of Parliament, I humbly submit myself to the will of the House.

Dr. TONKIN (Leader of the Opposition): Mr. Dodd, I move:

That Mr. C. J. Wells do take the Chair of this House as Speaker.

The position of Speaker in this House requires a tremendous wealth of Parliamentary experience. Mr. Wells was elected to this House as the member for Florey in 1970. He has had a distinguished career and enjoys an international reputation for his abilities in the industrial relations field. He has been President of the United Trades and Labor Council for a significant time and has been a member of the council executive and has served in an honourable capacity in that position for many years. Sir, I believe that he is eminently well qualified to take the position of Speaker of this House.

Mr. GOLDSWORTHY (Kavel): Mr. Dodd, in seconding my Leader's nomination, let me say that the Opposition believes that, whoever the incumbent of the office of Speaker may be, it is essential that he have some Parliamentary experience. In saying this, I in no way reflect on the member nominated by the Premier but, if this Parliament is to exist and if it is to function with dignity and with decorum, as we believe it should, the Opposition considers that the man who occupies that position must have had some Parliamentary experience.

We believe that Mr. Wells is such a man: he has had such Parliamentary experience, and I have much pleasure in seconding the nomination of him as Speaker of this Chamber.

Mr. WELLS (Florey): Mr. Dodd, I appreciate the nomination and the confidence expressed very much indeed. I agree with everything the Leader has said, but I respectfully decline the nomination.

There being no other nomination, Mr. Connelly was declared elected.

Mr. Connelly was escorted to the dais by the mover and seconder of the motion.

The SPEAKER (Hon. E. Connelly): Standing on this upper step, which is the traditional approach to the Chair, I take the opportunity to thank the honourable Premier, the honourable Deputy Premier, and all other honourable members for their call to this high office. I am aware that confidence in the fairness of the Speaker is an indispensable condition for the successful working of Parliamentary procedures. I guarantee the utmost protection of honourable members' rights collectively and individually. I shall ensure that the majority gets the decision and the minority gets its rights. In return, I request the assistance and wholehearted support of members to maintain the prestige and dignity of the Chamber.

The Hon. D. A. DUNSTAN: I wish, on behalf of the Government, to tender the Government's congratulations and, I believe, the congratulations of the House to you upon your election as Speaker. I am sure that everyone in the House will concur in the sentiments with which you have assumed the Chair and to which you have just given expression. I believe also that you will demonstrate to this House very rapidly your ability to act in the position of Speaker, to maintain the proper proceedings and decorum of this House, and to represent the House as its Speaker as every member would wish. We believe that you have all the qualities necessary to carry out the office in that way, and I am sure that all of us congratulate you on your election and on your having created history by your election.

Dr. TONKIN: Mr. Speaker, I must add my congratulations on your election to this high office, and I say that despite the alternative nomination that was made. I am sure that I speak for the Opposition in wishing you every success in carrying out this onerous duty. I believe that you have been placed in a somewhat difficult position because of the electoral situation but, nevertheless, it is a way out of an electoral dilemma for the Premier and we, as an Opposition, will do all we can to support you. The burden of this dilemma now falls on you, and we realise that it will not be easy when you are not versed in Parliamentary procedure. The mantle that you have assumed today is an extremely old one, dating back to the middle of the fourteenth century, when Speakers were first heard of in the Westminster Parliamentary system.

This came about when the Commons began to meet separately, and it is a long tradition that you are now fulfilling. Not only do you preside over this honourable House but you are also the guardian of the powers, dignities, liberties and privileges of all its members. Later, we will follow you when you attend His Excellency to claim the undoubted rights and privileges of this House, and we will support you in it. Your wide powers will be backed by Standing Orders and by the practice of the House, guided by general Parliamentary practice based on the Westminster system.

I am sure that you have already been introduced to the book by Sir Erskine May, who was a Clerk of the Westminster House of Commons, and this will be of great help to you. As evidence of the support and help that the Opposition undertakes to give, I might just mention that we have carefully examined Erskine May, and we will give you every assistance we can in the interpretations that you make. On matters of substance, the general principle set out is that the Speaker votes only when the votes are equal, and then only in accordance with the rules that preclude an expression of opinion on the merits of the question. On matters of substance, the general principle has been modified in this Chamber by the provisions of section 37 of the Constitution Act, amended in 1973, and the practice of previous Speakers in this House. There is no arguing against the proposition that, in the event of a tied vote on a substantive matter, such as the second or third reading of a Bill or a substantive motion, the Speaker may vote according to his conscience or beliefs but, on questions of procedure, the general principle which is usually applied is that the Speaker is under an obligation to exercise his casting vote not as an independent political entity but as the guardian of the rights and privileges of the House and of its individual members.

For instance, the Speaker, I believe, would not support a motion for the closure or the guillotining of a debate. He would, however, support a motion for the adjournment of a debate. He would not support a motion for the suspension of Standing Orders that would eliminate the need to give notice of a measure to reduce the allotted time for debate or in any other way reduce the opportunities for discussion and other rights given to members under Standing Orders. He would support a Bill at the second reading if there existed a reasonable possibility of changes in it making it agreeable to the majority of the House, remembering that he may exercise a casting vote according to his beliefs at the third reading if need be. He would support an instruction to the Committee that introduced fresh matter for consideration, but would not support an instruction that restricted the area of discussion in Committee.

These are just a few of the matters to which I am sure you have already given your attention, and I am sure that you are well aware of the need to uphold the privileges and rights of members. I believe that your appointment will be a great stimulus to debate in this Chamber, particularly because the remarks will be directed towards you and because you will have a casting say in what the results will be. I believe that the standard of debate will be excellent throughout the coming session—perhaps for that reason, or perhaps for other reasons. I regret that you will not have the opportunity of making a maiden speech in the House. Perhaps that opportunity will come later. We will do everything we can to help, and I am sure that you can be assured of the support of members of the Opposition.

The Hon. J. D. CORCORAN: I endorse the remarks of the Premier in congratulating you on your elevation to this very high office, the highest office the Parliament can offer any member. No doubt you greatly appreciated the lecture the Leader of the Opposition gave you. I do not think that he was a member when Liberal Governments overcame their dilemma between 1962 and 1965 or between 1968 and 1970. Those of us who have had that experience will rely much on what happened during that period to guide us in our conduct in this House. I am sure, Sir, that you will not need to be told, because I know you have made an intense study of those matters you

need to study in order to preside properly over the affairs of this House. I have every confidence, knowing your background and experience up to now, in your ability to do the job equally as well as any of your predecessors. I say that in spite of the point made opposite that you have had no previous Parliamentary experience. You are an extremely experienced man in the third tier of government; you have been in that field and have acted as presiding officer for many years. Parliament is not so far removed from that sphere of government that this position will be so strange to you. I therefore endorse what the Premier has said, and I remind the Leader of the Opposition that his lecture to you was hardly necessary. Certainly, your position is not unique in this State and this Parliament. You can rely entirely on the assistance you will get from this side, and I believe you will also get that assistance from the other side. I offer my congratulations to you, Sir.

Mr. MILLHOUSE (Mitcham): For the Liberal Movement, I congratulate you, Sir, on your election as Speaker of this House. In view of what has been said since the day of the general election, your election as Speaker was not unexpected. I trust that the confidence expressed by the Premier and the Deputy Premier in your ability to master what is an extraordinarily difficult situation (a situation that reminds us, as has already been said so much, of that which we experienced between 1968 and 1970 especially) will be justified. Indeed, as has been hinted at by some of those members who have already spoken, though denied by others, you are in a more difficult situation than a predecessor (the Hon. T. C. Stott) who held the office of Speaker between 1962 and 1965 and again from 1968 to 1970, because he had had long experience in this place. Sir, I want to make it clear that the member for Goyder and I were not associated with the attempted nomination of the member for Florey to the position of Speaker, much though I like him and respect his ability. If he had accepted the nomination we should have supported you in any vote taken on the matter.

Mr. Wells: Is this a preselection—

The SPEAKER: Order!

Mr. MILLHOUSE: As for the advice given to you by the Leader of the Opposition, which I believe was described by the Deputy Premier as a lecture (or whatever we call it), I have no doubt that you will make up your own mind how you vote on any matter on which you are called to vote in this place. Finally (and I have already given you this assurance privately), so long as the member for Goyder and I (the members of the Liberal Movement in this place) get a fair go from the Chair, we shall not attempt in any way to embarrass you or to do anything to disrupt the smooth working of the House. That, of course, is in the tradition we have always followed in this place.

Members interjecting:

The Hon. J. D. Wright: I think you mean it this time.

The SPEAKER: Order!

Mr. MILLHOUSE: Certainly, I mean everything I say in this place and I mean everything I have said to you, Mr. Speaker. I congratulate you on behalf of the Liberal Movement.

The SPEAKER: I thank honourable members for their words of welcome and encouragement. With your co-operation, your tolerance, and your charity I shall try to fulfil the functions of this honourable office with impartiality and with humility.

[Sitting suspended from 11.46 a.m. to 12.8 p.m.]

The SPEAKER: It is now my intention to proceed to Government House and present myself as Speaker to His Excellency the Governor, and I invite members to accompany me.

At 12.9 p.m., attended by a deputation of members, the Speaker proceeded to Government House.

On the House reassembling at 12.24 p.m.:

The SPEAKER: Accompanied by a deputation of members, I proceeded to Government House for the purpose of presenting myself to His Excellency the Governor and informed His Excellency that, in pursuance of the powers conferred on the House by section 34 of the Constitution Act, the House of Assembly had this day proceeded to the election of Speaker and had done me the honour of election to that high office. In compliance with the other provisions of the same section, I presented myself to His Excellency as the Speaker and, in the name and on behalf of the House, laid claim to members' undoubted rights and privileges, and prayed that the most favourable construction might be put on all their proceedings: whereupon His Excellency was pleased to reply as follows:

I congratulate the members of the House of Assembly on their choice of Speaker. I readily assure you, Mr. Speaker, of my confirmation of all the Constitutional rights and privileges of the House of Assembly, the proceedings of which will always receive my most favourable consideration.

[Sitting suspended from 12.26 to 2.15 p.m.]

SUMMONS TO COUNCIL CHAMBER

A summons was received from His Excellency the Governor desiring the attendance of the House in the Legislative Council Chamber, whither the Speaker and honourable members proceeded.

The House having returned to its own Chamber, the Speaker resumed the chair at 2.50 p.m. and read prayers.

COMMISSION OF OATHS

The SPEAKER: I have to report that I have received from the Governor a commission under the hand of His Excellency and the public seal of the State empowering me to administer the Oath of Allegiance or receive the Affirmation necessary to be taken by members of the House of Assembly.

