HOUSE OF ASSEMBLY

Wednesday, October 29, 1975

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

COAST PROTECTION ACT AMENDMENT BILL

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

QUESTIONS

PUBLIC SERVICE REVIEW

Dr. TONKIN: Will the Premier say whether the South Australian Government, the Chairman of the Public Service Board, or any other Government officer, is considering taking out a Supreme Court writ in an attempt to stop the publication of next Monday's issue of the *Public Service Review* and, if so, why? The *Public Service Review* is the official journal of the Public Service Association, and has been published every fortnight for the past 88 years without a break. The action that I understand is being considered is the result of an attack by the *Review* on the State Government and the Public Service Board over their stand on wage indexation. In the last issue of the *Review* on Monday, October 20, the front page report referred to indexation. The first two paragraphs of that report are as follows:

The association's members have become the victims of a classic piece of buck-passing on the part of the Public Service Board and the Government. Neither will accept responsibility for a just and responsible interpretation and application of the wage indexation guidelines.

The Government is becoming more and more sensitive to any criticism and, if this action is being contemplated, it is a further example of the lengths to which the Government will go to stifle comment and criticism by the media.

The Hon. D. A. DUNSTAN: No action has been taken by the Government in this matter. However, following the publication by the Public Service Association of resolutions passed at one of its meetings, the individual members of the Public Service Board sought legal advice. They got my permission to obtain that advice from the Crown Solicitor, who advised that the publication of the resolutions passed at an association meeting was grossly defamatory and actionable. The resolutions impugned the integrity, standing and propriety of actions of members of the Public Service Board in their professional capacity. That matter was drawn to the attention of the Public Service Association by the Chairman of the Public Service Board. Disregarding entirely the opinion that had been given by the Crown Solicitor, the association announced that it intended to publish these resolutions, and comment on them, in the *Public Service Review*.

As a result, the Chairman of the board informed me of that situation and asked whether I had any objection to board members taking the appropriate legal action that is available to any other member of the community who has been grossly defamed. I said I had no objection. Those individual members of the Public Service Board, for whom I have the highest regard (and I point out to the Leader that the Chairman of the board is the former Assistant Secretary of the Public Service Association), have taken legal advice and sent a solicitor's letter along the lines that normally occur when publication of a grossly libellous statement is threatened. That is all that has happened. It has happened on the part of members of the Public Service Board, whose right to proper legal action I could not refuse. I hope that the Leader is not going to deny to members of the Public Service Board the same rights that any citizen has when he is grossly defamed.

ABORIGINAL RELICS

The Hon. G. R. BROOMHILL: Can the Minister for the Environment say what action has been taken, or is likely to be taken, to see that objects sacred to the Aboriginal people are not in danger of being sold or otherwise disposed of in a manner likely to be offensive to Aboriginal people? I frame my question having in mind yesterday's auction held at the premises of Megaw and Hogg. That sale had a happy conclusion: the tjurungas were eventually purchased by the Government, and saved. However, it is fairly apparent, as a result of the actions that led up to that sale, that there are some weaknesses in the options open to the Government and Aboriginal people in this regard. As those options appear to be quite limited, I ask the Minister whether he has had a look at this matter to see whether action can be taken to ensure the proper protection of relics of this nature.

The Hon. D. W. SIMMONS: I have not yet had time to come to grips with all the problems facing my department. I have had occasion, because of yesterday's events, to discuss at some length the matter of preserving Aboriginal cultural material. Yesterday's auction was quite a useful exercise, because it did point up the extent of our existing powers. Close co-operation between the Premier's Department, the Aboriginal Arts Board and the South Australian Brewing Company have ensured that these very valuable items will be kept for the benefit of the Aboriginal people. The Curator of Relics in the South Australian Museum (Mr. Ellis) inspected the collection on Monday. He received the greatest co-operation from the auctioneers; the relics were not put on display and the matter was conducted as properly as it could be. He reported to me yesterday that these tjurungas consist of eight wooden incised boards, about 1 m to 1·2 m long. They are of great importance, he assured me, to the Arandas and four neighbouring tribes; (the Pitjantjatjara, Pintabie, and the two other names are beyond my pronunciation).

