HOUSE OF ASSEMBLY

Thursday, September 18, 1975

The SPEAKER (Hon. E. Connelly) took the Chair at 2 p.m. and read prayers.

PETITION: LOTTERY AND GAMING REGULATIONS

Mr. SLATER presented a petition signed by 89 residents of South Australia praying that the House support the disallowance of the regulations made under the Lottery and Gaming Act regarding cash ticket machines and roulette wheels and permit licensed clubs to install such machines on a ratio in proportion to membership.

Petition received.

QUESTIONS

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

MONARTO LAND

In reply to Mr. WARDLE (September 11).

The Hon. HUGH HUDSON: It is the Commission's intention to complete the purchase of all remaining land in the designated site this financial year. To June 30, 1975, 119 properties, totalling 14 500 hectares, have been acquired, and nine properties, totalling 149 ha, have yet to be acquired. Funds are available to complete these acquisitions during 1975-76 but, as I stated in my reply to the honourable member's question on September 11, if there is disputation about the compensation to be paid for any of the properties, payments of the purchase price in 1975-76 might be delayed. One further point I should like to mention, which relates to those properties yet to be acquired within the designated site, is that the special arrangements made between the commission and the owners of residential properties in the White Hills area (arrangements which I understand are known to the honourable member) will be completed this financial year.

HOUSE MAINTENANCE

In reply to Mr. LANGLEY (August 26).

The Hon. HUGH HUDSON: The honourable member has raised the problem of alleged tradesmen who perform house maintenance work and who accept part payment before starting the job. Cases of this nature fall into two main categories. They are:

1. where the initial approach is by the contractor to the consumer at the latter's place of residence;
2. where the initial approach is made by the consumer to the contractor, usually as the result of a newspaper advertisement.

In the first category, the transaction is subject to the Door to Door Sales Act, 1971. This Act applies to contracts exceeding $20 and provides *inter alia* that:

the contract must be in writing;

the purchaser must be supplied with a statement informing him of his right to terminate the contract within eight days; and

no money may be accepted until a period of eight days from the delivery of the above statement, or if the contract is terminated.

Penalties are provided for infringements, and the purchaser is given certain rights of recovery against the tradesmen. Unfortunately, many itinerant tradesmen disregard the requirements of the Act but, as their normal practice is to use false names and move rapidly from one country area to another, it is virtually impossible to track them down for the purpose of serving summonses. I believe the only way of solving this problem will be the development of a greater awareness of the public of the advisability of rejecting the services proffered by such "tradesmen". Contracts not falling within the scope of the Door to Door Sales Act are in the main not governed by specific legislation. In such cases, the taking of deposits is not uncommon and in many instances is justified, on the grounds either of doubt as to the consumer's ability to pay or of the necessity to prefabricate materials before on-site work is commenced. Whilst some contractors may accept deposits and then fail to carry out the work, I consider that this should be dealt with by the existing processes of civil or criminal law, rather than by specific consumer legislation which could inhibit legitimate trading and yet still be ignored by the fly-by-night operator. I would urge all members of the public to exercise extreme care regarding the contractor's credentials, and suggest that where possible examples of his work should be examined.

OIL TRANSPORT

In reply to Mr. OLSON (August 26).

The Hon. G. T. VIRGO: The South Australian Railways has held several discussions with Mobil Oil Australia Limited, regarding the transport of lubricating oil from the new plant at Lonsdale. The lubricating plant is expected to commence operations in December or January next, but is not served by rail. The plant is located some distance from the refinery rail siding and, whilst it may be practical to serve the lubricating oil plant with a siding, the company has decided that the cost of such a siding in relation to the traffic cannot be justified. The company's present plans are for Eastern State requirements to be despatched by ship and for Birkenhead supplies to be delivered by road. There will be different grades of oil, which the company advises are not compatible, and its estimate of the number of deliveries to Birkenhead is one road tanker a day. A further discussion is to be held, but it is considered unlikely that the company will change its proposed transport plans.

PRIVATE HOSPITAL COSTS

In reply to Dr. EASTICK (August 27).

The Hon. D. A. DUNSTAN: The reply is as follows:

(1) The statement quoted was and still is correct. To date, no recognised hospital has been forced to become private. Interim arrangements have been made where necessary.

(2) There has been no report of any identifiable breach of recognised hospital status.

(3) No provision has been made for assistance towards the operating costs of private hospitals, except out-of-hundreds frontier hospitals, namely:

	$
Andamooka	14 000
Cook	5 000
Coober Pedy	40 000
Leigh Creek	12 000
Oodnadatta	17 000
Tarcoola	2 000

(4) Negotiations are currently being carried out for the inclusion of Coober Pedy and Leigh Creek in the list of recognised hospitals.

(5) There is no provision for financial assistance towards the operating costs of Keith, Kapunda or any of the other private country community hospitals, namely, Ardrossan, Hamely Bridge, Moonta, Kadina, Tanunda, Mallala, and Stirling. Such action is in accordance with a long existing practice.

WORKER PARTICIPATION

Dr. TONKIN: Will the Premier say how he intends to proceed with his plans for worker participation, in the face of union criticism expressed at the Australian Council of Trade Unions Congress this week, and does he intend to bow to union demands in this field? Mr. J. L. Scott, the State Secretary of the Amalgamated Metal Workers Union, is reported as saying at the congress that the South Australian Government's Worker Participation Unit had become discredited because the trade union movement "would not have a bar of it". He has successfully moved for an addition to the first basic policy on industrial democracy laid down by an A.C.T.U. Congress, which requires that there must be maximum involvement of the trade union movement. Among other things he said that no longer should the boss be able to hire and fire as he does today. I understand Mr. Scott does not believe that the Premier's plans for worker participation go far enough. What effect will this attitude expressed by the left wing of the trade union movement and incorporated in A.C.T.U. policy have on the Premier's plans for South Australia? He is obviously under the direct control of the left wing of both the trade union movement and the Labor Party.

The Hon. D. A. DUNSTAN: In this matter, as in so much else, I am afraid that the Leader's understanding is gravely defective. The report which was published in the *Advertiser* presented a quite inaccurate picture of what Mr. Scott did at the A.C.T.U. conference.

Mr. Millhouse: Quite accurate?

Members interjecting:

The Hon. D. A. DUNSTAN: A quite inaccurate picture.

The SPEAKER: Order! Interjections must cease. I gave a warning yesterday, and if they continue at this rate I will be forced to take action. The honourable Premier.

The Hon. D. A. DUNSTAN: Prior to the A.L.P. convention in 1974 there had been some dissatisfaction in the trade union movement with the work of the Quality of Work Life Unit in the Government.

Mr. Goldsworthy: The understatement of the day!

The Hon. D. A. DUNSTAN: Also, there had been a lack of adequate comunication with the trade union movement about what the unit was doing, and the dissatisfaction with the unit was expressed at that conference. It was a dissatisfaction with which I agreed, and as a result of that conference in 1974 a special committee was set up to prepare a policy on the working environment, of which I was a member, as was Mr. Scott. As a result of the meetings of that committee, a policy was hammered out within the Labor Party. I point out to members that on that committee it was I who was actually the author of the section of the report dealing with worker participation. Mr. Scott entirely agreed with it, and he moved accordingly at the Labor Party conference in 1975, and I seconded it.

Mr. Millhouse: What could have happened now?

The Hon. D. A. DUNSTAN: What Mr. Scott was doing was to point out that before the 1974 convention there had been unsatisfactory features in worker participation policy, and at the A.C.T.U. conference he moved to bring the A.C.T.U.'s policy in line with the South Australian Labor Party policy. There was no difference between Mr. Scott and me on this issue at all, and the suggestion in the *Advertiser,* from the background information which Mr. Scott was giving of the early dissatisfaction of the trade union movement with what started in South Australia and which seemed to be reflected in the proposals before the A.C.T.U., was simply to point out that we in South Australia had found some things wrong with such a policy, which was the draft policy before the A.C.T.U. The specific proposals Mr. Scott put before the A.C.T.U. were entirely in line with the policy of this Government as expressed at the 1975 conference of the Labor Party.

Dr. EASTICK: Will the Premier agree that the lack of communication with the union movement that led to disharmony over worker participation was a result of his own secretiveness on vital issues, and that this lack of communication is identical to that which has been consistently displayed towards the Opposition? The number of occasions on which the Premier in this House has indicated his preparedness to provide reports and answers to questions but has failed to do so is almost legion. Also legion is the number of occasions on which Ministers have said to Opposition members that the Premier would make a direct report on a certain subject, and that report has never been forthcoming.

The Hon. D. A. DUNSTAN: This is a sticky question, because it contains the honourable gentleman's general vagueness. First, there is no principle of lack of communication by this Government: in fact, this Government has been more willing to communicate both with the Opposition and the public than has any previous Government in this State—

Mr. Millhouse: You go on with a lot of rot in answering questions!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: —by a long way. I well recall the sort of thing that happened when the honourable member was in the Ministry.

The Hon. G. T. Virgo: He wasn't there long, either.

The Hon. D. A. DUNSTAN: No.

Dr. Eastick: Come back to the question.

The Hon. D. A. DUNSTAN: The honourable member seeks to draw some kind of analogy, but there was no lack of communication on my part with the trade union movement on this matter. The Quality of Work Life Unit was not then directly under my control. Opposition members may protest that it is now under my control, but it was not then. The unit was an entirely new organisation to the Government. Necessarily, it was working in a new field and there was a breakdown in communication which I acknowledged and which I set out to remedy. The honourable member has no basis for trying to draw some non-existent analogy about a non-existent complaint.

RAILWAY EXPENDITURE

Mr. GOLDSWORTHY: Can the Treasurer explain the apparent discrepancy in the Budget relating to the operations of the railways in South Australia where it appears that expenditure from revenue has been under-estimated by about $20 000 000? I was prevented from seeking information, because the guillotine motion was moved, and so the only way in which we can seek replies to our questions on much of the Budget that was not considered, including the Railways Department items, will be by asking questions in Question Time, and we will probably be here for the next five years if we follow that course. Nevertheless, there seems to be a major discrepancy in the Budget in respect of railway revenue and expenditure. In his Financial Statement the Treasurer said:

I thought it best for the purposes of 1975-76 account to retain the existing appropriation procedures in relation to the whole of the railways operations.

On page 83 of the document, dealing with the estimated payments from Revenue Account, the line for salaries shows an expenditure for 1974-75 of $60 200 000, expenditure for the previous year being $44 000 000 was incurred (an increase of about 31 per cent in railway wages and salaries last year). This year's estimated expenditure is $62 900 000, which is an increase of 4 per cent on $60 200 000. That appears to be the discrepancy. The total estimated expenditure by the railways is $81 300 000, whereas the estimated receipts amount to $50 300 000. The Treasurer has said elsewhere that the deficit on the metropolitan railways is expected to be $15 000 000 (one quarter of the total deficit), which makes a total deficit of about $60 000 000. That, taken together with the sum represented by the payment from the Commonwealth Government (over $44 000 000) in relation to the non-metropolitan railways, would make a total deficit of about $60 000 000, as presaged by the Treasurer. Unfortunately, the figures I have quoted in relation to the total railway expenditure from revenue and the estimated receipts ($50 000 000) indicate a deficit of about $20 000 000 less than the sum referred to by the Treasurer. It appears to me, in seeking an explanation for this discrepancy, that the salaries and wages bill has been grossly under-estimated by about $20 000 000. Normally this question would be directed to the Minister of Transport in the Budget debate, but as the Treasurer has been the major spokesman on these matters I ask him to explain the obvious discrepancy in the Budget allocations regarding the railways.

The Hon. D. A. DUNSTAN: I have been endeavouring to follow, with the assistance of the Minister of Transport, the honourable member's contention. I must confess that I am unable to do so, and I suggest that the best service I can give him is an undertaking to get a full report from both the Treasury and the railways.