CHAIRMAN OF COMMITTEES

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

That Mr. G. R. A. Langley be Chairman of Committees of the whole House during the present Parliament.

Motion carried.

GOVERNOR'S SPEECH

The SPEAKER: I have to report that, in compliance with the summons from His Excellency the Governor, the House attended the Legislative Council Chamber, where His Excellency was pleased to make a Speech to both Houses of Parliament, of which I have obtained a copy, which I now lay on the table.

Ordered to be printed.

SUSPENSION OF STANDING ORDERS

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

That Standing Orders be so far suspended as to enable the introduction forthwith of two Bills without notice and their passage through all stages and that such suspension remain in force until those Bills have passed all stages.

Motion carried.

RAILWAYS (TRANSFER AGREEMENT) BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer), having obtained the suspension of Standing Orders, obtained leave and introduced a Bill for an Act to approve and give effect to an agreement between the State and the Commonwealth of Australia relating to the acquisition with the consent of the State of certain railways of the State, to refer to the Parliament of the Commonwealth certain matters relating to or arising out of the agreement, and for other purposes.

Read a first time.

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

That this Bill be now read a second time.

This Bill is intended to approve an agreement entered into between this State and the Commonwealth on May 21, 1975, for the transfer to the Commonwealth of the "non-metropolitan railways" of the State leaving the State with responsibility for the urban railway system in and around Adelaide. From the foregoing it will be clear that the agreement sought to be ratified is the same agreement for which ratification was sought by means of a Bill that failed to pass both Houses at the conclusion of the Forty-First Parliament. The only particular in which the present measure differs from the Bill which failed to pass is that it contains a necessary degree of retrospectivity arising from the fact that the agreement is expressed to come into operation on July 1, 1975. If Parliament approves this transfer the State will receive a number of immediate and long-term financial benefits. These benefits may be considered from three aspects.

First, the Commonwealth Government is to take over the assets of the non-metropolitan system as from July 1, 1975, and is to take over from the same date the outstanding liabilities which correspond to those assets. The liabilities, themselves, are of three main kinds, namely, part of the State's public debt, special borrowings under rail standardisation arrangements, and current liabilities such as sundry creditors. Also, as from July 1, 1975, the Commonwealth Government is to take responsibility for the annual operating deficits of the non-metropolitan system. The non-metropolitan deficit is estimated at about \$32 000 000 in 1974-75, and in the new financial assistance grants arrangements the 1974-75 base for South Australia is to be reduced by a corresponding amount.

Secondly, the Commonwealth Government is to make a grant of \$10 000 000 to the State in 1974-75 in respect of land, minerals and other assets transferred and will arrange to build a special addition into the new financial assistance grants formula. That special addition will be achieved by adding a sum of \$25 000 000 to the normal 1974-75 base and, accordingly, it will escalate in 1975-76 and future years.

Thirdly, the State is to become a non-claimant State once again as from July 1, 1975. To complete the Grants Commission arrangements, grants aggregating \$16 400 000 are to be brought forward in time and paid this year. The \$16 400 000 comprises a completion grant of \$10 000 000 in respect of 1974-75 to be paid without further review by the Grants Commission, and \$6 400 000 of grants assessed in respect of past years, but held in reserve temporarily by the Grants Commission until required by the State to offset a deficit. The trading results of last year, without any benefits from the railways agreement itself, would have meant we were still not paid the \$6 400 000, as we did not require that money as against our deficit in comparison with the standard deficits accepted by the Grants Commission for New South Wales and Victoria.

The accounts for the year 1973-74 have been examined by the commission and the completion grant for that year will be paid in accordance with the normal procedures, that is to say, early this financial year. The special grant of \$25 000 000 payable to the State as a claimant State in 1974-75, that is, the sum of the advance grant of \$15 000 000 and the \$10 000 000 completion grant, now to be paid, without review (which is frankly now clearly rather more than we would have received, on review, from the Grants Commission), is to be built into the base of the new financial assistance grants formula. Of the various grants payable, only the \$10 000 000 in 1974-75 in respect of land, minerals and other assets is included in the agreement. Appropriate and satisfactory arrangements have been made to secure the other grants. As honourable members know, moneys have already been paid to the Treasury regarding those matters.

Mr. Coumbe: Is that legal?

The Hon. D. A. DUNSTAN: Perfectly legal; they were authorised by the Commonwealth Parliament and, indeed, if they had not been paid at the time they were, another Bill would have to be passed by the Commonwealth Parliament to authorise them. I should mention that an Appropriation Bill, including provision of \$26 400 000 for grants payable in 1974-75, has been passed by the Australian Parliament. The \$26 400 000 comprises \$16 400 000 of grants under Grants Commission procedures and \$10 000 000 in respect of land, minerals and other assets. The other matters contained in this speech have already been outlined to the House and were the subject of considerable public debate during the last election campaign with the result that honourable members know—

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The best retort to members opposite is that the best reply in any election campaign is to have a majority.

Members interjecting:

Mr. Coumbe: Your Government lost three seats.

The Hon. D. A. DUNSTAN: Why is the honourable member sitting in the back benches? Before seeking leave to have the explanation of the Bill inserted in *Hansard* (because the explanation is well known to members who previously paid attention to this matter), I point out that the provisions of this Bill contain only one difference from the previous Bill, and that relates to retrospectivity. In the opinion of the Solicitor-General, that is not so great a matter of substance that it would not enable the Government to proceed if necessary to a double dissolution.

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

Leave granted.

EXPLANATION OF BILL

In determining the 1974-75 base for purposes of the new financial assistance grants, three major adjustments have to be made, each of which I have mentioned. The 1974-75 base is to be reduced by about \$32 000 000, being the estimate of the 1974-75 non-metropolitan railways deficit. It is to be increased by \$25 000 000 in respect of the transfer of land, minerals, and other assets and by \$25 000 000 in replacement of grants that would otherwise be received as a result of recommendations of the Grants Commission. The net effect will be an addition of about \$18 000 000. The \$32 000 000 is subject to review to take account of some special problems that arise out of pay-roll tax and debt services.

The financial arrangements I have described probably sound rather complex. Perhaps I could sum them up in simple terms of what advantages they achieve for the State. The advantages are two: the first one is clear cut in that we receive in 1974-75 an additional grant of \$10 000 000, and in future years an additional grant gradually increasing from a 1974-75 base of \$25 000 000. The second one is not so clear cut. Non-metropolitan railway deficits have been increasing in recent years at a faster rate than have the financial assistance grants. It is probable that the future saving to the State from not having to bear non-metropolitan deficits will be greater than the offset to the financial assistance grants.

As members know, the Government considered the financial advantages of the transfer of the railways to be so marked that we were able to contemplate removal of the petrol franchise tax. This I announced a few days after the Prime Minister and I had reached final agreement on the matters that form the basis of this Bill, the attached agreement, and the explanations I have given. I confirm that the consummation of the arrangements will enable the Government to remove the petrol franchise licence fee. As soon as this measure is passed, the Government will proceed with all arrangements to remove the petrol franchise licence fee and to bring about a fall in the price of petrol.

Before proceeding to a detailed examination of the provisions of the agreement, which appears as a schedule to the Bill, and a similar examination of the clauses, it would seem appropriate to set out, in broad outline, the substance of the arrangements intended. Briefly, as from the commencement date, that is, July 1, 1975, the non-metropolitan railways, as defined in clause 1 of the agreement, will be deemed to have vested in the Commonwealth. In addition, all rolling stock and other equipment of the South Australian Railways exclusively used for those railways will also be deemed to have passed to the Commonwealth.

During the period following the commencement of this Act, which may be described as the interim period, the South Australian Railways Commissioner and his staff will operate the railways vested in the Commonwealth at the direction of the Commonwealth authorities. At the same time, of course, they will also operate the metropolitan railways as part of this State's transport system. The interim period will also be used to divide between the Commonwealth and the State equipment that has a use common to the systems intended to be separated. When this division is complete and all other transitional arrangements have been made, a declared day will be fixed jointly by the relevant Commonwealth and State Ministers, and on this day the interim period will terminate and the Commonwealth will assume full operational control of its part of the divided system. This then is, in outline, the means by which the separation and transfer will be accomplished.

I turn now to the substance of the measure. Since, in point of time, the execution of the agreement necessarily preceded the introduction of this measure it seems appropriate that the agreement should be considered first. Clause 1 of the agreement sets out the definitions used in it, and it is commended to members' special attention since consequent on clause 3 (2) of the Bill the definitions are carried forward into the Bill also. The definitions of metropolitan and non-metropolitan railways are of particular importance since, of themselves, they determine the nature and extent of the separation of the systems.

Clause 2 provides that the agreement shall have no force or effect until the necessary enabling legislation has been enacted by the State and Commonwealth Parliaments. So far as this State is concerned, it is sufficient to say that the provisions of this measure, if enacted, fulfil our obligations under this clause so far as it relates to the enactment of legislation. Clause 3 is intended to make clear that the State's right to operate urban passenger railway systems outside the metropolitan area remain unimpaired. Clause 4 expresses the general intention of the parties to carry out and give effect to the agreement.

Clause 5 is a most important clause in that it entitles the Australian National Railways Commission (in the agreement referred to as the commission) to:

- (a) all land exclusively used for the purposes of the non-metropolitan railways;
- (b) certain land described in the second schedule being:
 - (i) portion of the Mile End freight terminal;
 - (ii) the Islington railway workshops;
 - (iii) the Islington goods yard;
 - (iv) the Dry Creek marshalling yard;
 - (v) certain Port Adelaide sidings,
 and other lands described in the second schedule to the agreement.

The clause further provides that minerals shall pass with the land, and the vesting of land shall be unlimited as to depth. The State's interest in certain other land in New South Wales and Victoria is also passed by this clause. In addition, the clause makes consequential provision for the division of and apportionment of all other assets of the South Australian Railways. Finally, the clause provides for the Commonwealth to secure appropriate rights over land used in connection with metropolitan and non-metropolitan railways.

Clause 6 requires the South Australian Railways Commissioner to operate the system vested in the Commonwealth by clause 5 in accordance with the directions of the commission. Clause 7 enjoins the Commonwealth to operate and maintain the system vested in it to a standard at least equal to the prevailing standard and further obligates the Commonwealth to carry out improvements which are economically desirable to ensure that future standards are equivalent to those prevailing over the rest of Australia.