Mr. Ellis was unable to tell me whether the material came from South Australia or the Northern Territory. I think we can say that, in every sense, it was a borderline case. This is of some importance, because the exact geographical origin of the material is difficult to ascertain with any certainty, and this has some legal significance, because it raises the question whether our Aboriginal and Historic Relics Preservation Act applies, or whether it is the Northern Territory Ordinance that is relevant. These tjurungas, which were purchased yesterday through the initiative of the Premier's Department, are now in a bank vault in Adelaide, and I imagine that they will in due course be sent back to the Northern Territory, which is their rightful place. The exact method of disposing of them has not yet been finally determined, but I am quite sure that the wishes of the Aranda people will be fully taken into account when that is done. I think we have to be sure also that there is no danger that the objects will again get into the hands of anyone likely to offer them for sale for private gain; that is a prime consideration as far as the Government is concerned.

The honourable member's question relates to any likely new legislation on the subject of Aboriginal cultural material. My predecessor had this matter in hand some time ago, but a slight hitch arose, as a result of which the

whole matter has been reopened. I think a new draft Bill, which has been almost finally determined, will shortly be available and will be a very valuable measure in this area. It is substantially a new Bill to replace entirely the 1965 legislation. Last week I had the pleasure of meeting the Aboriginal and Historic Relics Advisory Board, which has been handling this matter, and discussed briefly the Bill with it. It should be in a position in a few weeks, I think, to present it to the Government. The legislation will cast a net I think that will cover cases such as that of yesterday. It will give us the necessary—

Members interjecting:

The SPEAKER: Order!

The Hon. D. W. SIMMONS: I think this is a matter of some importance to the people of South Australia, particularly the Aboriginal people.

Mr. Mathwin: Make a Ministerial statement, then.

The SPEAKER: Order! The honourable Minister must be given the opportunity to explain the reply to the question.

The Hon. D. W. SIMMONS: I think that the new legislation will give us the necessary wider powers to enable the Aboriginal community to be sure that this sort of material will be properly controlled. In the new Bill there will be a new definition of Aboriginal culture and material in place of the fairly limited definition of relic. Relics include traces, remains, or handiwork of Aborigines. Cultural material could, for example, include natural objects like stones, not the result of human craft but collected by Aborigines and adopted as symbolic mythological material. These are included in the draft legislation, and I think that these powers will enable us to deal with the sale of Aboriginal culture material, and there also will be restrictions on photography within certain sacred areas. In short, I think that this Bill, when it is introduced in the House, will provide many of the powers which the experience yesterday showed us are necessary.

ATTORNEY-GENERAL

Mr. GOLDSWORTHY: Will the Attorney-General, to resolve the matter of his credibility, obtain a transcript of the Australian Broadcasting Commission interview with him in Sydney on Saturday and table it in the House, as suggested again today by the Leader of the Opposition and, if he will not do so, why not? Yesterday, during debate on this matter, the Attorney-General attacked the media generally, the *Advertiser*, and journalists in general, claiming irresponsible reporting. Although the motion of no confidence was defeated on Party lines, it is apparent that the matter has not been resolved to the satisfaction of the community. The only way that it can be satisfactorily resolved one way or the other is by the production of the transcript of the question and answer interview. The Attorney-General appears to be the only person who can do that. Therefore, will he obtain the transcript and table it?

The Hon. PETER DUNCAN: In view of the fact that the House had voted against the motion of no confidence yesterday, I did not believe that my credibility was in any way in dispute, but of course the honourable member is well known for the sort of snide tactics he uses in debates and in other proceedings of this House, and this is a continuation of the same sort of tactics.

Mr. Venning: Answer the question.

The Hon. PETER DUNCAN: I will answer the question.

The Hon. R. G. Payne: It's a wonder they didn't send for Khemlani.

The Hon. PETER DUNCAN: The Minister raises the question of the position in Canberra and, of course, the local Liberals have no doubt seen the situation that their Federal colleagues have got themselves into through these sorts of tactic, and I would suggest to them that they ought to be careful about the way they proceed in these sorts of matter. As to the question, I want to make two points: first, I believe this matter was well dealt with yesterday by this House. The matter has been blown out of all proportion by members opposite, and even the editorial in the *Advertiser* this morning (which was so bigoted and biased against me) finally had to admit this was a rather trivial matter, anyway. As to the question whether I will produce the tapes, I am not in possession of the tapes; they are not my property. They are the property (if they exist) of the A.B.C. and as such that is a matter for the A.B.C. I understand the A.B.C. has a policy on this matter. As far as I am concerned the matter is closed, and I do not intend to obtain the tapes. I have not got the tapes at the moment; I have not got transcripts. I have not seen the tapes nor the transcript and I have not endeavoured to, because I believe this is a rather trivial matter which has been blown out of all proportion by the Opposition.