ORGAN TRANSPLANTS

Mr. ALLEN: Will the Minister of Transport consider providing on a motor vehicle driver's licence space for a person voluntarily to give authority, in the event of accidental death, for his kidneys and/or other organs to be removed for the purpose of transplantation? I have been prompted to ask this question by an article that appeared in the *Sunday Mail* recently, headed "Life depends on machine and dead donor". It described the life of a 19-year-old man named Peter who was awaiting a kidney transplant. A section of the article reads:

Peter is only one of many South Australians who need kidney transplants. The Queen Elizabeth Hospital's renal unit is geared to perform more than the 20 to 30 transplants it does each year but is handicapped by a lack of kidneys. "We could use half again as many as are now donated," said unit Director, Dr. J. Lawrence. "The more we have the better we are able to match them to the patient and the more selective we can be about quality. This, of course, increases the chances of a successful transplant." Peter has been approved as a candidate for a transplant and is just waiting for a suitable kidney to become available. "Each time the phone rings I hope it might be the hospital saying they have one," he said. "I'd put aside anything, even my final exams to have the operation." Since 1965, about 180 kidney transplants have been performed in South Australia. Well over half the recipients are alive. The Australian Kidney Foundation has launched a new drive for donors. It has printed donor cards which, when signed by the donor and two witnesses, indicate the wish to give kidneys and/or other organs or parts for the purpose of transplantation or other treatment. The foundation asks would-be donors to carry their cards with their drivers' licences so, in case of an accident, their wishes may be known immediately. The cards are available at the Q.E.H. or will be posted on request.

It could be that many people are willing to donate kidneys and/or other organs but are not willing to take the trouble to write to the Queen Elizabeth Hospital to obtain the necessary card for that purpose. Perhaps a small detachable space could be provided on drivers' licences so people could give the necessary authority to donate their organs in the case of accidental death. This would save time, and many unfortunate people who are waiting patiently for organ transplants could be helped. The authority section on a driver's licence could also act as a warning to motorists to drive carefully. I have been prompted to ask this question because I know several people who are awaiting organ transplantations. I realise that, each year when a person renewed his driver's licence, he would have to renew the donor authority, but I believe that is a minor problem.

The Hon. G. T. VIRGO: I am sympathetic to the thinking behind the question but I do not believe the suggestion is practicable. A person who was disposed to donate on his death his kidney or, indeed, any organ, would surely, prior to his death, arrange with the Queen Elizabeth Hospital to send him the necessary documents. Rather than have an authority attached to a driver's licence, a person, if so minded, could carry the authority card at all times, as we all carry all sorts of cards. Perhaps he could wear, as some people do, an identification bracelet on which is indicated certain physical disabilities. What also makes the honourable member's suggestion exteremely questionable is that it is not compulsory in South Australia for a driver to carry his licence when driving a vehicle. A motorist is allowed 48 hours in which to produce his licence if required to do so by a police officer. Reliable information about the number of licence-carrying drivers is not available but, from licence checks conducted about every 12 months by the Police Department, it seems that more people do not carry their licences with them than do carry their licences. Another weakness in the suggestion is that a passenger in a car, who may wish to donate an organ, would have no reason to carry a driver's licence; in fact, he may not even hold a licence. It seems to me desirable to encourage people who are disposed to bequeath various organs to take the necessary action to carry a card authorising that action.

SHEEP SALES SCHEME

Mr. NANKIVELL: Will the Minister of Works ask the Minister of Agriculture to ascertain whether he has received from his department a report about the feasibility of implementing what has become known as the "Potter scheme" (or the 75c a head scheme for sheep that was established on Eyre Peninsula) in conjunction with the South Australian Meat Corporation in order to provide an outlet for sheep from the Murray Mallee area? In a report in the *Chronicle* to September 12, 1975, headed "Government looks at surplus sheep problem", the Minister of Agriculture is stated to have asked Samcor to study the feasibility of extending the Potter scheme to Gepps Cross for Kangaroo Island and Mallee growers. This scheme was introduced recently on Eyre Peninsula, with the Government buying surplus and drought-affected sheep for 75c a head, plus the value of skins. I understand that the Pinaroo Branch of the United Farmers and Graziers of South Australia Incorporated has made a submission to the Minister through its central organisation asking for the implementation of such a scheme, because at last month's market at Pinnaroo the sales report showed that 29 per cent of the sheep sold brought less than 30c a head.

The Hon. J. D. CORCORAN: I will certainly take the matter up with my colleague. A similar question was raised in the House probably a fortnight ago by the

member for Rocky River. I belive that the studies undertaken by Samcor have not yet been completed. However, from the information I have, I believe that the feasibilty report will be available next week. I will let the honourable member know the position.

PAY-ROLL TAX

Mr. COUMBE: I should like from the Treasurer details of the incidence of pay-roll tax in this State. Government departments, including the Railways Department, as shown in the estimates of expenditure and revenue, are liable for the payment of pay-roll tax. At the prescribed date, under the new agreement between the Commonwealth and the State on the railways transfer, employees of the South Australian Railways will be taken over by the Commonwealth. Part of the agreement states that the Commonwealth will not be responsible for State taxes. Therefore, I assume (and I ask the Treasurer to verify this) that for those employees that it takes under its control the Commonwealth, will not pay pay-roll tax. Can the Treasurer say how much this State will lose in revenue from the pay-roll tax that it would otherwise have received?

The Hon. D. A. DUNSTAN: Exactly the same amounts as we would have lost in costs.

SOUTH-EASTERN FREEWAY

Mr. WOTTON: Will the Minister of Transport seriously consider the construction of an underpass under the South-Eastern Freeway at Mount Barker that would enable Childs Road to remain open as an alternative entry into the town? I do not know whether the Minister is aware of the considerable correspondence that has been carried out between the Mount Barker council and the Highways Department over this matter. The council and the people of Mount Barker are adamant that Childs Road should remain open, if possible, because, if it is closed, there will be no alternative entry into Mount Barker from the north in the event of an emergency arising during a blockage of the freeway. The considerable heavy traffic which comes into the town and which serves the Mount Barker markets, the tannery and the Jacobs factories will have to travel down Gawler Street (the main street of Mount Barker), which is already over-crowded, in order to link the freeway with the industrial centre of Mount Barker. The entire traffic flow (which is increasing rapidly as a result of the growth taking place in this area) leaving or entering Mount Barker will have no alternative but to travel on the narrow road that links Mount Barker with the freeway and the new main South Road and the direct route to Wistow, Strathalbyn, and towns to the south. I ask my question in all sincerity because I consider that this matter is very important to the people of Mount Barker.

The Hon. G. T. VIRGO: I will certainly ask the Commissioner of Highways to have a careful look at the points the honourable member has raised, although I think that the whole matter has been thoroughly investigated. From the description the honourable member gave when explaining his question this matter sounds very similar to that which has been raised both by the council and the former member (Mr. McAnaney) on several occasions. The matter has been thoroughly researched, and I think it has been clearly shown that the proposals now being put into effect are the only means of solving the problem. However, if this is not the same matter, there will be a complete investigation of this question. If it is the same matter and there are any changed factors arising from the rapid growth in Mount Barker to which the honourable member referred (and I am delighted that the town is sharing the rapid growth and prosperity that most of South Australia is enjoying under the Dunstan Government)—

Members interjecting:

The SPEAKER: Order!

The Hon. G. T. VIRGO: The honourable member referred to the growth and prosperity of Mount Barker, and I am delighted that Mount Barker is getting its share.

ROAD TAX

Mr. RUSSACK: Will the Minister of Transport say what action the Government intends to take to rectify the loophole in South Australia's law that permits interstate hauliers to evade road tax, placing the genuine hauliers, particularly those in South Australia, at a big disadvantage, even to the point of making it impossible for their businesses to survive? Part of a report in the *Sunday Mail* states:

A few years ago there had been a company formed in South Australia which had carted from Adelaide to Brisbane. It did not pay road tax in any State, because the company had not had any assets. The law could authorise you to seize the goods, but in this case there were not any goods to seize, the department said. So New South Wales and Victoria wrote into their laws that if a company did not pay, then the director would have to pay. Following this came the case of Welker, a director of a South Australia company, v. New South Wales. The case went to the High Court. The court ruled that New South Wales could not call on Welker to pay because it did not prove that Welker was doing anything in New South Wales. New South Wales did not establish a nexus between the operator living in South Australia and the vehicle operation in New South Wales. . . . Now, if any of the States wants to prosecute them, they have no way of issuing a warrant of distress to the company in South Australia because there is no legal process by which that can be done. Following the Welker case, they know a director cannot be prosecuted.

In addition, part of a letter from Dyer's Transport Proprietary Limited to the member for Chaffey states:

In the *Sunday Mail* last weekend a special article again high-lighted this subject and stated that the Long Distance Hauliers Association were advising members, on request, how to go about road tax evasion. We now read into this that the South Australian Government will not be passing legislation to stop road tax evasion and as they intend to go into recess for eight months the present state will continue. Would you advise if the Government is going to pass legislation to stop road tax evasion? If so, when? We wish to know in order to make a decision whether to:

1. Continue as we are, paying interstate taxes. This is a heavy disadvantage to our business and it is extremely doubtful if we can survive the competition.
2. Close our interstate operations and retrench drivers and staff.
3. Form a straw company and evade interstate road tax.

To us, it is incredible that our South Australian Government can tolerate this loophole, which is causing extreme injustice. Further it is hard to understand why they do not or will not act quickly to correct the situation.

The Hon. G. T. VIRGO: I hope that, when the member for Chaffey, who is not in the Chamber at present, replies to that letter—

Mr. Mathwin: He's not well.

The Hon. G. T. VIRGO: I hope that, when he does reply to that letter, he gives the facts of the situation. First, the South Australian Parliament is not going into recess for eight months. The statement that it would was the line that was being peddled but that was never true.

Mr. Russack: When the letter was written, it was true.

The Hon. G. T. VIRGO: I hope that the situation is corrected to show some of the gobbledegook of the Opposition and the irresponsible press. Secondly, the problem to which the letter refers has been known to this Government for a long time. The Government has

referred it to meetings of Attorneys-General throughout Australia, at which the Attorneys-General from all the States and the Australian Government have considered it and have come to the simple conclusion that, when all the States are willing to give authority or, better still, to support an alteration of the Constitution, this problem can be solved. Until this happens, it is doubtful that it can be solved.

CHEMIST SHOPS

Mr. MATHWIN: Will the Minister of Community Welfare ask the Minister of Health whether any figures are available in relation to the expected danger that many chemist shops will be out of business? How will this State be affected? Has an estimate been made of how many chemist shops here may have to close down? A report from Sydney in today's *Advertiser* states that about 900 of Australia's 5 500 chemist shops could be in danger of going out of business, and that the Pharmacy Guild of Australia is calling on the Commonwealth Government to prevent the eventual collapse of the shops by increasing the fee for dispensing pharmaceutical benefit prescriptions. The report also stated that the Commonwealth Minister for Health agreed that chemist shops had been failing and that more could fail in future.

The Hon. R. G. PAYNE: I will ask my colleague to examine the question and provide any information that he may have.

TEACHERS

Mr. MILLHOUSE: I should like to ask a question of the Minister of Education, and I am in the same position as the member for Kavel. I would have raised the matter in the debate on the lines on a recent evening: indeed, I was just about to raise it when the guillotine was imposed, to my intense surprise.

The SPEAKER: Order! I ask the honourable member for Mitcham to ask the question.