Clause 8 enjoins the Commonwealth to maintain the general standards of rail charges and freight rates at levels at least as favourable to users as they are at present, and also to ensure that where relative advantages in relation to such charges to users have been established those advantages shall be preserved in the future. Subclauses (2) and (3) of this clause deal with the continuation on the Commonwealth portion of the divided service of passenger concessions at levels at present obtaining. Subclause (4) provides for a general arbitration provision.

Clause 9 grants the State certain rights in relation to the proposed closure of railway lines and in the reduction of effectively demanded services in relation to the system proposed to be transferred to the Commonwealth. An appropriate arbitration provision is provided in subclause (2). Clause 10 gives the State the right to nominate a part-time Commissioner on the Australian National Railways Commission for two consecutive terms each of five years next following July 1, 1975.

Clause 11 (1) requires the State authorities, so far as is within their powers, to transfer to the commission certain land to which the commission is entitled being land not within the State. Subclause (2) in effect provides that the State will make available, free of charge, Crown land within

the State required for railway extensions by the Commonwealth. An arbitration provision is included in the clause to ensure that, in all the circumstances, the demands of the Commonwealth are not unreasonable. Subclause (3) provides for the granting to the Commonwealth of certain rights to take stone and gravel for the construction of future railways in the non-metropolitan area by the Commonwealth. Subclauses (4) and (5) are quite formal and subclause (6) ensures that land, stone or gravel vested in the Commonwealth pursuant to subclauses (2) and (3) are only used for railway purposes unless the approval of the relevant State Minister is obtained. Subclause (7) gives the Commonwealth the right of first refusal in respect of certain railway land referred to in the subclause. Subclause (8) is intended to ensure that should the land vested in the Commonwealth pursuant to the agreement go out of railway use it is returned to the State free of charge.

Clause 12 confers reciprocal running rights over the two systems to the parties. Clause 13 deals with certain transferred road and railway services and is commended to honourable members' particular attention. Clause 14 provides for the fixing of the declared date and ensures that the responsibility for fixing this date is a conjoint one, the relevant State and Commonwealth Ministers giving joint notice in the matter. Clause 15 provides that on the declared date all officers and employees of the South Australian Railways will be offered employment with the Australian National Railways.

Clause 16 sets out the circumstances and the manner in which the Commonwealth will provide a sufficient number of their employees to run the metropolitan railway system that remains the property of the State. This clause is also commended to members' close attention. Clause 17 ensures that any question of reduction by reason of redundancy in the general level of employment in railway workshops will receive the closest consideration, if necessary, by an independent arbitrator. Clause 18 refers to the special \$10 000 000 payment in 1974-75 in consideration for land, minerals and other assets. As has been mentioned in the general introduction, this is the only grant referred to in the agreement itself.

Clause 19 refers to the taking over by the Australian Government of the long-term debt applicable to the non-metropolitan services. Of the total of about \$140 000 000 involved, \$124 000 000 is public debt as specified in the sixth schedule and about \$16 000 000 is other debt incurred under rail standardisation and associated arrangements. Clause 20 provides for the State to receive revenues and bear costs in the interim period and to settle with the commission which will take responsibility for the eventual result. The clause also deals with the apportionment of costs and revenues between metropolitan and non-metropolitan systems.

Clause 21 refers to the transfer of investments arising out of superannuation contributions made by State railway employees who will now transfer to the commission.

Clause 22 refers to the keeping, auditing and exchange of financial information so that both the Australian and State Governments may satisfy themselves of the reasonableness of charges and financial transfers made between them.

Clause 23 sets out in some detail the operation of the arbitration provisions. There are six schedules to the agreement, all of which are explained by reference to the appropriate clauses of the agreement, and a reference to the appropriate clause is provided at the head of each schedule.

Clause 1 of the Bill is formal. Clause 2 provides that the Act presaged by the Bill, other than proposed section 11, will come into operation on a day to be fixed by proclamation. The operation of proposed section 11 will be suspended until the "declared date", as to which see clause 1 of the agreement. Clause 3 sets out some of the definitions used in the Bill. Definitions of other "terms of art" used in the Bill will be found in clause 1 of the agreement, and the authority for this is contained in subclause (2) of this clause. Clause 4, at subclause (1), formally approves of the agreement; at subclause (2), consents in "constitutional terms" (as to which see section 51 (xxxiii) of the Australian Constitution) to the acquisition of the railways provided for by the agreement; and, at subclause (3), formally authorises the State and State authorities to carry out the agreement.

Clause 5 formally vests the land in the commission to which it is entitled under the agreement and deems the vesting to have occurred on July 1, 1975. Clause 6 vests property, other than land, with effect from July 1, in the commission, being property to which the commission is entitled under the agreement. Clause 7 passes to the commission, on and from the declared date, all rights and obligations of the South Australian Railways Commissioner in respect of the administration, maintenance and operation of the non-metropolitan railways. Members will recall that the declared date is the date on and from which the commission assumes full operational control. Clause 8 is a most important provision and is part of a linked system of Commonwealth and State legislation intended to deal with some quite complex questions of constitutional law that arise by reason of the fact that, on acquisition, the railways land acquired becomes a "Commonwealth Place" and hence attracts the legislative constraints of section 52 of the Australian Constitution. Members who were present on the passing of the Commonwealth Places (Administration of Laws) Act, 1970, of this Parliament, will no doubt be familiar with the problems and also of the legislative solution to them.

Clause 9 provides for the commencement of proceedings during the interim period that, in ordinary circumstances, would be commenced against the commission during that period to be commenced against the South Australian Railways. This is because, although the commission will be the *de jure* owner of the non-metropolitan system, the system will, in fact, be operated by the South Australian Railways Commissioner. This clause of course depends on supporting Commonwealth legislation. Clause 10 is a quite crucial clause and is intended, on and after the declared date, to "refer" certain matters to the Commonwealth in terms of section 51 (xxxvii) of the Australian Constitution. The reference proposed is in two parts, one dealing with the operation of the system proposed to be transferred pursuant to the agreement and the other dealing with future railways constructed with the consent of the State, as to which members should refer to clause 11 of the Bill.

Clause 11 provides for a continuing but somewhat limited form of continuing consent by the State to the future construction of railways in the State. Again this consent is expressed in constitutional terms (see section 51 (xxxiv) of the Australian Constitution). In brief, the consent covers all future construction in the non-metropolitan area and very limited construction in the metropolitan area. Clause 12 provides for the issue of certain joint certificates by the relevant Commonwealth and State Ministers and is in general self-explanatory.

Clause 13 empowers the commission to operate and maintain present and future railways and is in aid of the reference provided for by clause 10. Clause 14 provides for the vacation of all offices within the South Australian Railways on the declared day as a necessary consequence of the employment of the previous holders of those offices in the Australian National Railways.

Clause 15 formally empowers the trustees of the South Australian Superannuation Fund to give effect to clause 21 of the agreement. Clause 16 at first sight at subclause (2) provides a wide power of modification by regulation of existing law to the end that the agreement can be carried out. Any exercise of the proposed regulation-making power will, of course, be subject to the usual Parliamentary scrutiny. It is this reservation of power of scrutiny to Parliament, it is suggested, that justifies this particular legislative solution to the problem of possible inconsistency with other laws of the State.

Dr. TONKIN secured the adjournment of the debate.

BUSINESS FRANCHISES (MISCELLANEOUS PROVISIONS) BILL

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

The Hon. D. A. DUNSTAN (Premier and Treasurer), having obtained the suspension of Standing Orders, obtained leave and introduced a Bill for an Act to amend the Business Franchise (Petroleum) Act, 1974; to provide for the subsequent repeal of that Act; and to amend the Business Franchise (Tobacco) Act, 1974.

Read a first time.

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

That this Bill be now read a second time.

The principal object of this Bill is to provide for the repeal of the Business Franchise (Petroleum) Act, 1974, to honour an undertaking of the Government to the effect that, should certain financial benefits flow to the State consequent upon the passage of the Railways (Transfer Agreement) Bill, 1975, the substantial licence fees imposed on sellers of petrol by that measure would be removed. Members will recall that the measure intended to be repealed was a somewhat complex one and it follows that the steps necessary to remove the licence fees will also be somewhat complex if equity is to be done between the three parties involved—the consumer, the petrol resellers and the State.

Members will also recall that, in general, the measure provides that the licence fees are payable quarterly in advance with the amount necessary to pay the fee for each quarter being collected during the immediately preceding quarter by means of the price increase granted to resellers of petrol on the inception of the scheme. We are now well into the second quarter of the scheme, and this quarter will conclude on September 23 next. By the time this measure is enacted into law at least half of the next quarterly payment will be in the hands of petrol resellers and the administrative arrangements to collect that amount together with the balance of the quarterly fee will be well in train. Hence, the only practical solution to this problem is therefore to continue the licensing system in operation for a further quarter, that is, until December 23 of this year. For the reasons indicated above this will enable the price of petrol to the public to be reduced on and from September 24 next.

The Bill also provides for certain consequential amendments to the Business Franchise (Petroleum) Act, 1974, and the Business Franchise (Tobacco) Act, 1974. In part, these amendments arise from the fact that sanctions contained in the Act proposed to be repealed lose much of their force by reason of this repeal. For example, since, as a result of the proposed repeal, licences will no longer be required for the sale of petroleum products, the sanction of the loss of licence loses much of its effect. As the remaining explanation is a formal explanation of the clauses, which are similar in effect to those included in the Bill previously considered by this House in the recent Parliament, I seek leave to have the explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clause 1 is formal. Clause 2 sets out the manner in which the measure is arranged. Clause 3 is formal. Clause 4 amends the definition of "licence period", by providing that the second and final licence period encompassed by the measure will be three months expiring on December 23. Clause 5 provides for amendment of section 11 of the Business Franchise (Petroleum) Act, 1974, by including, as part of the penalty for failure to obtain a licence any resulting financial benefit obtained by the offender.

Clause 6 provides for amendment of section 18 of the Business Franchise (Petroleum) Act, 1974, to enable instalments of licence fees to be recovered as a debt in any court of competent jurisdiction. The existing sanction is revocation of the defaulter's licence, but this, also, may not be sufficient because of the proposed repeal of the principal Act. Clause 7 provides for the repeal of the Business Franchise (Petroleum) Act, 1974, as amended, on December 24, 1975. Clause 8 is formal. Clauses 9, 10, and 11 provide for enactment of a new Division in the Business Franchise (Tobacco) Act, 1974, continuing, after the repeal of the Business Franchise (Petroleum) Act, the Business Franchise Appeal Tribunal and the office of Registrar of the tribunal that were established under the Act intended to be repealed.

Clause 12 provides for amendment of section 9 of the Business Franchise (Tobacco) Act, 1974, in order to put it beyond doubt that the penalty at the foot of the section intended to be amended applies to both subsections of the section. Clause 13 provides for amendment of section 15 of the Business Franchise (Tobacco) Act 1974, to enable the Commissioner to recover instalments of licence fees as a debt in any court of competent jurisdiction.

Dr. TONKIN secured the adjournment of the debate.

PETITION: CEDUNA AREA SCHOOL

Mr. GUNN presented a petition signed by 51 members of the staff of the Ceduna Area School setting out conditions at the school, and praying that the House of Assembly would urge the Government to arrange for the immediate delivery of five classrooms and one staff room for the beginning of the 1976 school year.

Petition received.

PETITION: MEDIBANK SCHEME

Dr. TONKIN presented a petition signed by 369 residents of South Australia stating that the implementation of the Medibank scheme in South Australia would provide significantly lower health care standards, and praying that the House of Assembly would act to cause the Government to reject the proposal and urge the Commonwealth Government to enact provisions to include pensioners and people on low incomes in the present health scheme.

Petition received.

PETITION: SUCCESSION DUTIES

Mr. MILLHOUSE presented a petition signed by 593 residents of South Australia stating that the burden of succession duties on a surviving spouse, particularly a widow, had become, with inflation, far too heavy to bear and ought, in all fairness and justice, to be removed. The petitioners prayed that the House would pass an amendment to the Succession Duties Act to abolish succession duty on that part of an estate passing to a surviving spouse.

Petition received.

PETITION: HAWTHORN AREA TRAFFIC

Mr. MILLHOUSE presented a petition signed by 222 residents of South Australia stating that the closure of the junction of George Street and Belair Road, Hawthorn, in the city of Mitcham was an inconvenience to the public, and praying that the House of Assembly would disallow the regulations made pursuant to the Road Traffic Act authorising the closure.

Petition received.

QUESTIONS

FUEL RESERVES

Dr. TONKIN: Will the Premier say what action he is taking to overcome the continuing crisis caused by the inadequate fuel reserves held in this State, what short-term measures will be implemented if members of the Storemen and Packers Union decide, as reported, to take industrial action if that union's present wage demands for a 30 per cent increase are refused, and what long-term planning is under way to build up more adequate reserves of fuel and so avoid these periodic emergencies? Once again South Australia is at a crisis point because of fuel shortages. There have been two major crises previously, and I understand that we ran out of fuel last Friday for about two hours. The Premier has admitted that a similar emergency arose during the recent election campaign (although we heard nothing of it then) and I understand that he had to intercede with Mr. Hawke to avert a crisis, yet each time our supplies run short it is the motorists, and the community as a whole, who suffer the effects of fuel shortages and possible rationing. Those people are entitled to ask what is being done to ensure that this does not happen again. I understand that for the past two months South Australia has had virtually no fuel reserves at all. We have been using supplies as quickly as they arrive, and this time of arrival has been restricted because of the strike by tugmen at Geelong. We wish to know what is being done to help build up supplies here and so safeguard our fuel supplies in future. I sincerely hope that the Premier can give assurances that action is being taken to reduce our susceptibility to shortages, whether they are caused by such simple matters as bad weather delaying the arrival of a tanker (and I understand that can be critical in itself) or by further industrial anarchy.

The Hon. D. A. DUNSTAN: Obviously the Leader is relying on some alarmist headlines in the *Advertiser* this morning.

Dr. Tonkin: No, it is more than that.

The Hon. D. A. DUNSTAN: In that case, the Leader is unfortunately as ill informed as is the leader writer of the *Advertiser*. I had given the Leader credit for not having failed to do something about informing himself, but apparently what I have said is the case. There is no need for any alarm or fuss concerning relief petrol supplies in South Australia. The headline in this morning's newspaper was not justified at all, and certainly it was not justified by the newspaper report that appeared beneath it, even though in some respects that was not particularly

accurate. If the statement attributed to Mr. Sundermann, the manager of the refinery, is read carefully, it will be seen that the refinery at present holds seven days supply of petrol. Furthermore, one ship is in Birkenhead at present unloading petrol, and another ship is due on Thursday. This morning the manager of the refinery assured the Minister of Labour and Industry that he did not think the refinery would encounter any trouble whatever unless there was an industrial dispute, but he was not expecting one, nor is the Minister expecting one.

Dr. Tonkin: Come on!

The Hon. D. A. DUNSTAN: That is what the industry told us. Of course, the Leader wants industrial disputes, for political purposes, but that is not a responsible attitude on the part of the Leader of the Opposition. Let me give the Leader the exact position with the various companies, because he has said that South Australia was out of petrol last week: it was not. Amoco is off-taking about 5 000 tonnes of premium motor spirit from the *Esso Gippsland* today. The *BP Endeavour* is due on Thursday and that will fill motor spirit storage for Esso to the full storage. Ampol has three to four days normal supply of premium petrol and is due to receive a transfer from the refinery this evening. BP has no problems. That company is due to receive off-takes from *Esso Gippsland* tomorrow and from *BP Endeavour* on Thursday.

Members interjecting:

The Hon. D. A. DUNSTAN: If the honourable member had been listening—

Dr. Tonkin: I have been.

The Hon. D. A. DUNSTAN: Well, if the Leader would continue to listen instead of interjecting, he would get his reply.

The SPEAKER: Order! We must not have so much interjection. The honourable Premier.

The Hon. D. A. DUNSTAN: Esso has eight to nine days normal supply of petroleum. H. C. Sleigh has four days normal stocks of premium motor spirit. It has no scheduled receipts at this stage, although refinery transfers are on short notice, and that company expects to get them. Mobil is currently in conference with Mr. Sundermann, and I have already given the view that Mr. Sundermann has put to the Minister. Shell yesterday had seven service stations out of super petrol for half the day. The company is to receive about 4 500 tonnes (nine days supply) from the *Esso Gippsland* today, and a further 500 tonnes from Amoco. The company will receive a further 11 days supply from *BP Endeavour* on Friday. A further tank ship is scheduled for August 20, but when this ship gets here depends on the situation at Geelong. The situation is not critical. Our refinery provides about 70 per cent of our supply. For the rest, we rely upon tankers. The problem for us last month was that the refinery could not move fuel oil out, and therefore there were some difficulties about its continuing to refine petrol.

Dr. Tonkin: What was the difficulty about moving it out?

The Hon. D. A. DUNSTAN: The difficulty arose from a harbor dispute in Victoria and the difficulty of moving tankers. That was not within this State. I point out to the honourable member that not only I but also the Minister of Labour and Industry in Tasmania had appealed to the Victorian Government to take towards industrial disputes the responsible attitude which this Government has taken and which, if the Victorian Government had taken, would have solved the dispute in Geelong a long time ago. In

fact, the industrial anarchy to which the Leader has referred occurs not here but in the neighbouring State of Victoria, where, because of the intransigence of the Victorian Government, that State had to suffer only recently a mammoth strike on the part of the Public Service of Victoria over this particular matter. South Australia, of course, cannot control the industrial situation in Victoria, where the Victorian Government is showing what Liberal Governments will do in relation to industrial anarchy. In South Australia we are suffering from what Liberal Governments do, and in addition—

Members interjecting:

The SPEAKER: Order! The honourable Premier must have an opportunity to reply to the question asked by the honourable Leader of the Opposition.

Mr. Mathwin: He's had six minutes now.

Mr. Becker: I hope he tells the truth.

The Hon. D. A. DUNSTAN: If this sort of thing goes on, it is quite impossible for anyone to reply to any question in the House. Members opposite said a short time ago that they were willing to abide by Standing Orders, but they are making a laughing stock of the House.

Mr. Mathwin: You've been speaking for six minutes.

The SPEAKER: Order! I must remind the House that each Minister who is asked a question must have the opportunity to reply to it. If interjections are kept up at this rate, it will be difficult to give everyone an opportunity to ask a question.

The Hon. D. A. DUNSTAN: South Australia has only 70 per cent of supplies coming from its own refinery. Because of the situation in Victoria, the South Australian refinery has been providing supplies not only to South Australia but also to Victoria, because petrol has been taken from our refinery to supply the western districts of Victoria, and that again has arisen because the Victorian Government has refused to deal responsibly with an industrial dispute in its State. This Government has acted responsibly in getting the assistance of trade unions to see that we have been provided with petrol and that we have not had the kind of crisis or difficulty to which the honourable member has referred. This Government has, in relation to the unions in this State and in other States, the best record of industrial conciliation of any Government in this country.

SERVICE STATIONS

Mr. WELLS: Will the Minister of Labour and Industry have the business activities of Ampol Petroleum Limited investigated in respect of its callous disregard of the lessees of service stations it owns and the cancellation of leases which has taken place recently to the detriment of the leaseholders? I have been approached by a constituent who does not object to being named, a Mr. Moens, who occupied a service station on the corner of North-East Road and Foster Road, Hillcrest, in my district, for seven years. Originally, these service stations were allocated on a three-year lease basis, but since 1972 the lease has been on an annual basis. On May 31, my constituent was required to deposit with a bank promissory notes payable on a monthly basis to cover the rent for one year on his service station and was told that his rental had been increased by \$34 a month. He did this, but was told on July 1 that his lease was not being recognised, although he had placed the promissory notes in the bank. The August promissory note has been cashed by the company. He understood that his contract was current, but the company told him

to leave by August 1 because it wanted the outlet to enter the petrol price war, the company intending to discount petrol by 7c a gallon. This practice is also being carried out at other Ampol service stations, including one at Newton, one on Henley Beach Road and one on the South Road. The company is not interested in the plant which my constituent owns in the station and which he values at about \$10 000. The company has taken over the service station, is discounting petrol by 7c a gallon, and is not providing any driveway service. Will the Minister have investigated the legality of the company's action? I believe that consideration should be given to an application by the company when it makes a further request for an increase in petrol prices in this State.

The Hon. J. D. WRIGHT: I have no knowledge of the circumstances, but I shall be pleased to obtain a report for the honourable member.

WATER CHARGES

Mr. GOLDSWORTHY: Can the Minister of Works say by how much the total revenue from water and sewerage rates will increase as a result of the new charges he announced last week and what incentive will be offered ratepayers to economise in the use of water? Last week, the Minister announced that the price of water would increase from 11c a kilolitre to 14c a kilolitre and that a minimum yearly charge for a sewerage service would increase from \$32 to \$40. I understand that these increases, coupled with the new rates equalisation scheme, will mean massive increases of up to 48 per cent for many areas. I am interested to know, therefore, by how much revenue from these sources will increase during this financial year and how the Minister intends to go about placing increased emphasis on payment for water consumption, as reported in the press. Does it mean that people who do not use their full allocation will not have to pay as much, or does it mean that if people pay for a certain quantity of water they may as well use it, as they have paid for it anyway?