Mr. MILLHOUSE: Will the Minister say whether the Education Department has sufficient ready money to pay its teachers? I have heard from three different and, I believe, reliable sources that the Education Department is having difficulty in placing staff coming back from leave, that no more part-time staff is to be employed, and that the reason for this cutting down is that the department has run out of money for payment of salaries. Of course, as we know, about 84 per cent of the money given to education goes in staff salaries. Rumours to the effect of what I have said are sweeping the teaching profession, and it is to clear them up, I hope, that I ask the Minister to make a clear statement and give a firm and unequivocal assurance to this House that there is sufficient ready cash to pay the salaries of teachers and others in the Education Department.

The Hon. D. J. HOPGOOD: I thank the honourable member very much for giving me the opportunity to give reassurance, if it is necessary. I think perhaps it may be of use to the House if I dilate slightly on the possible origin of the rumour. At the awarding of diplomas ceremony at Salisbury College of Advanced Education a short time ago, I spoke of the possibility of an oversupply of teachers. The sensitive area when we are going from one school year to another is always the rate of resignations, which has been dropping over the past three years. The movement has been about 14 per cent, 10·5 per cent, and 10·1 per cent. The figure for this year will certainly be lower than that, but it is not certain at this stage just how much lower it will be. This Government considers that it has a responsibility to the exit students from colleges of advanced education for next year, and I was concerned to give an assurance to students that they would be employed next year if they sought employment with the department and if they were suitable for such employment. I announced at that time that I had been able to obtain from the Government an assurance that additional money would be made available to me to employ all of these people, if additional money was required. That may in part be the origin of that rumour. I have that assurance, however. In the meantime, in order to avoid painting myself into a corner, as it were, for the rest of this year, and because no-one can predict exactly what the resignation rate has been, I have ordered a complete cessation of recruitment of people to fill vacancies for the remainder of this year.

Mr. Millhouse: You're pretty close to it, then!

Mr. Venning: Touch and go?

The Hon. D. J. HOPGOOD: No, not at all.

Mr. Venning: Have you got plenty of money?

The Hon. D. J. HOPGOOD: It is not a matter of whether the Education Department has money to pay teachers for the remainder of this year: it is a matter of how much additional money I may have to obtain from the Government, on which I have assurances, for next year. However, in fairness to the Treasurer, I cannot put myself in a position where I am continuing to recruit people who might be surplus to requirements next year, so we are proceeding very cautiously about filling any vacancies that may arise between now and the end of the year. I have discussed the matter with the South Australian Institute of Teachers, and it is aware of the situation. There is money to pay teachers, but it is necessary that we discharge our obligations to the exit students from colleges next year, so we are being cautious at present.

Mr. Millhouse: Has that ever happened before?

The Hon. D. J. HOPGOOD: I do not know. I have been Minister of Education for only a short time, and I have been alive for only 37 years. It may have happened in 1928, but my history studies have not gone that far.

Mr. DUNCAN: Can the Minister of Education say what steps have been taken by the Government in recent years to prevent a gross over-supply of teachers? Over the past couple of years it has become apparent that the population of the State is not growing as fast as had formerly been expected, and this will affect the number of children entering schools and the number of students graduating from colleges of advanced education and universities. I believe it is important for the Government to take action in this matter.

The Hon. D. J. HOPGOOD: My predecessor, the present Minister of Mines and Energy (who as we all know is an extremely far-sighted man), realised as early as 1972 that such a situation could arise. Since then there has been no increase in the number of students entering teaching courses at colleges of advanced education. That is the built-in safeguard we have. I see nothing wrong with at least a mild over-supply of people in the community who have had some connection with teaching. There are always those people who wish to return to teaching, and the more people there are competing for positions the better we can maintain standards. It is a far cry from those days about 15 years ago when there was an almost hysterical attempt by the education authorities of the day to get people into the secondary branch irrespective of whether they had had proper training or not. We are now

in a much stronger position to introduce registration of teachers, something that would have been totally impracticable in those days when there was a gross under-supply of teachers. I am pleased we are now able to ensure that standards in the teaching profession can be maintained at an extremely high level.

VIETNAMESE CHILDREN

Mr. RODDA: Can the Minister of Community Welfare say what the policy is with regard to the adoption of Vietnamese children? I have been approached by the adoptive parents, or the people who wish to become the adoptive parents, of a Vietnamese child who is entirely without papers. These people were given custody on May 25 this year, and they, like other people in a similar position, have to undergo a waiting time. From investigations I have made, the authorities have much difficulty, as the papers must be translated into English, and there are only one or two translators. For children who are without papers there must be some policy. The courts obviously must have some authority to act, and it is obviously a complex question and of great concern to the adoptive parents. Can the Minister inform the House of the policy that applies to the situation?

The Hon. R. G. PAYNE: It is my understanding that these matters generally with respect to Vietnamese children are proceeding smoothly. I raised this same matter with my predecessor in office, the Hon. Len King, several months ago, and if I remember correctly the answer he gave me subsequently, after he had had time to make inquiries, was that there had been some problem with the court with respect to the translation of the papers, lack of papers, and so on, but negotiations had proceeded with the Commonwealth authorities, with our people here, with the people in Vietnam, and with the court. It was a fairly lengthy job, as the honourable member would realise, but a suitable *modus operandi* had been arranged, which was proving satisfactory. From what the honourable member has brought to my attention, it seems that some further problem may have arisen, and I suggest to him that, in order to assist the people on whose behalf he has raised the matter, it would be useful if he could let me have specific details, and I will undertake to expedite the matter in any way I can.

NATURAL DISASTERS

Mr. BECKER: Can the Premier say what progress is being made with the committee formed to liaise with the Australian Government to handle natural disasters in this State? I understand the State Government has established a committee, comprising departmental representatives and other people in the State, to liaise with the Australian Government to make preparations and to handle efficiently any natural disasters that occur. I refer to a report in the *Advertiser* on Saturday, September 13, stating that the Government had commissioned a report into earthquake activity in South Australia. The article, written by Mr. Hailstone, mentioned the Flinders University Medical Centre, Darlington police station, and Modbury Hospital as examples. Apart from earthquakes, the most important thing in South Australia (and this occurs occasionally in my area) is flooding. In regard to a large-scale disaster, I ask what progress has been made in co-ordinating all services in this area.

The Hon. D. A. DUNSTAN: I will ask the committee for a report.

WAGE RESTRAINT

Mr. DEAN BROWN: My question relates to wage restraint. I had intended to direct it to the Minister of Labour and Industry. However, to save him embarrassment when the Premier answers this question, I will direct it to the Premier. Does the Premier and/or the Minister intend to proceed with the proposed legislation to outlaw sweetheart agreements, in view of the recent statements by the President of the Australian Council of Trade Unions, Mr. Hawke, and the decision of the A.C.T.U. Congress? Further, would such legislation contravene the decision of the Australian Arbitration Commission handed down this morning? The Premier made a Ministerial statement in this House on August 27 this year and outlined the Government policy on wage restraint. Mr. Hawke, in his speech to the A.C.T.U. Congress, had the following to say (and I quote exactly as it appeared in his speech):

On the one hand it is unreal for Governments or commissions to expect the trade union movement to abdicate within this economic system the right to free collective bargaining. Indeed, to press that position, particularly to the point of legislative inhibition, would be self-defeating in terms of the destructive and recriminatory restraints it would impose within the community.

Mr. Hawke is, after all, the person the Premier—

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

Mr. DEAN BROWN: The Premier of this State has claimed that Mr. Hawke would be a suitable replacement for the Prime Minister of Australia.

The Hon. D. A. Dunstan: Question!

The SPEAKER: Order! "Question" has been called. The honourable Premier. The honourable Minister of Labour and Industry.

The Hon. J. D. WRIGHT: I think I should say at the outset that, if the member for Davenport is trying to embarrass me, he has failed, because I consider that, if the Premier of this State wants to answer a question on policy, that is unquestionably his right. I suffer no embarrassment whatsoever in regard to this question. The State Government will work in conjunction with the Commonwealth Government regarding wage indexation. That has been our policy, we have supported Commonwealth Government applications to the court, and we supported the application for the last court hearing, a decision on which was announced this morning. In the main, the matters put to that court by the Commonwealth Government representatives and the State Government representatives have in effect been agreed to. I am not in a position to say when we will introduce the legislation announced by the Premier, but I am in consultation with the Commonwealth Minister for Labor and Immigration about this, and there is no doubt it will be no good any State Government deviating from what that general policy will be. When that position is made clear, this Government will be acting in accordance with Commonwealth policy.

DEPARTMENTAL DIRECTORS

Mr. VENNING: Will the Minister of Works ask the Ministers in charge of three important portfolios when the Government intends appointing Directors to the Lands Department, the Agriculture Department and the Fisheries Department? These departments are carrying on with Acting Directors. If these three important departments are to progress, I believe appointments should be made as soon as possible. I believe that, because of the present situation, these departments are inclined to be stagnant. I ask the question because of the significance of these departments to South Australia.

The Hon. J. D. CORCORAN: I think the honourable member did not realise that what he said was a reflection (although it probably was not deliberate) on the Acting Directors of the departments.

Mr. Venning: Not at all.

The Hon. J. D. CORCORAN: He has just said these departments are stagnating. If they are, the Acting Directors must be responsible for it. I refute that.

Mr. VENNING: I rise on a point of order, Mr. Speaker. If that has been insinuated from my remarks, I withdraw them. I had no intention at all of reflecting on the present Acting Directors.

The SPEAKER: That is not a point of order.

Mr. Gunn: He got it in, anyway.

The Hon. J. D. CORCORAN: That is the way the honourable member operates. He does not care about the Standing Orders of this place as long as he can get in what he wants to say. Some months ago a report was received by the Government from a Committee of Inquiry into the Public Service of this State and, because that report was imminent, Acting Directors were appointed to the Lands Department and the Agriculture Department (the Fisheries Department is in a different category). A Planning and Priorities Committee is currently reviewing the report of the Committee of Inquiry into the Public Service, and when that review is completed the Government will be able to decide what will be done about the organisation of the departments mentioned. At that time, definite appointments will no doubt be made. That is all I can say at the moment. The question should have been directed properly to the Premier, who is the Minister responsible for the Public Service Board.

RAILWAY HOUSES

Mr. ALLISON: Can the Minister of Transport say whether the country houses owned by the South Australian Railways will eventually be resumed by the South Australian Housing Trust and whether consideration will be given to offering these houses for purchase by existing tenants?

The Hon. G. T. VIRGO: The houses owned by the South Australian Railways in country areas are part and parcel of the railways operation. They were built for railway workers; indeed, the system could not be maintained without them. Accordingly, they are part and parcel of the system, which is being transferred to the Australian National Railways.

BEVERAGE CONTAINERS

Mr. EVANS: Has the Premier any evidence, from the investigations carried out by departmental officers, to show that if the intended beverage container legislation is introduced several areas of industries will be severely affected, causing many dismissals and increased costs?

The Hon. D. A. DUNSTAN: Submissions have been made to the Development Division, but I have not yet seen them.

KANGAROO ISLAND TRANSPORT

Mr. CHAPMAN: Can the Premier report any success in his approach to the Commonwealth Minister for Transport (Mr. Jones) in seeking to have the Kangaroo Island airport sealed without the encumbrance of local airport ownership by the Kingscote council? Can he also report any success in gaining the release of the Schroeder and Shannon reports from the South Australian Minister of Transport so that they can be made available to the island's transport committee? I think the Premier recognises the general unsatisfactory transport situation that exists between Kangaroo Island and the mainland of South Australia and the great interdependence that exists between the sea and air transport systems between these parts of the State. In order to allow the Kangaroo Island transport committee to plan intelligently its future linking programme, it is essential that these reports be made available as soon as possible. Incorporated in these reports, apparently, is evidence that at least indicates, if not firmly recommends, the future type of transport that should apply between Cape Jervis, in particular, and a port or ports on the island. I would welcome any information the Premier can give me in these directions.