The Hon. J. D. CORCORAN: Revenue to the State as a result of the increases is estimated to increase by about \$13 300 000 for a full financial year. I point out, however, that this increase will simply maintain the 1974-75 deficit, which increased from about \$4 800 000 to \$13 200 000. That will give the honourable member some idea of how much the cost of operating the service has increased. So, the increase will simply hold the deficit at that level: it will do no more or less. In fact, the Government would be less than responsible if it did less or if it increased the price of water and relied on valuation to increase the rate any less than it has done. The honourable member will be aware that now, for the first time, we are involved in an equalisation of rates. He will remember the outcry that occurred last financial year when the Valuer-General brought down, as he is required by law to do, his valuation for one-fifth of the State, because he is required to revalue the whole of this State every five years. He was doing it in such a way that each year one-fifth of the State was valued, and members will recall that that resulted in a massive increase in that part of the State that was affected by the revaluation.

As a result of that, the Government decided that it would be fairer and more equitable to spread the valuation across the whole State, but that does not mean that people will be paying less over a five-year period. Some will pay less this year than they did last year, but taken over a five-year period it will amount to the same. No-one has ever tried to tell the people of the State, as has been claimed, that the

equalisation will mean that they will pay less for water. Instead of a massive slug in one year in five, it means a gradual increase each year over the whole period. The honourable member asked how the increased price would give people an incentive to save water. The Government, by increasing the price of rebate water, has been getting to the stage where people will pay more than they have paid in the past for water used.

Mr. Dean Brown: So you accept my proposition after all?

The Hon. J. D. CORCORAN: No, I do not, and the honourable member did not come up with an alternative. The offer was made but never accepted, and the member for Davenport knows that. The committee he was promoting was given the opportunity to come forward with an alternative to the present scheme that would be more equitable, but neither the committee nor the honourable member did so. The honourable member paid his rates, although he had said that he would not pay them. He had the golden opportunity to show the people of the State that he meant what he said, but he ratted. Increasing the price of rebate water simply means that people will receive less water for their rate and, therefore, may be forced into excess more quickly. However, if they are careful about the use of water and watch what they are doing, they will not go into excess and they will not have to pay extra. Opposition members have asked for this to happen, they have got it, and now they do not like it.

Mr. Becker: It's a con trick.

The Hon. J. D. CORCORAN: It is not. The honourable member ought to know something about confidence tricks, as he is one of the best in putting them over. He is one big confidence trick.

The SPEAKER: Order! I remind honourable members that we must not have so much interjecting when Ministers are replying to questions. The honourable Minister of Works.

The Hon. J. D. CORCORAN: I reiterate that neither I nor any other member of the Government has ever attempted to tell the people of South Australia that, through rate equalisation, they would pay less for their water. Increasing the price of rebate water will mean that people are likely to go into excess more quickly and they will therefore pay, on the basis of water used, more than has been the case in the past. The Government does not intend to alter the scheme. The extra revenue will be about \$13 300 000, which will only hold the deficit for this operation at \$13 200 000.

VEHICLE LIGHTING

Mr. KENEALLY: Is the Minister of Transport aware of the safety lighting device for motor vehicles known as Cyberlite and, if he is, will he investigate the possibility of converting Government vehicles so that they can use the system as a trial to ascertain whether this form of lighting is a viable road safety measure that should be mandatory for all vehicles using South Australian roads? The Cyberlite safety light system has been developed in the United States of America to avoid rear-end collisions. Last year in that country more than 4 000 000 such accidents occurred. I suspect tens of thousands of such accidents would have occurred in Australia. The Cyberlite system consists of an amber light, centrally mounted at the car's rear, that flashes more quickly and brightly if the car slows abruptly. A recent test of 500 taxi-cabs in San Francisco showed that the use of this system resulted in 60 per cent fewer rear-end collisions. I have asked the question because of such statistics and because

of the Minister's well-known concern in the field of road safety.

The Hon. G. T. VIRGO: The system to which the honourable member refers is, I believe, peculiar to the United States, although the general principle of flashing amber lights has been developed over many years not only in the United States but also in Europe, and it has much to commend it from the road safety viewpoint. Many cars that are totally imported into Australia have this lighting feature incorporated in the electrical system. We are considering making the system, which I think has much to commend it, mandatory for Australian-made cars. I will discuss with the Road Traffic Board the issue raised by the honourable member and bring down any further information for him.

LATE NIGHT SHOPPING

Mr. MILLHOUSE: Can the Minister of Labour and Industry say whether the Government really intends to go on with the prosecution of the small shopkeepers trading in the east end of Rundle Street who have kept their shops open on a couple of Friday evenings? If the Government intends to proceed with those prosecutions, can the Minister say why? In the past two out of three Friday evenings several shopkeepers (I think about half a dozen) have remained open for trading after 5.30 p.m. in an effort to keep their businesses going and to give that part of the town a bit of life. The result is that at least some of those traders have been bullied and intimidated by Mr. Goldsworthy and other union officials. They have also been visited and reported on by officers of the Minister's department, and summonses have been issued in the Industrial Court against them for breaches of the Industrial Code. I understand that a deputation of shopkeepers saw the Premier last Monday about the matter but that the result was entirely inconclusive. I hope that in all justness and fairness these prosecutions will not proceed and that the Government will, as a result of the actions of these shopkeepers (taken in the face of the intimidation and threats by Mr. Goldsworthy and others, to which I have referred) will review (as I have invited it to do by giving notice of motion this afternoon) the whole question of shopping hours in South Australia. I ask the question to give the Minister an opportunity to make a statement not only on this matter but also on the question of shopping hours generally.

The Hon. J. D. WRIGHT: I am delighted that the honourable member has asked the question, because I believe the matter should be put in its proper perspective. The shopkeepers in the lower end of Rundle Street are definitely breaking the law. There is no question about that. I have heard the member for Mitcham on numerous occasions in this House ask that certain people be prosecuted because they are breaking the law. It therefore strikes me as being peculiar that he should now defend people who are breaking the law.

Members interjecting:

The SPEAKER: Order!

The Hon. J. D. WRIGHT: The people in question made no attempt to talk to either me or the Premier. I am not suggesting they would have got much sympathy, anyway. It is not my right or privilege to allow people to break the law. I merely point out they made no effort to ask the Premier or me to review the situation, but belligerently opened without informing anyone except by making a public statement. They made no attempt to come near the Premier or me until they found themselves in

the situation they are now facing. The fact of life is that they broke the law on not only one or two occasions but on three occasions. I have no doubt those prosecutions will stand.

Mr. Mathwin: Will you pay the fines for the shopkeepers like you did for Dunford?

The Hon. J. D. WRIGHT: I have not paid fines for other people. I have paid fines for which I have been responsible.

Mr. Mathwin: The Government paid the fines.

The Hon. J. D. WRIGHT: I have no recollection of the Government paying fines for anyone. The Government will not be paying these fines. There has been a change of plan by the shopkeepers. I consider that change of plan should have been considered in the first place and that they should have started to talk to people then. They asked to talk to me and they were given the opportunity of making a deputation to me. Before I received that deputation I asked the people concerned whether we could return to square one and whether I could get a guarantee from them that they would not open on Friday evenings. I was told "No". That is the attitude of the people with whom I have been trying to deal. They were also given an opportunity to speak to the Premier and me. They were given certain advice, which I believe they have carried out, by the Premier. I have arranged for departmental officers to sit in on conferences between traders representatives and the shopkeepers, and I understand they are getting little sympathy from the traders. Regarding the final question about trading hours, the Government does not intend to do anything about extending trading hours now or in future.

PORTRUSH ROAD INTERSECTION

Mr. SLATER: Can the Minister of Transport obtain information for me regarding proposed roadworks to be carried out by the Highways Department at the intersection of Portrush Road and Payneham Road? The intersection referred to is the present site of the Duke of Wellington Hotel, and I understand the acquisition of that property has been undertaken by the Highways Department. In association with the roadworks being carried out, the Australian Telecommunications Commission will lay telephone cables to service the Payneham and Marden areas with additional facilities for telephone installations. As some delay is occurring in the facilities being provided, I ask the Minister whether he can obtain information for me and whether the project can be expedited.

The Hon. G. T. VIRGO: I shall be pleased to get the information.

FISHING INDUSTRY

Mr. RODDA: Can the Minister of Marine, representing the Minister of Fisheries, say what financial assistance is available for the fishermen who are in needy circumstances because of the downturn in their industry? During the election campaign the Minister of Fisheries said that the Government would consider the principle of buy back or would assist the industry by taking some vessels out of the industry. As the Minister knows, in one or two specific cases in the South-East people are in dire need of some financial assistance, and it would be of interest to members to know what was the Government's policy in this regard.

The Hon. J. D. CORCORAN: First, I refer to that part of the question in which the honourable member said that, during the election campaign, it was suggested that the Government would consider the possibility of buying back vessels from the industry. This policy was designed to assist the industry overall from the point of

view of preparing fishing grounds: in other words, to prevent what could be described at present as over-exploitation. In fact, such a policy would not be of real assistance to people in the financial predicament alluded to by the honourable member. I know of several fishermen who have financial problems, as well as a company in the South-East, but the matter referred to by the honourable member as having been suggested by the Minister of Fisheries during the election campaign would not assist their cases, because if they were willing to sell it would not help, as they wish to continue in the industry and are seeking from either the State or Commonwealth Government some assistance similar to that given to other forms of primary industry in order that they may continue. This is a serious problem. The case to which the honourable member has referred is well known to me. I have done everything possible to assist the accountant concerned to obtain access not only to the Industries Assistance Corporation but also to the Industries Development Committee to ascertain whether assistance can be made available. I know that the Industries Development Committee (or it may have been the I.A.C.) has had officers visit this company and look through its affairs in order to ascertain whether it can be assisted, but the latest information I received last week was that assistance would not be granted. People involved in the industry stated recently that they would make a submission to the State and Australian Governments in connection with this matter to ascertain whether they could be treated in the same way as other primary industries are treated after a bad season or if affected by a drop in overseas markets or inflation, and be given some sort of assistance that has normally been forthcoming to those other primary industries. To date I know of no case that has been submitted to the State Government, and the only form of assistance that I know of that could be tapped is through the Industries Development Committee when a company is involved. This would not assist the individual. Frankly, until a case is submitted by the association and the Government given time to examine it—

Mr. Rodda: By the company?