The Hon. D. A. DUNSTAN: Following the honourable member's interview with me, I received correspondence from the Kingscote council, and promptly wrote to the Commonwealth Minister for Transport. I have not yet had a reply from him, but as soon as I get one I will let the honourable member know about it immediately. As far as the reports are concerned, I have told the honourable member that I will take up this matter with my Minister, and I will get him a reply when Parliament resumes.

LITTER

Mr. ARNOLD: Has the Premier considered Washington litter legislation as an alternative to this Government's proposed beverage container legislation? As this matter is extremely important to South Australia and to the people as a whole, I ask whether, because of the success of the Washington-type legislation, the Government will consider it as an alternative approach to the overall litter problem rather than an approach dealing with a small percentage of litter, as proposed in State legislation.

The Hon. D. A. DUNSTAN: The investigations made by the Government overseas have revealed that Washington is one of the worst places in the United States for litter. The question of beverage container legislation has been an issue at two State elections and has also been the subject of an investigation by this House. The Oregon legislation is apparently the most successful the Government knows about, and we see no reason for altering the view we took on the matter.

MARGARINE

Mr. GUNN: Will the Minister of Works, representing the Minister of Agriculture, state the total tonnage of table margarine that can be manufactured in South Australia under present quotas, what was the State quota before the Margarine Act was amended in March, 1975, how many table margarine manufacturers are now licensed, how many were licensed before November, 1974, and what were the criteria employed by the Minister in fixing these quotas?

The Hon. J. D. CORCORAN: I will obtain a report for the honourable member and bring it down as soon as possible.

STANDING ORDERS COMMITTEE REPORT

The SPEAKER laid on the table the report of the Standing Orders Committee, 1975, together with minutes of proceedings.

Ordered that report be printed.

PERSONAL EXPLANATION: LIBERAL MOVEMENT FACILITIES

Mr. MILLHOUSE (Mitcham): As I was misrepresented in a debate last evening, I seek leave to make a personal explanation.

Leave granted.

Mr. MILLHOUSE: I refer to the assertion, made by the Premier last evening during the debate on the Bill to increase the number of Ministers, that I had sought staff similar to that which is provided for the Leader of the Opposition. As I understand from the reply to a Question on Notice last Tuesday, the Leader's staff consists of six people and currently costs the taxpayer $61 757 in salaries annually. In addition, he is provided with a Ministerial car and driver. It is true that both the Hon. Mr. Cameron and I have written to the Premier about this matter. I wrote to him on July 30, making a request for assistance; however, I did not seek staff similar to that supplied to the Leader of the Liberal Party. What I said in my letter was:

I should be happy to have a research officer and appropriate accommodation in the House.

I have not yet had a reply, even though six or seven weeks has now elapsed. I have since asked a Question on Notice to prompt the Premier. It is obvious that I was grossly misrepresented last evening by the Premier and, I believe, deliberately so. The Premier is reported in *Hansard* as saying:

. . . I point out to the House that the honourable member is on record as requiring extra facilities for himself, as the Leader of an alternative Party in this House, at public expense. He wants staff, he wants the same sort of facilities as the Leader of the Opposition has got, and he does not hesitate to require that that be met from the public purse . . .

In his desperation to bolster his weak case for another Minister, the Premier resorted (as he so often does) to personal reflections and to half-truths.

STATUTES AMENDMENT (GIFT DUTY AND STAMP DUTIES) BILL

Adjourned debate on second reading.

(Continued from September 11. Page 712.)

Mr. GOLDSWORTHY (Kavel): The Opposition supports this Bill. It is introduced as a result of an Australian Labor Party election promise. During the recent election campaign, the Treasurer said:

We will alter succession duty in South Australia so that a widow or widower without discrimination may inherit an average-sized family home without the payment of succession duty.

That policy ran into some trouble during the campaign when it was realised that putting a house in joint ownership was not all beer and skittles and that some fairly substantial charges for stamp duty and gift duty would have to be paid before it could be achieved. The sum house-owners have to pay to place a property in joint names is considerable. No doubt the Government had a hasty conference about this, and the Premier came up with the bright idea of giving a 12-month moratorium on these duties. This proposition is not as attractive as it is made out to be. I have received (as I believe have other honourable members) three examples from the Treasury of the charges that will still apply. Looking at those examples, one sees that a substantial sum is required for such a transaction to take place. When this scheme was mooted I received correspondence that set out other methods (probably better) of completing this sort of transaction which could, in the long term, be considerably cheaper for people, especially if the amount to be transferred is in excess of $10 000, because that is the sum at which the Commonwealth Government comes in for its bite. Commonwealth probate and death duties also apply.

It seems that the provisions of this Bill apply only if the transaction is a straight-out gift. When the sum of $10 000 is exceeded, the situation is not as rosy as one may think at first glance. The whole exercise is a bit of window dressing. When the Government's promise was made, several letters were written about it in the press, and I should like to quote from a letter I received with interest. I took the trouble to contact the person who wrote the letter to see whether he knew what he was talking about. This letter suggests that perhaps the Government's offer was not as rosy as one would think. The letter, which appeared in the *Advertiser* on July 14, states:

Mr. B. T. Lander (11/7/75) states: "If a husband transfers a home into the joint names of husband and wife by way of gift and the husband dies within 12 months of that transfer, then by virtue of the State Succession Duties Act the value of the gift is included in the husband's estate for succession duty purposes. If that man made that transfer and dies within three years of making the transfer and has an estate of more than $40 000 then the value of the half-interest transferred to the wife as well as his own interest, would be included as part of his estate for Federal Estate Duty purposes and estate duty payable on the aggregate." While I hold no brief for Mr. Dunstan, in all fairness to him it must be pointed out he never said, "Transfer by way of gift."

Your readers should be advised: Don't transfer by way of gift as envisaged by Mr. Lander a home into the joint names of husband and wife. Sell the half-interest for full consideration and discharge the debt by periodic remissions. A gift as envisaged by Mr. Lander would in any event form part of the husband's "notional estate" if he died not just three but even 30 years later if he continued to live in the one house, for then the gift would be one with reservation. Make wills, say, husband to wife and vice-versa. The expenses would then be a fraction of the $807 so ably computed by Mr. Lander.

I went to some pains to check the assertions made in the letter, and it certainly is the case. If a straight-out gift is made, that is a gift, as mentioned in this letter, with reservation, and it would continue to attract probate and succession duties from the Commonwealth, as would gifts over $10 000. This proposition of the Treasurer is certainly not as rosy as it might appear at first glance.

I have told people that they would be well advised to seek the advice of experts before they dived into this procedure of giving, as a straight gift, half the property to the spouse, or, as the Bill suggests, to the de facto spouse. If the value is in excess of $10 000, a far more economical way of completing this transaction, is to sell the property to the spouse and then give the proceeds of the sale over a period of time. I do not think I need say any more about the Bill. Its provisions are certainly not nearly as generous as were the recommendations included in a policy advanced by our Party. Our proposals, which were far less complicated than the Government's, would have been far more easily understood, and would have done far more for house owners than the Treasurer seeks to do by this piece of window dressing. With those comments, I support the Bill.

Dr. TONKIN (Leader of the Opposition): I concur with the remarks made by the Deputy Leader. This is the sort of legislation that one neither supports nor rejects, because it does not really mean much. As the Deputy Leader said, it will certainly not be of any great help to anyone in the community: it will help few people indeed. Certainly, advantages flow from the joint ownership of the matrimonial home. I think that all three Parties made promises at the last election in relation to succession duties. The Government's pomises on succession duties, if implemented, will be more advantageous for people who own their home in joint names. I am not convinced the Treasurer's recommendation is the best way of solving this problem. At the recent election, as honourable members will recall, the Treasurer was actively urging everyone to put their matrimonial homes in joint names, and spoke of the considerable savings that would result.

I think that on a talk-back programme at the same time the disadvantages were pointed out quite strongly by several people. I remember driving home and listening to the points of view put forward. It was apparent that many people realised what the situation was and how it affected them, the very considerable cost of stamp and Government duties imposed on transfers was discussed, and that is why we had the statement by the Treasurer that we should remit the charges, and that is the reason for the Bill before us. The Treasurer, having promised an amnesty, has urged people to take the benefit of it, but he has forgotten the extremely important factor which has been referred to by the member for Kavel and which is in section 8 (1) (*a*) of the Succession Duties Act. This provision effectively includes a gift of that half share of a house from husband to wife in the nominal estate of the husband when he dies, by way of being a gift with reservation. That means that the transfer of the matrimonial home into joint names by way of gift will be virtually worthless when it comes to providing a benefit to the surviving spouse. In fact, if this action is taken many people in the community will have wasted their money in the additional charges in making this gift.

The Treasurer should know (and I am sure he does) that most lawyers advise their clients that the best way of doing this is to transfer property into joint names by way of transfer for value, in other words, by sale. That effectively means that a half share is sold to the spouse, and this transfer successfully will evade that provision of the Succession Duties Act which otherwise applies. This Bill does not grant an amnesty on State stamp and gift duties payable on this procedure, that is, transfer for value. If the Treasurer really wants to make a meaningful gesture, he should consider granting an amnesty on State stamp and gift duties payable in these cases only. Naturally he will leave it for a 12-month period. It is not for the Opposition to move such an amendment, because it involves money matters and, is in the Government's hands entirely. However, I repeat that if the Treasurer really means what he says and wants to do something that will benefit the house owners of this State, he should extend this Bill to cover transfer for value, transfer by way of selling a half share. If he will not do this, I believe this Bill remains as a nothing Bill: it does not do anything worth while. In fact one could be forgiven for saying it was an election promise in line with many of the other election promises we have seen from the Treasurer: a lot of sound and wind signifying nothing.

Most couples wishing to transfer their homes into joint names will still be obliged to pay large costs. For a $25 000 matrimonial home it will cost about $500 to put the house into joint names, if the couple wants to evade section 8 (1) (*a*) the Succession Duties Act. The Deputy Leader has already quoted some of the correspondence sent to the press. It was a very comprehensive section of letters and many points were made at that time. I quote from one in particular, as follows:

If the prime purpose for transferring an interest in the matrimonial home to one's spouse is to lessen duties that would otherwise be payable on death, persons who seek to avail themselves of the State Government's stamp and gift duties savings would have achieved nothing at all if they were still living in, or had only recently left, their matrimonial home at the time of the death of the benevolent spouse. Your readers would be wiser to follow the traditional arrangement referred to by the previous correspondent and to ignore the so-called "savings" offered during the moratorium.

That is exactly the situation. The Treasurer used this statement to win votes at the last election. He made this attempt by making promises which he could not fulfil and which he had not properly thought through. That is probably not fair: he has probably thought them through now. I am convinced (as I believe most members will be) that he did not think them through at the time, but I hope that he will take the Opposition's advice and consider making a worthwhile amendment to the Bill by making transfer for value transactions exempt, as he promised to do for transfers by gift.

Mr. MILLHOUSE (Mitcham): I approach this Bill in much the same way as the members of the Liberal Party who have spoken have approached it: it is in the nature of a trick. The Treasurer made a promise at the State election which even at that time meant very little, because who was to say what the value of an average-size family house would be? That is what the Treasurer said. No doubt he was moved to mention this subject at all because of the great dissatisfaction in the community about the incidence of succession duty that has resulted in the wave of petitions we have had to the House. The petitions all pray that succession duty be removed, I think in the case of a succession to a spouse. Although I drew the petition, I have forgotten whether it was to remove succession duty altogether or only in that case. Certainly, it went much further than I felt able to go in framing the Liberal Movement policy, and the Leaders of the other Parties felt the same way. The Liberal Movement was willing, and is still willing, to exempt altogether the matrimonial house passing to a surviving spouse, which is more definite and much simpler of application than is the proposal contained in the Bill. I forget what the Liberals were going to do, but it was only a slight variation.

Mr. Goldsworthy: It was $50 000.

Mr. MILLHOUSE: Theirs was at least a definite figure, whereas the Treasurer, as he so often does, has left it open to himself, so that later, after the heat and dust of battle is over, he will say what he meant in the first place when no-one could have known what he meant by an average-size family house. As I read the Bill, I doubt whether it even succeeds in doing what he promised to do, and I refer particularly to new section 11a, which is to be inserted by the Bill. I make the point that $40 000 may today be enough to cover an average-size house, but only just, with the way money values are rising constantly. Certainly, the way we are going, in 12 months it will be less than an average-size family house by any stretch of the imagination. I had one example given to me only last week by a Maltese lady, living in Goodwood, who has recently been widowed and who has no means apart from the house. The house could not by any stretch of the imagination be regarded as an average-size family house, yet it has been valued for succession duty purposes at $30 000. That is a small house, and the valuation is only $10 000 below the sum in the Bill.

Mr. Langley: It must be in a good part of Goodwood.

Mr. MILLHOUSE: It is in quite a pleasant part of Goodwood, but not in one of the better parts of the Unley District.

Mr. Gunn: Why should she have to pay?

The SPEAKER: Order!

Mr. MILLHOUSE: That comment was just what we would expect from the member for Unley. It is a smaller house, one that one would expect this lady to live in, but it is nowhere near an average-size family house. The fact

is that the $40 000, even if the idea works, is not enough nowadays in money value to cover what most people believe the Treasurer meant in his policy speech. Although he can perhaps argue (as he will in a moment, if he bothers to answer the debate at all) that it is literally fulfilling an election promise, it is really doing so typically by trickery.

The Hon. D. A. DUNSTAN (Premier and Treasurer): There is no trickery in this legislation, as members know perfectly well. I point out that this is part of a scheme or legislation regarding succession duty measures that will include indexation of succession duty remissions to be introduced in the House shortly.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Repeal of s.11 of principal Act and enactment of sections in its place."

Mr. GOLDSWORTHY: Although I have studied the formula in new section 11a, I cannot understand it too well. Can the Treasurer explain the formula?

The Hon. D. A. DUNSTAN (Premier and Treasurer): I confess that my mathematical abilities are slight. I have tried to work formulas, but I confess that I am unable to do so. However, I have had this formula checked, and I am assured by those more mathematically adequate than I that the formulas in the Bill achieve the purposes of the matter which has been explained to the Committee.

Mr. GOLDSWORTHY: That is a serious admission by the Treasurer. Mathematics constitute an important part of the work at the Treasury.

The Hon. D. A. Dunstan: That's all right.

Mr. GOLDSWORTHY: A knowledge of what the formula means would be helpful in understanding what it is all about, but I am afraid that we will not get satisfaction in this case.

Mr. BLACKER: New section 11a (5) provides:

"curtilage" in relation to a dwellinghouse means an area of land determined by the Commissioner, not exceeding 0·2 hectares in area, on which the dwellinghouse is situated.

Can the Treasurer say whether that means that immediately an area of land in excess of 0·2 hectares is automatically excluded from the provisions of the Bill, or does it mean that the 0·2 h can be annexed from the matrimonial house and still be subject to the provisions of this Bill and be exempt from stamp and gift duty?

The Hon. D. A. DUNSTAN: If, in fact, it is separable, yes. However, if one is leaving the whole thing, no.

Mr. Gunn: That is unfair.

The Hon. D. A. DUNSTAN: There is a simple means of providing for this, as the honourable member would know.

Mr. BLACKER: I am not altogether clear on this matter. For argument's sake, let us take the case of a river block with vines and fruit trees and with a house situated close to the road; the house could easily be surveyed and annexed as being separate. Some farmlets are being operated from residential areas. So, it could be said that a farm could be sold without a residence on it; this can apply even in broad acres. Who is to say that a farm on a 1 200 ha property cannot be annexed, or the part on which the house is situated (0·2 ha), and the farm sold without that residential area?

The Hon. D. A. DUNSTAN: I am not saying that it cannot be.

Mr. EVANS: Just as the Treasurer has a limited knowledge of mathematics, I have a limited knowledge of what he means by "simple process". I should like him to explain what is involved in eliminating the house from the main part of the property. If the simple process is the one to which I think the Treasurer is referring, I will explain why it is difficult in some areas.

The Hon. D. A. DUNSTAN: In this case the house can be left separately; that is what is required in this matter.

Mr. Evans: As a separate entity, or does it have to be subdivided off?

The Hon. D. A. DUNSTAN: I am not suggesting that it has to be subdivided.

Mr. ARNOLD: If I understand correctly the latest measures adopted by the Lands Department in connection with irrigation perpetual leases, the object is to aggregate existing leases held by the one person. At present, a fruitgrower may own four or five separate irrigation perpetual leases, with separate section numbers. The department's latest move is to try to get landholders to sign a document enabling the department to aggregate them into one lease. The advantage of their remaining in separate leases is that it is far easier to sell a property in small parcels, whereas it is almost unsaleable as one large, aggregated property. With the department adopting this attitude, it will be far more difficult to subdivide the house from the property to enable the surviving partner to gain an advantage from this legislation.

The Hon. J. D. Corcoran: They do that by agreement. They are not forced to do it.

Mr. ARNOLD: I have just had a situation placed before me where a grower wants to purchase a further property, and the department has said that it will agree to his being able to purchase that property only if he agrees to the aggregation of the other four sections that he already holds. So, he will have a total of 16 ha of irrigation perpetual leases under one title, and it will be extremely difficult for him to sell, because of the total value. If it remains in three or four separate sections, it can be readily sold at any time. This is the Lands Department's approach, yet we are talking about separating a house to gain an advantage from the legislation.

The Hon. D. A. DUNSTAN: I do not think the two matters being discussed run together. The honourable member is talking about irrigation perpetual leases. This measure provides for a gift between spouses of the matrimonial house, with a certain small curtilage about it. That can be done separately without involving the aggregation of perpetual leases.

Mr. EVANS: Let us take the case of a rural property with a total value of $200 000, with a house valued as a separate entity at $40 000. This would give the opportunity for $20 000 to be transferred to the spouse, and the calculation of the stamp duty exemption would be on that $20 000. The person would have a one-tenth share of the property, with only a one-tenth share being transferred if they do not wish to pay stamp duty on the other $80 000 involved in the $160 000 balance.

The Hon. D. A. Dunstan: No.

Mr. WARDLE: Do I understand that the Treasurer is not saying that this will require a separate title, should the family house be separated in some other way?

The Hon. D. A. Dunstan: That is as I understand it, yes.

Mr. ARNOLD: Is the Treasurer saying that the State Planning Authority will now readily agree to the subdivision of a house from a property to enable this to take place? This is very important.

The Hon. D. A. DUNSTAN: As the honourable member knows, there were provisions under the Planning and Development Act for precisely that to take place.

Mr. ARNOLD: The State Planning Authority still has power to stop that subdivision at any time if it so desires.

The Hon. D. A. DUNSTAN: As far as I am aware, there has not been a problem about this matter.

Dr. EASTICK: I am interested in the Treasurer's statement that, as he understands it, that is what happens. It is extremely important that the Committee should know whether, in fact, that is what will happen or whether it is only the Treasurer's understanding of what will happen. I cannot say unequivocally that that will be the case. Is the Treasurer willing to say unequivocally that that will happen? If he cannot do that, I suggest that progress be reported. It is extremely important that the people are clear about what is contained in the legislation.

The Hon. D. A. DUNSTAN: As members are concerned about this matter, I think it would be useful if I got a full statement for them.

Progress reported; Committee to sit again.

RETURNED SERVICEMEN'S BADGES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 16. Page 767.)

Mr. WARDLE (Murray): I support this measure, and I am sure that other members on this side will support me in doing so. It is purely a Bill that corrects legislation and brings it up to date. Because the name of the organisation concerned has changed, this Bill has been introduced to give effect to the change. It deletes "Servicemen's" in the Act and substitutes "Services" in connection with the possession of badges.

The original Act was passed to prohibit those who did not qualify to wear an exserviceman's badge from having such a badge in their possession. Apparently, the exserviceman's badge entitled a person to more concessions than one could obtain readily in the community without one. However, now there are so many other clubs and groups in existence that the badge does not seem to be such a valuable possession in regard to enabling people to get into clubs.

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

LICENSING ACT AMENDMENT (R.S.L.) BILL

Adjourned debate on second reading.

(Continued from September 16. Page 768.)

Mr. BECKER (Hanson): Like the Returned Servicemen's Badges Act Amendment Bill, this Bill removes certain anomalies and is corrective legislation. It clears up the provisions in the Licensing Act that refer to a club that is a sub-branch of the Returned Sailors' Soldiers' and Airmen's Imperial League of Australia (South Australian Branch) Club. The Returned Services League (as it is known today) was established after the First World War, and the Licensing Act was amended to allow sub-branches of the league to operate licensed clubs.

An anomaly arose after the Second World War, when the league approached the then Premier, suggesting that perhaps the Act ought to be amended, as members of the organisation had served overseas in a conflict other than the First World War, but apparently the Government of the day decided to let things stand, and this position has continued. In the past 12 months, at long last, something has been done to correct the anomaly. At present, the R.S.L. has membership in two categories, namely, those who were in the forces and served overseas, and those who were in the forces and remained in Australia or its territories. Of course, the league also now accepts associate membership.

It is necessary that this legislation be dealt with as soon as possible to correct the anomalies, and this Bill corrects those anomalies. It is an up-dating Bill more than anything else, and it is part of the process of consolidating the Statutes. It is to the credit of the R.S.L. that, in benefiting from the Licensing Act, it has always followed its provisions rigidly. Although these anomalies have existed, the league always has observed the Act. Because of that and because it has taken about 40 years to correct the anomalies, I have much pleasure in supporting the Bill.

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

STATE BANK ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 16. Page 764.)

Dr. TONKIN (Leader of the Opposition): This Bill is one of a series that has been introduced as a result of the work of the Commissioner for Statute Revision (Mr. Edward Ludovici), and it is another tribute to the skill that he is applying to the difficult task of consolidating the Statutes. So that I will not in any way hold up or delay the Government in its heavy programme of legislation, a programme so heavy that it demands the use of the guillotine, I simply say that I support this Bill.

Bill read a second time.

In Committee.

Clauses 1 to 20 passed.

Clause 21—"Certain Acts and enactments not to apply to bank."

Dr. EASTICK: Section 81 of the principal Act provides that the Banking Companies Act and the Unclaimed Moneys Act, 1891, shall not apply to the bank. A constituent has drawn to my attention that, because he is employed by the State Bank, he is not entitled to pro rata long service leave at the termination of his appointment before the 10-year minimum period has expired. However, if he had been employed in the Savings Bank of South Australia or any other bank, he would have been entitled to pro rata leave.

The Hon. J. D. Corcoran: Are you sure he's right?

Dr. EASTICK: I have checked this out. He resigned recently from the State Bank and has been refused the leave. I have made further inquiries of the Personnel Officer of the Savings Bank of South Australia, who gave my secretary to understand—

The CHAIRMAN: Order! I am afraid that the matter raised is not in order in relation to this clause.

Dr. EASTICK: I have pointed out that section 81 refers to the Banking Companies Act. Obviously, a person employed is controlled by some means under that Act. My constituent has been informed that he is not entitled to this leave, whereas if he were in any other bank—

The CHAIRMAN: Order! This Bill does not concern the Banking Companies Act in any way; this is merely a consolidation.