The Hon. J. D. CORCORAN: No, by the fishermen's association. The company has already submitted its case, and I understand there is not much more we can do about that. It has been considered thoroughly, but it would seem from the information given to me (and this is not official) through the accountant that the application would be rejected. Not only the South-East Professional Fishermen's Association but also the State and Federal associations should be preparing a case to submit to the Government in order to gain the assistance for which the honourable member is asking. Until that is done and the case is properly examined and put on a proper basis, I cannot see at this stage any form of assistance being made available to individual fishermen, other than through normal lending institutions and applying to whatever difficulties in which they find themselves.

FIRST-AID

Mr. OLSON: Will the Minister of Education examine the possibility of including first-aid in the syllabus for final-year students? As every endeavour is being made to educate the community on all aspects of road safety in order to reduce the road toll, it is considered that, if students were to receive instructions in first-aid, this would create an awareness that might overcome the difficulties now being experienced by the Venerable Order of St. John in its recruiting.

The Hon. D. J. HOPGOOD: I find this suggestion somewhat attractive, and I will ensure that it receives proper attention. However, I do not intend that school curricula should be established by, as it were, Ministerial fiat. I believe the generation of ideas for new courses should properly come from professional teachers working in the field, and I see my job as being to encourage the broadest possible discussion within the profession and a continuing revaluation of courses by the people working in the profession. They should make the real decisions about what our children learn and do not learn in schools. However, with that qualification, I will certainly ensure that the honourable member's suggestion gets to the proper channels.

WINE

Mr. ARNOLD: Can the Premier say whether, by abandoning his colleague, the Prime Minister, during the recent State election, he has closed the door on further negotiations with the Commonwealth Government concerning the plight of the wine industry and of wine-grape growers? The Premier is well aware of liquidity problems that winemakers have at present in meeting their commitments to wine-grape growers for the past vintage. This situation has been brought about by the Commonwealth Government's brandy excise and the repeal of section 31 (a) of the Income Tax Assessment Act. Whilst these are Commonwealth matters and actions taken by the Commonwealth Government, the concern of the wine industry, and of wine-grape growers in South Australia in particular, is that, unless the Commonwealth Government reviews its actions, not only will winemakers not be able to meet the payments for which they were committed before the harvest but also it is apparent that there will be an enormous surplus of wine grapes in the forthcoming harvest. I ask the Premier what is the present position regarding his Government's relationship with the Commonwealth Government and what new action he will take to try to solve this problem.

The Hon. D. A. DUNSTAN: The matter is not closed. Further representations have been made to the Commonwealth Government, and the Commonwealth Treasurer has agreed to see me further on the matter following the announcement made by the Prime Minister last month, an announcement which followed representations made by our department but which was not in accordance with the representations we made. It went some way along the line, but, as I said at the time, it did not go far enough. The particular difficulty lies in two areas: the first is, of course, the brandy excise. Regarding this matter, we have been able to make no headway. In our opinion it is absurd that the production of brandy should be treated on the same basis as is the production of whisky and rum. The requirements of brandy production by law are much more expensive than the requirements of whisky and rum production. It is quite improper that we should provide the same basis of excise and eliminate the brandy differential. However, on this score I cannot suggest I have made any headway so far, despite constant arguments with the Commonwealth Minister concerning it.

The second problem arises because of a combination of taxation factors. Section 31 (a) repeal and phasing out of the arbitrary valuation of wine stocks over a period is not in fact largely resisted by the Wine and Brandy Producers Association in the long term. The problem really arises now with proprietary companies that are required to distribute 50 per cent of after-tax income or face a penal tax provision. As part of the tax provision is that they have to put in a high proportion of money

towards revaluation of stocks, the amount that they are left with after 50 per cent is distributed to shareholders is in fact about 12½ per cent of return. That is completely inadequate to finance on-going investments, replacement and normal capital and working account expenses.

Mr. Mathwin: You have to convince Whitlam on this.

The Hon. D. A. DUNSTAN: I can tell the honourable member that I have been trying to do that for a long time.

Mr. Goldsworthy: You'd better find another target.

The Hon. D. A. DUNSTAN: I had no hope of doing anything much with the Liberal Party on wine tax: I did not get anywhere with it on wine excise, so it has no record to talk about. Let us not have a suggestion that it is any more interested in the wine industry.

Mr. Nankivell: Could you get them to remove retrospectivity?

The Hon. D. A. DUNSTAN: I am seeking immediately special provision in relation to proprietary companies that are in particular liquidity difficulties. A number of them have built up enormous stocks and are faced with very grave problems as a result. In addition to this, the first year should be included in the extension. The problem for us was that, in making the decision about giving extended terms for payment because it was at the end of the first year and the bills had gone out, no retrospectivity was granted in relation to that first year. That was vital if the proprietary companies were to carry on. In consequence, it is on these two areas that we will be concentrating.

Mr. Nankivell: That was the squeeze.

The Hon. D. A. DUNSTAN: Yes, but I have had an agreement from the Commonwealth Treasurer that he will see me urgently about this. He has been caught up to date, naturally enough, with the problems of completing the Budget. I had hoped to see him last Friday but was unable to do so. However, I have had a letter this morning asking for an urgent appointment with me to discuss this matter, and I will be taking up these matters on behalf of the industry.

WHYALLA POLLUTION

Mr. MAX BROWN: Will the Minister for the Environment obtain for me a progress report on what the Broken Hill Proprietary Company Limited at Whyalla has done to deal with the pollution problem being created in the environment of the city of Whyalla by the company's various heavy industries operating in the outskirts of the city? The Minister will be aware of the matter to which I refer. He will also know that the works of which I speak are covered by the Broken Hill Proprietary Company's Steel Works Indenture Act. At one time the company agreed publicly to carry out extensive improvements with regard to the environmental situation of the works. If I remember correctly, it said it was willing to spend \$8 000 000 to \$10 000 000 on such a project. As I think this matter is fairly important to the city of Whyalla, I ask the Minister to obtain a progress report for me.

The Hon. G. R. BROOMHILL: I am well aware of the fact that this company causes a considerable environmental problem in that area. I recall that some months ago proposals were made for a large sum to be spent on improving the position at the works. I shall be pleased to find out what is the current situation in relation to these improvements, and let the honourable member know.

RAILWAYS TRANSFER

Mr. DEAN BROWN: Is the Premier aware that, if South Australian railway employees are transferred to the Australian National Railways, there is likely to be protracted industrial strife and stoppages in South Australia, owing to inter-union rivalries? At present, guards, signalmen, gangers and other weekly-wage employees of the Australian Railways belong to the Australian Workers Union, whereas men performing similar functions in the South Australian Railways belong to the Australian Railways Union. The latter organisation is restricted under its constitution, registered with the Arbitration Commission, to enlisting members only within the State railway systems. It is allegedly under Communist control, and would not take kindly to the loss of its members if the transfer to the Australian Railways took place. A third body, the National Union of Railway Workers, is strong in New South Wales and has long wanted to infiltrate the Australian Railways system. The situation in South Australia would provide this union with the chance to compete with the A.W.U. and the A.R.U. in their search for new members which is the aim of every union. I suggest that, if the South Australian Railways were transferred, as the Premier would propose, South Australia would suffer from a breakdown in the movement of essential goods, a situation reminiscent of that which existed during steel-worker strikes in South Australia in 1974. Reliable sources indicate that the loss of revenue to this State in that dispute between two unions was about \$16 000 000. The financial benefit of the railway transfer (which was so clearly enunciated by the Premier and which was promised and boasted about to the voters of this State) would be a very inaccurate account of our true financial position if we had the industrial strife and trouble that could be predicted if the railways were transferred to the Australian Government.

The Hon. D. A. DUNSTAN: I had understood that the honourable member was the shadow Minister of Labour and Industry. I can only suggest to the honourable member that, before he makes an explanation in this House of the kind that he has just made, he gets to know something about the union movement, because what he did was demonstrate his abysmal ignorance of it. He suggests that the arrangement which would be made with the Commonwealth Government to transfer non-metropolitan railways would allow the intrusion into South Australia of recruitment by the National Union of Railway Workers. I do not know whether the honourable member has met any of the officers of that union. Rather by mistake I acted for them on one occasion. They represent a very small part of the railwaymen of this country. There is no way in which there is even a chance of that union getting registration in South Australia. This is just not on. If there is any difficulty—

Mr. CHAPMAN: I rise on a point of order, Mr. Speaker.

The SPEAKER: What is the point of order of the honourable member?

Mr. CHAPMAN: Standing Order 125 calls on Ministers, when answering a question, to answer the question. From the time the member for Davenport asked his question, the Premier has set out to denigrate that member. He has not proceeded to answer the question. Under Standing Order 125, I call on you, Mr. Speaker, with the greatest respect, to ask Ministers, including the Premier,

to answer questions more directly and to give every member a fair go to ask a question on this first afternoon of this session.

The SPEAKER: I am quite happy to give all honourable members an opportunity to ask or answer questions, but I must rule out of order the honourable member's point of order. The honourable Premier is replying to the question concerning union coverage asked by the honourable member for Davenport.

The Hon. D. A. DUNSTAN: No difficulty has arisen among the Australian Workers Union, the Australian Railways Union or the Australian Federated Union of Locomotive Enginemen in relation to the railways transfer. All unions covered by the South Australian Railways were called into conference before the arrangement for transfer was entered into with the Commonwealth Government, and arrangements were made with the unions for a process of constant consultation as to future union coverage and involvement during the interim period that is expressed in the agreement. I point out to the honourable member that, far from the unions or any union official having suggested that there would be industrial strife, all the unions concerned carried motions condemning the Legislative Council for throwing out the agreement and all the unions demanded that, in fact, Parliament accede to the agreement.

Dr. Eastick: That wasn't spontaneous.

The Hon. D. A. DUNSTAN: The honourable member would not know what was spontaneous, because he does not go to union meetings to hear what these people say, but we do. If the honourable member is really concerned about industrial strife among unions, I suggest that he go to the unions and inform himself, because they will tell him.

Dr. Eastick: They came to me. They told me what the score was.

The Hon. D. A. DUNSTAN: I should like to know from the Leader in due course—

The Hon. J. D. Corcoran: He's not the Leader now.

The Hon. D. A. DUNSTAN: I am sorry, I would like to know from the member for Light who came to him. I have been at meetings with the leaders of all the unions. If any leader, official, or proper spokesmen of any of the unions has been to the former Leader of the Opposition to protest, we should like to know about it, because such persons certainly have not expressed that to one another or to us.