Dr. EASTICK: I fully appreciate that. However, under an Act of Parliament of this State not contained within this exemption a member of the bank's staff has been denied certain rights. I ask the Minister to check the matter. Obviously the application of one or other of the Acts concerned is working to the disadvantage of a person previously employed by the State Bank.

The Hon. J. D. CORCORAN (Minister of Works): I will endeavour to take up the matter and get a report. It seems amazing that this situation should obtain. It is surprising that there has not been some trouble about it previously.

Clause passed.

Title passed.

Bill read a third time and passed.

SALARIES ADJUSTMENT (PUBLIC SERVICE AND TEACHERS) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 16. Page 765.)

Dr. TONKIN (Leader of the Opposition): This Bill comes into the same category as the previous Bill. Once again, I pay a tribute to the work of the Commissioner for Statute Revision. Little else needs to be said, except that I look forward to the time when that task will have been completed and when we will have a reprint of the consolidated legislation of this State. I support the Bill.

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

ELECTORAL ACT AMENDMENT BILL (OPTIONAL PREFERENCES)

Adjourned debate on second reading.

(Continued from September 17. Page 864.)

Mr. GUNN (Eyre): Last night I—

Mr. COUMBE: I rise on a point of order, Mr. Speaker. I seek your clarification of the procedure in relation to this Bill. We are debating the Electoral Act Amendment Bill (Optional Preferences) (No. 24), introduced into this House on September 11 by the Government. The Electoral Act Amendment Bill (Rolls) (No. 12), in my name, was introduced into the House on August 27. Part of my Bill is now contained in the Government Bill. The point that I raise, and seek your guidance about, is that Standing Orders are silent on the matter of which Bill should take precedence, although there is a reference in Standing Order 230 to motions that provides that one shall not supersede another. If this Bill proceeds, my private Bill will be superseded and stymied and I will have no chance to discuss it.

I remind you, Sir, that my Bill was introduced about two weeks before the Government's Bill and was adjourned. On Wednesday of last week, the Government had the chance to proceed with it, but moved that it be further adjourned. I now seek your ruling as to whether my private member's Bill should be discussed before this Government Bill is finally decided. If this Bill is dealt with, there will be no opportunity for my Bill, which was placed on the Notice Paper two weeks before the Government Bill was introduced, to be discussed.

The SPEAKER: It is quite in order for two Bills that deal with the same matter to be on the Notice Paper at the same time but, once a decision of the House has been taken on one of the Bills, the other Bill is unable to be proceeded with, as it would entail the same matter being twice presented in the same session, and this would be out of order.

Mr. COUMBE: Mr. Speaker, with due respect, no decision has been made, and therefore I must move to disagree to your ruling to enable the House to make a decision. So, I move:

That the Speaker's ruling be disagreed to.

The SPEAKER: The honourable member must bring up his reasons in writing.

Mr. COUMBE: I will do so.

The SPEAKER: The honourable member for Torrens states:

I disagree with your ruling because the passage of the Electoral Act Amendment Bill (No. 24) at this stage will prevent discussion and passage of the Electoral Act Amendment Bill (No. 12) standing in my name.

Mr. COUMBE: As you correctly pointed out, Sir, it is for the House to decide in its wisdom the procedure to be adopted in this case. The only way in which I, as a private member, could interrupt this debate was to move in the way that I did, and that was to disagree to your ruling. Let me briefly recapitulate the reason why I want this matter decided by the House once and for all. I introduced a private member's Bill dealing with an aspect of the Electoral Act, and it was first debated on August 27. Two weeks later the Government brought in a Bill on the same subject containing the identical wording of the amending clauses in my Bill, plus some other items. This means that the Government had the opportunity of disposing of my Bill but deliberately chose not to do so. It had plenty of time last Wednesday week to discuss this matter but it further adjourned my Bill. I was willing to discuss and dispose of the matter, having a vote taken on that day. That course was denied me and I had no other recourse on that day. Subsequently, the Government brought in its own Bill, which we are now discussing.

I am speaking now for the rights of every private member in this House. We are elected to represent a district. Although the Government has the right (and I do not deny this) to pursue certain projects, I am standing up for the right of an individual member to speak on behalf of his constituents. If the House decides against me, this would mean, in effect, that the Government would have the right to bring in a Bill whose effect was the same as one brought in by a private member, and that would stymie that private member in achieving his aims. I want to make perfectly clear that I am standing for a principle. I have moved a motion and there is a possibility of its being negatived. I wanted the House to decide this matter, and the only way I could do this was to disagree to the Speaker's ruling.

The Hon. J. D. CORCORAN (Minister of Works): I can see the purpose behind the motion. The points made by the member for Torrens in support of his motion apply equally to the Government. The Government introduced a Bill similar to the Bill now before the House during the last session of the last Parliament. It was passed by this House but thrown out in another place. If what the honourable member says, in disagreeing with the Speaker's ruling, is correct it would mean that, whenever the Government introduced a Bill which was passed in this place and which failed to pass the other place, a private member could pick bits out of it, introduce a Bill himself and prevent the Government from reintroducing its Bill. No Government would tolerate such a situation. This Bill contains more provisions than does the honourable member's Bill and it had to be introduced in its present form so that, if defeated, it could lead to a double dissolution. I think that the

honourable member understands why the Government is proceeding with this Bill at the moment.

The honourable member's Bill will travel side by side with this Bill until the House makes a decision, and then his Bill will be set aside. I want to make perfectly clear that the Government did not introduce this Bill to interfere with what the honourable member was trying to do. The Government had every right to introduce the Bill because it introduced a similar Bill last session and it has now introduced a Bill in exactly the same form, as is required if it is to serve as a Bill to set up a double dissolution of the Parliament. Whilst the honourable member's exercise may have been useful for some purposes, it was just an exercise, and that is all.

The House divided on the motion:

Ayes (22)—Messrs. Allen, Allison, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe (teller), Eastick, Goldsworthy, Gunn, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin, Vandepeer, Venning, Wardle, and Wotton.

Noes (22)—Messrs. Abbott, Broomhill, Max Brown, Corcoran (teller), Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Pair—Aye—Mr. Evans. No—Mrs. Byrne.

The SPEAKER: There are 22 Ayes and 22 Noes. There being an equality of votes, I give my casting vote in favour of the Noes. The question therefore passes in the negative.

Motion thus negatived.

Mr. GUNN (Eyre): This is the third attempt I have made to speak on this matter. I did not mind a bit being delayed last time but, because of the pressure that the Government has on the Opposition at present in relation to the huge work load ahead of us, I am happy to make my comments brief this afternoon. I think the title of this Bill, the Electoral Act Amendment Bill, should be replaced and the Bill should be referred to as "the first step towards a gigantic gerrymander which this Government intends to inflict on the people of South Australia".

Members interjecting:

The SPEAKER: Order!

Mr. GUNN: Of course it will set up a system that will aid the Labor Party. Let's not kid ourselves. The only reason this legislation is before the House is that the Labor Party believes it will get some electoral advantage out of it. It is not concerned with what is right, what is just, what is fair, and what has proved to be in the best interests of the people of this country. It is looking for an electoral advantage. Recently, the platform of the Labor Party has been changed. The honourable member for Mitcham implied last night that the Labor Party believed in voting by a cross; it has for many years. I will guarantee that in the future it will again adopt that. I know at the last convention it changed it but the 1974 edition of the Australian Labor Party's *Rules, Platform and Standing Orders*, a document it circulates, states at page 41, amongst other things:

2. The House of Assembly consists of single-member electorates.

There is no real argument about that. Then it deals with the establishment of an independent boundaries commission, and there are various other definitions, but it is paragraph (*c*) that interests me; it is what the member for Mitcham was speaking about, members being elected by the cross system of voting. That is the policy that the Labor Party across this nation for many years has adopted. I guarantee that, if it is successful in getting this, the first step towards first past the post voting, it will not be long before it reverts to cross voting, the same as was done in Queensland.

Mr. Nankivell: A double-cross.

Mr. GUNN: Yes, and this will be a double-cross because Labor Party members are only endeavouring to look after themselves because the anti-socialistic forces in this State and across this country are split into two or three factions. They think there is some advantage. There is sure to be, because they have a majority of numbers in the Legislative Council, with only 47 per cent or 46 per cent of the vote, and they want to govern with about 40 per cent of the vote, as their colleagues are doing in the United Kingdom with 37 per cent of the votes, with a cross system of voting. It will take place in this State and in this nation if they ever get their own way, and this is the first step towards that programme.

Members interjecting:

Mr. GUNN: There was good government during the Playford era. The Leader of the Opposition gave all the examples in relation to this matter that I was going to quote to the House, but it is interesting to look at what took place in Queensland when they had this system. I sincerely hope that members of the Labor Party are prepared to read *Hansard*. I think for the benefit of the honourable member for Whyalla I should give these examples again.

Mr. Max Brown: What about Queensland?

The SPEAKER: Order!

Mr. GUNN: It is obvious he was not listening or he did not comprehend or he does not understand what took place in Queensland, because we are aware that the Labor Party set up the greatest gerrymander this country has ever seen under the administration in Queensland. They will attempt to do the same thing in South Australia.

Mr. Nankivell: They abolished the Upper House, against the will of the people.

Mr. GUNN: That is right, against the will of the people. For the benefit of the honourable member for Whyalla, perhaps I should give all these cases again.

Mr. Max Brown: The Queensland Premier has a gerrymander now.

Mr. GUNN: I will quote these examples again for the benefit of the honourable member. An article issued by the Liberal Party is recommended reading for all members and states that the last experience of optional preference voting was in 1941, and in the seat of Sandgate in Queensland three candidates received primary votes as follows: Mr. Docker 3 838, Mr. Fry 2 457 and Mr. Hislop 3 969. Only 1 215 of those who voted for Mr. Fry exercised their contingent vote and of those 1 079 went to Mr. Docker who was thus declared elected with 47·9 per cent of the vote supporting him. That is the situation that the member for Whyalla and the Labor Party wish to set up in this State, and is similar to the present situation in the Legislative Council in which the Labor Party has the majority of seats but did not receive a majority of votes. Members opposite are the greatest gerrymanderers we have seen in this country.

Referring to the Queensland by-election for the seat of Cairns in 1942, Mr. Barnes received 2 101 primary votes, Mr. Crowley 2 169, Mr. Griffin 851 and Mr. Tucker 1 776. Only 600 of Mr. Griffin's and Mr. Tucker's voters exercised

a contingent vote and of these 435 went to Mr. Barnes, who was declared elected with only 36·7 per cent of the vote supporting him. This is a shocking situation and an example of what the Labor Party wants to set up in this country. If this Party is fair and honest it will not continue introducing this type of legislation. If it does so, one can only come to the conclusion that you, Mr. Speaker, as a democrat would not support it. You, Sir, want to see the people of this State receive a fair go and have elected a Government that has the support of most people, as you had the support of a majority at the recent election, against great odds. I hope you, Sir, will put into practice the course of action that you adopted at that election. As you are a democrat you would want this situation to apply throughout the State. I am sure that you, Sir, would not want the people of South Australia to be discriminated against, as you were by a group of people.

Mr. Mathwin: By the Party machine.

Mr. GUNN: Yes. Having made those comments I want to finish on this note. Obviously, South Australia is again being used as a socialist guinea pig. The Labor Party's Australian electoral spokesman (Mr. Daly) has been trying to inflict upon the Australian Federal system this particular proposal and he has not been successful. The Prime Minister has not been game to put it to the test by way of double dissolution, and I do not believe the Premier in this State is going to put it to the test. If the Premier and his colleagues think that the people of South Australia want this electoral system, let us have an election on it right now. Let us not have idle threats from the Deputy Premier. Clearly, the Government knows that it would be completely destroyed if an election was held in South Australia today, because it is a Government without credibility, and the course of action that it has adopted on this matter will prove that it has no credibility. I challenge the Minister to have an election on this issue.

The Hon. D. J. Hopgood: You've said that five times a year ever since I've been here.

Mr. GUNN: The Minister of Education does not get any say. We know who is running the show: it is the Deputy Premier. Because there is a division in the Labor Party, the Deputy Premier is at present running the ship. We do not know which Minister will be replaced in the next few weeks. We know that one Minister is going, the reasons for which we are unsure about.

Mr. Arnold: We could make some fairly good guesses, though.

Mr. GUNN: That is so. I challenge the Labor Party to have an election on this matter. Let us not just talk about it. I strongly oppose the Bill.

The Hon. D. J. HOPGOOD (Minister of Education): If ever there was a tedious and repetitive occupying of the crease, we have just heard it. When this matter came before the previous Parliament, I spoke at length on it, and I have no desire to do so now, if only to draw some contrast between my own offering and what we have just heard. The Opposition has made only one point: that under the system suggested in this Bill it will be possible for a person to be elected with less than 50 per cent of the ultimate preference votes of the electorate. Although that is true, I say in reply to it that this occurs only because certain individuals are willing under the system to exercise their option not to cast all their preferences. That seems to me to be perfectly proper.

The Opposition apparently supports voluntary voting. In fact, its Leader said as much in his remarks in the debate only yesterday, and under this system it is possible for a person to be elected with the support of 10 per cent or less of the electorate, as happens in council elections from time to time. My friends opposite have never quite got on to the Labor Party's viewpoint on this matter: that, although the range of options available to the elector in the polling place should be as wide as possible, including the option not to cast a vote at all, the turn-out should be compulsory, and that is the point that we maintain.

Optional preferential voting is the Labor Party's policy, and has been for some time, despite the ancient manuscripts that we have heard quoted in this place. I believe it is the fairest, for the reasons I have indicated. It is important that turn-out should be compulsory so that a Party with much finance is not able to win an election because of its ability to use that finance to get the people to the polls. But, having got them there, it is important that there be a wide range of options open to the people.

I also make the point that preferential voting assumes that people lay stress on their fifth preference equal to that which they lay on their first preference because, in a complete allocation of preferences, both preferences have equal values. The optional preferential system, in fact, lays it on the line. If a person does not see the value in the fifth preference that he does in his first preference, he does not have to cast it. I support the Bill.

Mr. EVANS (Fisher): I agree with some of the arguments that the Minister of Education has just advanced, and I would support them if we did not have political Parties. The Minister has spoken idealistically.

The Hon. D. J. Hopgood: As always.

Mr. EVANS: That is so, but never in a practical manner. He can never put his ideals into practice with any success. However, when it comes to practice he is devious and forgets the ideals, as does his Party. There is no doubt that if there was a fragmentation of the Labor Party, and over half its members who were extremely left formed an extreme left Party (regardless of what they wanted to call it), it would not in any circumstances be introducing this Bill.

Mr. Millhouse: It was just an accident—what happened to them in 1957 in Queensland under this system.

Mr. EVANS: That is so. Let us be honest and look at this matter realistically. At least one of the Labor Party's spokesmen has said that if this method was ever introduced in some areas, particularly at by-elections, when there was no Upper House vote, that Party would instruct its people and manipulate the card not to the advantage of the State or the community being represented by the Parliamentarian concerned but to its own advantage. So, the Government's motive is not for the benefit of the community or democracy but for itself, while it hangs together as tenuously as it does.

The Hon. D. J. Hopgood: Hanging together for 80 years!

Mr. EVANS: I am pleased to know that the Minister of Education admits that the A.L.P. is hanging together and that it does have strong divisions within it—

The Hon. D. J. Hopgood: I didn't say that.

Mr. EVANS: —and that it has been like that for 80 years. The Minister knows that in the 1950's his Party fell apart. The Government would like to have the first past the post voting system—

The Hon. D. J. Hopgood: You have just contradicted what you said a few minutes ago.

Mr. EVANS: —because it would benefit from such a system. This would be the first step towards that system. Indeed, it can be used as a first past the post system if the

Government so desires, and it will do this. If we were 47 Independent members (not like you, Sir, but truly Independents), and if it was possible for Parliament to operate on that basis, I would support the proposition. With this system, we will eventually reach the first past the post stage. Dummy candidates will be put up to drag away the vote from certain areas. The Labor Party will put up so-called right-of-centre candidates (regardless of what it calls them) to drag away a few votes from the major right-of-centre Parties. Optional preferential voting is to a degree a form of voluntary voting as far as the individual is concerned. He can decide whether or not to cast his preference votes, and I do not argue against this. Voluntary voting is also part of the Opposition's policy; this is contained in its platform. I ask the Minister to have the political courage to take the extra step. However, he will not do so. That is what he and his Party are afraid of.

The Hon. D. J. Hopgood: I don't agree with that.

Mr. EVANS: They want part of the cherry. On what does the Minister, as a member of the A.L.P., base his argument, if he does not believe in voluntary voting?

The Hon. D. J. Hopgood: You weren't listening.

The SPEAKER: Order!

Mr. EVANS: The Minister of Education may try to use the words that he chose to justify his case, but he cannot do so. He either believes in voluntary voting, or he does not. If he believes in it, he must go all the way. If he does not, he should not attempt to belittle the Liberal Party by going only part of the way. If Australia was what one might call a true democracy, where there was no manoeuvring by political Parties, there would be some merit in such a measure but, in reality, this is not the case. For that reason I oppose the Bill.

Mr. BLACKER (Flinders): I oppose the Bill, because it is a reflection on the integrity of the individual voter throughout the State inasmuch as it is a free admission by the Government that the preferential voting system is too complicated for electors to understand. It changes our voting system, has widespread implications that we do not fully understand, and is full of adverse ramifications. The Bill has been introduced on the premise of simplifying the electoral system. I cannot accept that. The application of the preferential voting system is far easier to administer than it is to understand and administer triellas, four-trellas and quinellas in the horse-racing industry. To be frank, I do not have a clue about that system of gambling, yet the majority of people throughout the State understands it. People seem to understand this system of gambling, which I link to the electoral system, but it is certainly easier for them to understand than is the voting system.

I cannot agree that we should pass this Bill merely for the sake of simplicity. The measure does away with the principle of preferential voting, the effectivness of which, to obtain the true will of the people, will be lost. The present system ensures that the person elected to Parliament is the person desired by the majority of people in a district. In other words, the preferential voting system guarantees that the person least wanted by electors is not elected. To introduce voluntary preferences opens the way for the election of a candidate receiving only minority support. That the Minister has included in the Bill clause 4, which provides for minority election, shows that anomalies will arise in the application of this legislation. Of course, the Government has made appropriate provision for that to happen. Much has been said about the right of the individual to cast a voluntary vote. I consider that every person is obliged to vote: it is a necessary part of the Australian way of life that everyone should accept his responsibilty in electoral matters.

Anyone who opts out of that responsibility does not cast an intelligent vote and, in many ways, could be regarded as being a parasite on the community by failing to live up to his obligation. A person who accepts the privilege of State residency has an obligation to cast a considered vote. If all electors are not obliged to cast a considered vote we are sure to have ill-considered representation in Parliament, and certainly the strong possibility of minority-elected members will be accentuated. Much has been said about the Government's intentions in introducing this measure. Naturally, the Bill is to the Government's advantage, and its objective is to polarise the electorate.

If the Labor Party could polarise the vote it would have a two-Party system with socialists on one side of the House and non-socialists on the other side. The Labor Party knows that that would be to its advantage, because the non-socialist spectrum of the voting population is widespread and extends from outer rural areas to the inner metropolitan area and, in some cases, to industrial areas, and that makes it difficult to attract voters representing the right-wing side of politics together under one banner. The Labor Party is denying South Australians the right of choice. When there is a polarised vote of socialist and non-socialist voters, the two candidates are almost always endorsed by the respective Parties. Almost without exception political Party membership in any district is less than 10 per cent of the total number of voters. Therefore, voters are asked to choose between two candidates who have been nominated and endorsed by the respective Party membership that represents a minority proportion of the total elected franchise.

A voter has no choice in deciding who should be the candidate; he has only the choice between socialism and non-socialism. Individual personalities and abilities go by the board. As members of this House, we should all ask ourselves whether we are the candidates most favoured in our districts or whether we have had an artifically supported ride through our respective political Parties. In order that the true wish of the electorate can be expressed, any elector must have the opportunity to contest an election, and every elector should be able to vote for the candidate of his choice. To restrict the choice of the individual to the respective nominees of the respective political philosophies is indeed restricting the freedom of choice.

What right does any political Party have to be the be-all and end-all of political philosophies? This Bill promotes that situation: a polarisation towards the two major Parties of the day. What is there to say that the two most dominant political Parties of today are going to espouse the correct philosophies for the next generation, whether those philosophies are right or wrong? This Bill will ensure that the next generation will be encumbered for all time with today's political philosophies. It will be necessary to reinstate the right of the individual to contest or vote for the candidate of his choice. The Government knows that this Bill gives it more control over the electoral system. The only two State Labor Governments in Australia have gained control against a single non-socialist Party. If a similar position arose in the other States it would be fairly certain that the Labor Party would have a decided advantage and a good chance of gaining Government. This Bill promotes that idea.

I know of no way this Bill is justified: it is a blatant abuse of the proven system we have known for many

years and is not an alternative system of voting. Any change should be one for the better and should ensure that the person elected is supported by the absolute majority of voters. The devious nature of the Government's intention is indicated clearly by its desire to amend the Electoral Act to provide for minority election. The biggest admission of the inadequacy of this Bill is the provision in clause 4 that provides for minority support to be sufficient to elect a member. Any change to electoral legislation must be made with an objective in mind. I consider that this proposal is incomplete and cannot be justified in any way. It is only a part measure and seems to be a stepping-stone for something more obnoxious. If a voluntary preferential system is to be implemented we must have either multiple-member districts or voluntary voting. It is possible for a voluntary preferential system to complement those systems, but a system of voluntary preferences alone abuses the system that has served this State effectively and fairly.

I believe that, under the voluntary preferential system, many voters will be disfranchised because voters are not fully aware of the consequences of their actions. The Minister has admitted he has introduced this Bill for the sake of simplicity, thereby admitting that, in the past, many voters have gone to the polls not fully understanding their obligations under the electoral system. If voters fail to lodge a preference they will be disfranchised, so it is up to all political Parties to tell voters that, if they want their votes to be in the count, they must lodge a preference vote.

Although this has been played down by the Government it is an important matter and plays a significant part in many decisions that are made regarding the State's electoral system. Reference has been made to Party politics, but the rights of the individual and smaller groups to contest elections have been avoided. This Bill narrows the field and takes away certain rights from the individual. After all, all eligible voters in South Australia are entitled to stand for election if they so desire. Should a person be forced to join a political Party if he has political ambitions? I think not. This is something that the Government has overlooked and, at best, has certainly played down. It has been suggested that this system is designed to broaden the freedom of the voter. However, it will have the reverse effect: it will narrow the voter's freedom, as he will be obliged to vote for an established Party. The effectiveness of this whole scheme will depend on the political Parties educating the public and, to avoid a sizable vote being disfranchised, it will be necessary for all political Parties to accept the responsibility for this public education. That all this is necessary to minimise disfranchisement of the voter is a public admission of the Bill's shortcomings.

Although the Bill is a short one, it contains wide-sweeping provisions. Clause 2 contains machinery for the franchise of electors to be changed for the Legislative Council and House of Assembly. Clause 3 deals with the voter's obligation with regard to allocation of preferences. A greater dependence has been placed on the electoral officers in determining what is a formal or an informal vote, and no reference is made to the actual numbering. Provided there is an indication, it can even be a cross in a square. This, to me, places greater responsibility on the electoral officers, and the provision is not spelt out sufficiently so that they may make an accurate assessment. Clause 4 concerns me; it represents an admission by the Government of the shortcomings of the Bill, inasmuch as it provides for minority election. I believe that the Bill is the first step towards something that will be far more obnoxious, and I cannot in any way support it.