SPORTS STADIUM

Mrs. BYRNE: Will the Minister for the Environment ask the Minister of Tourism, Recreation and Sport to consider seriously the District of Tea Tree Gully, which embraces the city of Tea Tree Gully, as a worthy location for the proposed major indoor stadium for sport and entertainment that is planned for Adelaide? I refer to a report in the *News* of April 8, 1975, regarding a proposed study to be undertaken by the State and Australian Governments in respect of design, facilities and location for a proposed major indoor stadium for sport and recreation for Adelaide. A further report was published in the *Advertiser* on July 4, 1975, in respect of a major indoor stadium. Without being aware of the criteria being considered in relation to the many aspects of a proposal of this kind, I submit that the city of Tea Tree Gully could provide a suitable location. This area is progressing rapidly and has a tremendous growth potential, with a generally young population. The Tea Tree Gully council wrote to the Director, Department of Tourism, Recreation and Sport,

on April 15, and I draw the Minister's attention to the contents of this letter, as well as to my remarks.

The Hon. G. R. BROOMHILL: I shall be pleased to bring this to the attention of my colleague, asking him whether he can give the honourable member any more information or whether he requests any additional information that may be required.

SOUTH-EASTERN FREEWAY

Mr. WOTTON: Will the Minister of Transport tell the House the intended opening date of the ramp leading from the South-Eastern Freeway into Mount Barker? I have been informed that the present intersection used for entry into the town of Mount Barker is considered extremely dangerous, having regard to the amount of traffic travelling on it, and it is desired that the new ramp be opened as soon as possible.

The Hon. G. T. VIRGO: Although I am aware of the problems associated with the existing ramp, I think the honourable member will appreciate that, when a project is of such magnitude as the South-Eastern Freeway, it may be necessary to bring it into operation piecemeal. Often factors are associated with it temporarily that are not as desirable as one would like. However, the advantages of bringing the whole facility that is currently available into operation are outweighed by the minor disadvantages connected with the shortcomings of the ramp to which the honourable member has referred. I do not know the precise time table, but I shall be pleased to find out and let the honourable member know.

JUSTICES OF THE PEACE

Mr. SIMMONS: Will the Attorney-General say whether nominations for appointment as a justice of the peace that have been refused because the quota of justices for a district has been exceeded are automatically brought up for consideration when vacancies occur? I took up this matter with the former Attorney-General because a nomination for appointment as a justice of the peace forwarded by me more than two years ago was refused, not on the grounds of unsuitability of the particular candidate but because the quota for the district had been exceeded. Recently, I have been given a list of further appointments for which I am sure the nominations were made well after that time, and therefore I ask whether there has been a change in the policy that would automatically bring these earlier nominations up for review.

The Hon. D. A. DUNSTAN: I will investigate the matter for the honourable member and get a report.

SPEAKER'S SUPPORT

Mr. GUNN: Will the Premier say what undertakings were given to the present member for Pirie to guarantee his support of the Government, and will he also say what are the costs of such undertakings? During the election campaign it was reported in the press that the Premier accused the present member for Pirie of engaging in an ego trip. Because of this statement, I ask the Premier to state clearly to the House what undertakings were given to the member for Pirie.

The Hon. D. A. DUNSTAN: I did not say that the present member for Pirie was on an ego trip.

Mr. Goldsworthy: That's what the newspaper stated.

The Hon. D. A. DUNSTAN: I did not read the *Recorder*. In reply to a question asked at a meeting at Port Pirie, I stated that politics was not an ego trip but was a question of policies. The member for Stuart was one of those present at the meeting. That is what has

been said, and I have said that again publicly on several occasions. The honourable member has asked me what undertakings have been given to the member for Pirie, and the undertakings that have been given to that member, Mr. Speaker, as you well know, are that, in regard to matters that vitally affect the interests of Port Pirie, there will be consultations between the honourable member and the Government. That is the extent of the undertakings that have been given. The position about that is that the honourable member naturally wants to know that he has ready access to us on matters of vital importance and that, before matters are introduced in this House that will vitally affect his district, there will be consultation with him, and that is so. If the member for Eyre wants me to put a price on that, I am unable to calculate it, and I do not think he would be able to calculate it either.

ADELAIDE UNIVERSITY COUNCIL

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

That three members of the House be appointed, by ballot, to the Council of the University of Adelaide as provided by the University of Adelaide Act, 1971-1972.

Motion carried.

A ballot having been held, Messrs. Abbott, Dean Brown, and Simmons were declared elected.

FLINDERS UNIVERSITY COUNCIL

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

That three members of the House be appointed, by ballot, to the Council of the Flinders University of South Australia as provided by the Flinders University of South Australia Act, 1966-1973.

Motion carried.

A ballot having been held, Messrs. Duncan, Evans, and Whitten were declared elected.

STANDING ORDERS COMMITTEE

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

That a Standing Orders Committee be appointed consisting of the Speaker and Messrs. Arnold, Dunstan, McRae, and Russack.

Mr. BOUNDY (Goyder): In my opinion, the member for Mitcham is eminently qualified to serve on the Standing Orders Committee. I therefore ask for a ballot.

The SPEAKER: In accordance with Standing Orders, it will now be necessary to hold a ballot. I point out to honourable members that the Speaker is *ex officio* a member of the Standing Orders Committee. Honourable members will vote for the four other members required by placing a cross against their names.

A ballot having been held, the Speaker and Messrs. Arnold, Dunstan, McRae, and Russack were declared elected.

SESSIONAL COMMITTEES

Sessional Committees were appointed as follows:

Library: The Speaker and Messrs. Allison, Duncan, and Simmons.

Printing: Messrs. Max Brown, Harrison, Slater, Vandeppeer, and Wotton.

JOINT HOUSE COMMITTEE

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

That the House proceed to elect three members to be representatives of the House of Assembly on the Joint House Committee, pursuant to section 4 of the Joint House Committee Act, 1941.

Motion carried.

The Hon. D. A. DUNSTAN moved:

That the House of Assembly's representatives be the Speaker and Messrs. Duncan, Gunn, and Slater, and that a message be sent to the Legislative Council in accordance with the preceding resolution.

Motion carried.

PUBLIC ACCOUNTS COMMITTEE

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

That pursuant to the Public Accounts Act, 1972, a Public Accounts Committee be appointed consisting of Messrs. Chapman, Harrison, Keneally, Nankivell, and Simmons.

Motion carried.

JOINT COMMITTEE ON SUBORDINATE LEGISLATION

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

That the House of Assembly request the concurrence of the Legislative Council in the appointment for the present Parliament of the Joint Committee on Subordinate Legislation in accordance with Joint Standing Orders Nos. 19 to 31, and that the representatives of the House of Assembly on the said committee be Messrs. Mathwin, McRae, and Wells.

Motion carried.

ADDRESS IN REPLY

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

That a committee consisting of Messrs. Abbott, Corcoran, Duncan, Dunstan, and Whitten be appointed to prepare a draft address to His Excellency the Governor in reply to his Speech on opening Parliament, and to report on August 6.

Motion carried.

ADJOURNMENT

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

That the House do now adjourn.

Mr. GOLDSWORTHY (Kavel): We have the opportunity on the motion for the adjournment for what is commonly referred to as a grievance debate, and I see no reason why the Opposition should not claim that privilege on this occasion. I should like to raise one matter in this debate and, while it may not be of great moment in the eyes of some members, it is a matter of setting the record straight. Members who were in this House before the recent election know that I was shadow Minister of Education prior to the election and that that task has now been taken over by my very able colleague the member for Mallee. During the time I was shadow Minister of Education, I made one public statement that seems to have aroused a great deal of controversy. On one occasion I made in the press a statement that there appeared to me to be a need for a return to an emphasis on the three R's in primary school education. That must have been about two months ago, but as a result of that one statement there have emanated from Government spokesmen, and indeed from the Director-General of Education, about eight separate press and public releases.

It is a fairly common and cheap political ploy to take a statement made publicly, to exaggerate the statement, and to weave a fabrication around the exaggeration. That is precisely what has happened in the case of the statement I made. I merely said that, in my belief and in my judgment, and indeed in the judgment of many others involved in the area of education (parents and teachers,

and particularly headmasters in secondary schools), there was a need for more emphasis on basic skills in education in primary schools, the three R's, of course, being simply a popular way of referring to these basic skills and readily understood by the public.

My remarks were embellished and exaggerated, and then of course the former Minister of Education made public statements. I remember one at Renmark, and a statement was made in the press the following week and taken up by the Director-General of Education. I think he was probably forced to make a statement. A directive was sent out to the schools, and I heard on an Australian Broadcasting Commission newscast a statement to the effect that claims that basic skills had been dropped from primary schools were baseless. I do not know what that newscast referred to, but I did not see any other public statements made about basic skills at that time; apart from what I had said. At no stage did I say, however, that the three R's had been dropped from the primary school curriculum. That would be nonsense, but that was the sort of refutation coming from the then Minister of Education and the Director-General of Education by way of a directive to schools, even imputing sinister motives to those making such claims (claims which, of course, were not made), saying that we were advocating a return to the education system of 50 years ago. This was the sort of statement coming forth from one single press release I made about two months ago.

So, it was perfectly obvious to me that I had touched the Government on a pretty sore spot, and it was pretty obvious to many other people involved in education that I had done so. The public is aware of a need in education for emphasis on basic skills. I found a recognition of the need for this emphasis, after a period of neglect, in Britain and America. Indeed, I believe we have passed through such a period in South Australia. I rise to put the record straight. During the election campaign, while I was on my way home late one night I heard a statement on the radio from the present Minister of Education saying, "Be wary of those who advocate a return to the three R's in education." I made a statement about two months ago; and my Party's policy speech referred to basic skills and curricula in education. I believe that that policy was favourably received. Obviously, the fact that the Government, the former Minister, the present Minister and the Director-General on no fewer than eight separate occasions seized on this indicates to me, from my knowledge of political trends and events, that we had really touched a sore spot.

I rise to put the record straight: at no stage did I say that the three R's had been dropped from the primary school curriculum; such a statement would be nonsense. I said that there was a need for a return to an emphasis on some of these skills. One only has to talk to people involved in secondary education to realise that basic literacy and numeracy are lacking. I invite members opposite to check this out by making first-hand inquiries. I object to my public statements being exaggerated and embellished. Further, I object to the drawing of unjustified inferences. I take it that no other public statements were made at that time, and I take it that the references were to what I said. There were no other statements made at that time that I was aware of.

Mr. Keneally: Have you got a guilty conscience?