Mr. MATHWIN (Glenelg): I oppose the Bill and the system of optional preferential voting that the Government is trying to bring about with regard to House of Assembly elections. I, as do other Opposition members, believe that this is a step in the direction of having the sudden death system, as it is known, which is endorsed by the Labor Party and reference to which appears in its rule book on page 41: members are to be elected by the cross system of voting. Having lived under this system in the United Kingdom, I believe that our present system is far more desirable. I say that from practical experience, not from hearsay or guessing. The normal procedure in House of Assembly elections is to have two or three candidates, but the system embodied in the Bill goes against that concept. The Minister of Education said that we should not have to vote for all the candidates, but how many candidates are there? The proposed system will mean the demise of minority Parties. We know what the member for Spence thinks about minorities. He said that they have no rights, that the Opposition has no rights, and he is aided and abetted in his view by his colleagues. I believe the Bill is centred completely around the socialist philosophy. Therefore, I oppose it.

Dr. EASTICK (Light): I believe that the Bill is as abhorrent today as was a similar measure introduced in the latter part of March. I said that that measure was political dynamite, as is this Bill. One can conceive that the Bill has been introduced so that eventually there will be no elections at all. The manner in which the rights and opportunities available to the Opposition have been eroded during the past five years and the statement made by the member for Spence earlier this week (to which the member for Glenelg has referred) are a clear indication of the Government's attitude: "Let's have a dictatorship; let's trample over everyone else; let's just walk over them." It is clear, from the introduction of this measure and from the persistence with which the Federal Parliamentary Australian Labor Party has proceeded with a similar measure, that it is the ideal of the A.L.P. by hook or by crook, whether in South Australia or in the Commonwealth, to introduce this measure, which will lead to having no voting at all.

It clearly indicates that the Labor Party does not accept that the voting public has any intelligence and that it aims to disguise a vital issue as a simple one. The Bill seeks to pull the wool over the eyes of the voting public, and to foster the belief that it will not make any real difference to the voting pattern, but obviously it will. Opposition members have given sufficient examples of experiences in other parts of the world and, indeed, in Australia and have clearly indicated the occasions on which the measure has been used to the distinct advantage of a political Party that will go to any ends to maintain its existence in power. That is the manner in which the A.L.P., both Commonwealth and State, is progressing now. I believe that the Bill is against the best interests of the people of this State, and I do not hesitate in saying that I oppose the measure to the end.

Mr. VENNING (Rocky River): I oppose the Bill, the various relevant points having been made by my Opposition colleagues, and one does not need an X-ray to see through the Government's legislation. I am really amazed to think that this Government would try to put up such a shonky piece of legislation. The Government is supposed to be the honest people in the community and to care for the small man, but what does it do through its legislation? It tramples the little man down and tries to form a dictatorship where it will call the tune. I believe that voters have a right under the preferential system, whereby,

if the person to whom they give their first preference is not successful, they can give their second preference to another candidate. I hope that, when the vote is taken on the Bill, our Independent Speaker will vote with the Opposition.

The Hon. D. A. DUNSTAN (Premier and Treasurer): As I think that the matter has been sufficiently debated, pursuant to contingent notice I move:

That the Speaker do count the House and do declare whether or not the question of the second or third reading of this Bill be carried and, if so, by an absolute majority of the whole number of members of the House.

The SPEAKER: Is the motion seconded?

The Hon. J. D. CORCORAN: Yes, Sir.

The SPEAKER: I have counted the House and, there being present more than an absolute majority of the whole number of members of the House, I put the question: "That this Bill be now read a second time." For the question, say "Aye"; against, "No".

Dr. Tonkin: Divide!

The SPEAKER: Ring the bells.

The House divided on the second reading:

Ayes (23)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (23)—Messrs. Allen, Allison, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin (teller), Vandepeer, Venning, Wardle, and Wotton.

The SPEAKER: There are 23 Ayes and 23 Noes. There being an equality of votes, I give my casting vote in favour of the Ayes. I declare that the second reading of this Bill has been carried by an absolute majority.

Second reading thus carried.

Mr. MILLHOUSE (Mitcham) moved:

That it be an instruction to the Committee of the whole House that it have power to consider new clauses relating to the scrutiny and counting of votes at Legislative Council elections.

Mr. BOUNDY seconded the motion.

Mr. MILLHOUSE: The purpose of my motion is to change the present system of counting Legislative Council votes. I believe that it is a corollary of the changes that the Government proposes in this Bill. I opposed the second reading of the Bill, although I did it not very strongly. It has gone through, but I strongly believe that, if we are to have the system that the Government proposes in this Bill, we ought to take the same opportunity to alter the system of voting for the Legislative Council to overcome the situation that, in fact, arose at the last State election.

Mr. Chapman: Are you worried about the Liberal Movement?

Mr. MILLHOUSE: The member for Alexandra begrudges us every seat we have.

The SPEAKER: Order! The honourable member for Mitcham must keep within the bounds of the Bill.

Mr. MILLHOUSE: Of course, although the member for Alexandra has a very unpleasant time coming in the future if he goes on begrudging us our success. At the last election, because of the system of voting involving fractions of quotas after a Party has gained at least one full quota, the Labor Party, with less than a majority of the popular vote in this State, won six of the 11 vacancies. To illustrate the present system, I shall give the figures. No-one could say, however much he rejoiced in the result, that this is democracy or the principle of one vote one value. At the last election the Labor Party received 324 744 first preference votes; the Liberal Party, 191 341; and the Liberal Movement, 129 110; while the rest (with due respect to the member for Flinders because that term includes his Party) received 41 868 first preference votes. The preferences from the minor groupings, where those preferences were distributed, because they got less than half a quota (that, I think, was every other Party), were as follows: 7 872 to the Labor Party.

The SPEAKER: Order! I must call the honourable member back to the reasons for the motion.

Mr. MILLHOUSE: I am giving this as an example of the reasons.

The SPEAKER: The honourable member must speak only on the reasons. This is a very narrow, confined debate.

Mr. MILLHOUSE: Yes, Sir. I have almost finished giving the figures. I am sorry to have bored you and caused you to call me to order. The Liberal Party received 20 106 preferences, and the Liberal Movement received 11 521 preferences. So, the totals were as follows: the Labor Party, 332 616; the Liberal Party, 211 447; and the Liberal Movement, 140 631. The percentages, which are the real point of my example, were as follows: the Labor Party received 48·58 per cent; the Liberal Party, 30·88 per cent; and the Liberal Movement, 20·54 per cent. The seats won, because the fractions of quotas for the Liberal Party and the Liberal Movement were not counted, were as follows: six seats to the Labor Party; three seats to the Liberal Party; and two seats to the Liberal Movement. If the fractions had been counted, as I believe they should have been (and this is the reason for my motion), the eleventh seat, which went to the Labor Party, would have gone either to the Liberal Party or to the Liberal Movement. Then, the popular vote—

The SPEAKER: Order!

Mr. MILLHOUSE: —would have been reflected—

The SPEAKER: Order! I must call the honourable member back to the instruction. He is getting away from the instruction as moved.

Mr. MILLHOUSE: Then, Sir, the popular vote would have been reflected in the result.

The SPEAKER: Order! I must—

Members interjecting:

Mr. MILLHOUSE: Now, to provide that in future the popular vote should reflect the number of seats won, I desire these new clauses to be considered. The new clauses (and I do not want to canvass them in detail but only to say what they are) would provide that, in future, fractions of quotas over and above full quotas already secured by the Parties would be counted, the preferences would be distributed, and then those fractions would be used, not wasted, and we would not have the situation that now transpires, whereby—

The SPEAKER: Order! The honourable member is getting away from the instruction.

Mr. MILLHOUSE: I do not quite see—

The SPEAKER: It is very narrow.

Mr. MILLHOUSE: Yes, I know that.

The SPEAKER: The honourable member must not make comment: he must only give the reasons why he is moving

for an instruction. The matter is in a narrow confine. I know it is difficult but, at the same time, this is not a wide-ranging debate.

Mr. MILLHOUSE: The reason why I gave that example was to say that the purpose of my instruction was to overcome the possibility of that happening again. That is the whole purpose of it. I think I have made quite clear that that is the reason, and I have kept, as best I could, within that narrow compass, and I believe that the purpose of this Bill and of my instruction must go together.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I oppose the motion.

Mr. Millhouse: If you don't get it in here, you'll get it in in another place.

The Hon. D. A. DUNSTAN: The honourable member may say that, but I point out to him that the House already has debated and voted on an issue whether this matter should be presented in exactly the same form as previously to the Upper House, because of the provisions of the Constitution. He knows that, if this is not presented in the same form to the Upper House, it does not provide a double dissolution ground. Whereas normally the Government would not agree to the intrusion into the measure of something quite extraneous to it and something which should properly be the subject of a separate measure, if the honourable member wants to bring that forward—

Mr. Millhouse: Will you give me time?

The Hon. D. A. DUNSTAN: The honourable member knows the time available to members of this House, and he is given the opportunity to allot priorities within that time.

Mr. Evans: Would you support it?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I am not debating the merits of the honourable member's proposal at this stage of proceedings. I am merely saying that, in the first place, the Government would not normally agree to a measure of the kind the honourable member proposes being tacked into a measure before the House to which it is extraneous, but, even if that were not the case, in this particular matter obviously the Government could not agree to an amendment of this Bill because, if it did, it would deprive the Government of the right of using the measure for double dissolution purposes in accordance with the Constitution.

Dr. TONKIN (Leader of the Opposition): I support the motion, and I am surprised to hear the Premier refusing to agree to this contingent notice merely because he says it would deprive the Government of a double dissolution issue. No-one could want more than the Opposition does legislation to be introduced to remedy the present situation where about 20 000 votes were wasted at the last Legislative Council election. Those people were virtually disfranchised. Their votes counted for nothing and, for that reason, I support the motion.

As I have said, I am surprised that the Premier does not support it. If the only reason he can give is the double dissolution provision, I say once again that he must be sabre rattling. He is not in a position to go to the people at this stage, anyway: his stocks have never been lower. But, Sir, I call his bluff. I support the motion.

The House divided on the motion:

Ayes (23)—Messrs. Allen, Allison, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Millhouse (teller), Nankivell, Rodda, Russack, Tonkin, Vandepeer, Venning, Wardle, and Wotton.

Noes (23)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

The SPEAKER: There are 23 Ayes and 23 Noes. There being an equality of votes, I give my casting vote in favour of the Noes. The question therefore passes in the negative.

Motion thus negatived.

Bill taken through Committee without amendment.

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

That this Bill be now read a third time.

The SPEAKER: Pursuant to order, I count the House. I have now counted the House and, there being present more than an absolute majority of the whole number of members of the House, I put the question: "That this Bill be now read a third time." For the question say "Aye", against "No". I hear a dissentient voice and, there being present more than an absolute majority of members of the House, there must be a division. Ring the bells.

The House divided on the third reading:

Ayes (23)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (23)—Messrs. Allen, Allison, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin (teller), Vandepeer, Venning, Wardle, and Wotton.

The SPEAKER: There are 23 Ayes and 23 Noes. There being an equality of votes, I give my casting vote in favour of the Ayes. The question therefore passes in the affirmative. I declare the third reading of this Bill to have been passed by an absolute majority.

Third reading thus carried.

Bill passed.

ADJOURNMENT

At 5.22 p.m. the House adjourned until Tuesday, September 30, at 2 p.m.