Mr. GOLDSWORTHY: No. There was nothing else I could detect in the media in South Australia that had been said on this point. Of course, I was not named. It

would not do for the Director-General of Education to say that what Mr. Goldsworthy had said was rubbish. So, no doubt under the Minister's direction, a circular was sent out to schools saying, "I do not know what impels people to say these things, but you know what our charter is." I wish people would stick to the facts when they reply to statements of the type I made.

Mr. McRAE (Playford): It is a pleasure for me to return to this Parliament not only after a great and outstanding electoral success, mainly due to the hard work of my electoral committees, but also after a long illness. I am pleased to be back in this place again and to refresh it with my occasional contributions, which I believe help here and there. I hope that all new members have an interesting and helpful period in Parliament. To you, Mr. Speaker, I take this first opportunity of expressing the tremendous admiration I have for you in connection with the way in which you have conducted yourself today. Yours was indeed an onerous task, as the Premier and the Leader of the Opposition indicated. The way you have conducted yourself in the House today in the many and varied and difficult situations you have had to handle has been admirable. I am sure all members will be pleased if you continue in that vein.

I turn now to the question of delays in the law courts in dealing with the justifiable complaints of citizens. It is absolutely imperative that something be done about this. The Chief Justice (Dr. Bray) was reported in the *Advertiser* of July 3, 1975, as having admitted that the many complaints reported by private citizens were true; that is, that there has been a bad back-up of mainly civil list cases, especially in the South Australian Supreme Court. He was referring to the Frayne case, and I do not need to refer to that case in detail, except to say that it dealt with all sorts of problems concerning building disputes. His Honour pointed out that each one of those problems would constitute a small case of its own. His Honour said in that press report that the Fraynes might have thought it was a long time and even an unreasonably long time, but it was only eight months. The Fraynes were terribly lucky, because I have seen parties wait for 18 months, two years, three years, four years, and even five years, and still not get a hearing.

What can one do about it? I look back to the time when Mr. Justice Brazel was first appointed. He set himself the task (it killed him, he died of a heart attack within a year) of getting the civil list up to date, and he got it up to date. That was a marvellous achievement on the part of one man. However, to do it, he had to work night and day every day of the week. That is the first point I make: if the judges want to clean up the civil list, then it must be done by earnest endeavour. I realise that it is not just the civil list: it is the criminal list, the matrimonial list and the various miscellaneous causes which take up the time of the Supreme Court.

I should now like to highlight deficiencies in the Supreme Court Act that should be fixed up, and fixed up this session. I believe that we need amendments to that Act now, so that, instead of having to amend it to appoint an additional judge every time one is required, judges can be appointed as required; or, alternatively, we should adopt the English system of appointing recorders. These would be experienced people with, say, 10 years or 15 years experience in the law who would be appointed for limited periods, perhaps six

months or a year, who in that time would concentrate, for example, on the civil lists in order to get things moving.

I realise that there are procedures under sections 7, 11, and 53 of the Supreme Court Act to provide for additional judges, but these apply only in certain circumstances, when judges are ill or when commissioners are required on circuit, and no Supreme Court judge is available. I urge the Government to get on with the job and provide for the appointment of temporary recorders, so that the civil list can be brought up to date. For too long I was in practice and saw my clients suffer under the Workmen's Compensation Act, and it was not until what some people call rough and ready justice was provided by legislation that that mess was sorted out. I see that the Chief Justice, in the same edition of the *Advertiser*, sees value in rough and ready justice, and so do I. Rough and ready justice does not mean poor justice: it means swift justice.

The other point I make in the few moments remaining is that it is absolute nonsense (and I say this with due respect to you, Mr. Speaker, sitting up there in your new robes of office) that our judges should trip into this court (which is what it is; this is the High Court of Parliament) in robes. It is nonsense that the judges should be sitting in court in robes. For background, I cite the *Encyclopaedia Britannica*, 11th edition, pages 409 to 411, and also *English Fashions*, by Alison, page 32. It is nonsense that our judges are tripping around in these garments. Mr. Justice Hogarth is a fine gentleman and I do not criticise him for one moment, but one honourable member has said he was forced into looking a bit like Santa Claus. So are you, Mr. Speaker, and I do not deprecate you for one moment. But this foppery and finery upsets the ordinary citizen, and there is no need for it.

I consider that the time has come when the judges in our country should act like the judges in most of the civilised countries of the world and dress as the ordinary citizen dresses, so that people will not be worried by the appearance of those judges in court. At present they are worried by all the fripperies and fopperies. I remind honourable members of the fashions worn by judges today, the ermine, the crimson robes, the knee-buckled breeches, the stockings, the buckled shoes, and the sword. The associate to one poor old judge told me that it was a tragedy when the judge tripped down the steps of the Supreme Court, the poor old devil, because he got his sword trapped between his legs, I am sorry about that, and it is time-consuming for associates to buckle judges up in all this foppery.

I have not time to read out all the information I have but, if honourable members care to read the references, they will find that the practice started when clerics, who were the first judges, dressed in the ordinary clerical robes but hid the tonsure with a bit of a wig. Later, in the reign of George II or thereabouts, the Macaroni Club, of all things, was formed. The member for Mitcham well knows all this. Under the auspices of that club, the fripperies and fopperies were expounded worse.

Mr. Millhouse: They wear robes in the Industrial Court, you know.

Mr. McRAE: They still do, and it is a disgrace.

Mr. Millhouse: What are you going to do when you get there?

Mr. McRAE: I have had no offer to go there. The honourable member's Party always seems to be talking about this.

Mr. Millhouse: Will you accept it if it is offered to you?

Mr. McRAE: If I was offered the position of Chief Justice of the High Court, I would be pleased to take it. I will wait on the offers and take them as they come. I say, whether it be the Supreme Court, the Licensing Court, the Industrial Court, or any other court—

Mr. Millhouse: Answer whether you would accept it. Come on!

Mr. McRAE: I ask the silly little fellow not to browbeat me. Whatever court it be, I say we should do away with the wig and gown and that judges should dress in the ordinary costume of the times. Similarly, let our barristers and solicitors dress in the ordinary costumes of the time.

Mr. EVANS (Fisher): Before I take the opportunity to grieve, I congratulate you, Mr. Speaker, on the position you now hold. It is in that area that I wish to grieve; that is, in regard to the jurisdiction you have and the way you may exercise it in future in relation to Question Time. If we look at Standing Order 123, we see that members may ask questions of Ministers of the Crown and members of the House who are not Ministers on matters relating to Bills, motions, or any public matter connected with the business of the House. Standing Order 124 provides:

In putting any such question, no argument or opinion shall be offered, nor shall any fact be stated, except by leave of the House and so far only as may be necessary to explain such question.

Standing Order 125 provides:

In answering any such question, a member shall not debate the matter to which the same refers.

Standing Orders were amended to increase the efficiency of the House, and a promise was given by the Government of the day, which was an Australian Labor Party Government, to which a substantial number of members here belong today. The guarantee was given that members would not ask protracted questions. We found today that only seven questions were able to be asked from this side of the House during the hour allotted to Question Time and you, Mr. Speaker, know that the questions were accompanied by short explanations, except that a little latitude was given to the Leader of the Opposition, as it is given on all occasions. Even his explanation was far shorter than the Premier's long reply. The Premier deliberately encouraged Opposition members to interject, because he debated the reply. He did not set out to answer the question, but tried to play politics. The Premier tried to denigrate the member for Davenport and encourage members to interject and to waste time. There is a need for you, Mr. Speaker, to ensure that full benefit is gained from Question Time, by both Opposition and Government members, and that Ministers be asked to make their replies more concise, without playing politics to the extreme as was the case today. It has long been the practice that Opposition members ask more questions on average than do Government members; that has been the practice for the 7½ years that I have been a member and, as the record shows, it has been the case even prior to 1968.

We now have 23 Opposition members, that is, more than there has been in the history of this Parliament, and Question Time occupies only half the time it used to occupy. So, more honourable members wait for an opportunity to ask questions. In addition, there are three political Parties in Opposition with members waiting to ask questions on behalf of their organisations. I believe we have reached the stage where the Government needs to show some respect for the

promise that its Party gave in the House when Standing Orders were amended. As Whip, it is embarrassing for me to have to say to you that only seven members asked questions today. At that rate, we will not even get one question from each member each week from the Opposition benches. The Government guaranteed that, when Standing Orders were amended, its Ministers would be more concise in their replies. Yet, we found immediately before the last Parliament ended that Government members were telling their Ministerial colleagues how long we had to go before Question Time expired. They were deliberately using up the time available for an Opposition member or back-bencher to question Ministers on what was happening in the State on matters of importance to the man in the street.

We are here to represent the community, and you, Mr. Speaker, sit in judgment on whether we may ask questions of community interest and whether we will get a fair go. We are entitled not only to a fair go as individuals but as representatives of the electors who expect us to be given a fair go. As you, Mr. Speaker, came into Parliament as an Independent, I hope that you will take the opportunity of ensuring in discussions with Government Ministers that they show respect for the promise given. I know that you have that integrity, Mr. Speaker, by the way you have performed today. I hope you can get that attitude across to the Premier who encouraged and promoted you to be the Speaker of this House and that you can get him to pass on that message to his Ministers so that we in Opposition, regardless of what group we may belong to, or the Government back-benchers can have the opportunity to question Ministers in the proper manner and they can give their answers in the promised manner.

Mr. Jennings interjecting:

Mr. EVANS: The member for Ross Smith can interject if he likes, but I know and he knows that what I am saying is factual.

Mr. Jennings: I do not know.

Mr. EVANS: If he does not, he was either asleep at the time the promise was given or he deliberately chose not to wish to stick to that promise. I hope his colleagues are not in that category. In conclusion, all I ask is that the Ministers make their answers more concise; and, if Government or Opposition members ask questions in the same way, the Ministers should be concise in their answers and explanations.

Mr. Jennings: They are stupid questions, though.

Mr. EVANS: Let me take up the point made by the member for Ross Smith. A question that may be stupid to him may not be stupid to the constituent who approaches his member of Parliament or to the member himself. Although a question may be stupid to the member for Ross Smith, it may not be so to another group. His questions may be stupid to another individual but he has the right to ask them; he should be given the right to ask questions and should be given straight-out answers by Ministers of the Crown. That is all I am asking on behalf of this Parliament and the people outside. Mr. Speaker, it is in your hands and I hope you take up this matter with the Premier, who can then approach the Ministers, so that this Parliament may operate in the manner in which it was promised it would operate under the new Standing Orders.

Motion carried.

At 5.13 p.m. the House adjourned until Wednesday, August 6, at 2 p.m.