Mr. ALLISON: If the Attorney-General believes the original A.B.C. report that was broadcast on Saturday is not fair and accurate, can he say where are the specific errors? As the story the A.B.C. news service carried on Saturday was read to the House yesterday in its entirety, I do not intend to read it again, but at least one segment of the report concerns me greatly. The Attorney-General is reported as having said that he told the South Australian Parliament at the time of debate (and this is confirmed in *Hansard*) on the Criminal Law (Sexual Offences) Amendment Bill that he would abhor homosexuals going into schools. He was reported as saying that he had said that to ensure the passage of the Bill through Parliament. Later in an interview with an A.B.C. reporter he denied that he had deliberately misled Parliament. I personally do not believe this is a trivial matter. I had voted against my conscience after having consulted with many people—

The SPEAKER: I must call the honourable member to order; he is now commenting.

Mr. ALLISON: I will conclude now. I am especially concerned that, having been approached by the member for Elizabeth on the day before the debate, I gained his personal assurance that he abhored homosexuality, and I believe his sincerity is now certainly being called into question. In fact, I assured him that my support for this Bill rested on the additional safety accorded to young people, to prevent their being importuned, as a result of the legislation.

The Hon. PETER DUNCAN: It is interesting to note that the Opposition is obviously involved in a concerted series of questions this afternoon. It is also interesting that the questioning was commenced by the Deputy Leader of the Opposition. Obviously, the Opposition has downgraded the matter since yesterday, when the Leader of the Opposition was involved in this matter. However, I am happy to answer the question.

Mr. Allison: Have you no humility?

The Hon. PETER DUNCAN: If the honourable member will allow me to answer the question I shall be happy to do so. The very matter that I suggest I was misrepresented on is the matter that the honourable member has referred

to, when he said clearly that it was reported by the A.B.C. (and I would like to quote from the transcript because I think that is important):

In an interview later with the A.B.C. reporter Mr. Duncan denied that he had deliberately misled the South Australian Parliament in order to ensure the passage of the Bill.

That is the position. From the time that any confusion arose over this matter (which was when I made the speech), I clearly made the point to the A.B.C. that I had not in any way deliberately misled the Parliament. Notwithstanding that, the A.B.C. saw fit to run its version of my remarks, to run a story which yesterday I made clear to the House I did not agree with. My position is as stated yesterday, and still is, that I did not mislead the Parliament.

The SPEAKER: The honourable—

Mr. MILLHOUSE: Mr. Speaker, I rise on a point of order. The Attorney-General has just quoted from a document in the course of his reply, and I ask that that document be tabled.

The Hon. PETER DUNCAN: I shall be pleased to table it, Sir. If it is necessary, I seek leave to table the document.

The SPEAKER: What is the document? Is it an official document or a private document?

The Hon. PETER DUNCAN: It is a photostat copy of a transcript of the A.B.C. news report.

Members interjecting:

The SPEAKER: Order! I must be clear about this—

Members interjecting:

The SPEAKER: Order! I must be clear about what this document is. Is it a complete document, part of a document, or is it an official document?

The Hon. PETER DUNCAN: It is not an official document: it is a photostat headed "Transcript—A.B.C. news report".

The SPEAKER: I am of the belief that, as it is not an official document, it cannot be tabled.

Mr. MILLHOUSE: I take a point of order on that, Sir. The Attorney, if I may suggest, has just said that it is a document from the A.B.C.

The Hon. Peter Duncan: I didn't say that.

Mr. MILLHOUSE: If it is not from the A.B.C., it is a photostat of a transcript of a news report on the A.B.C. How could it be more official than that? I do not know what you mean, Sir, when you say that it is not an official document. I suggest it is a photostat copy of a document from a public corporation (the A.B.C.), and therefore should be tabled.

The Hon. J. D. Corcoran: Let him have it, and he can table it.

Mr. MILLHOUSE: The Attorney-General himself said he was willing to table it.

The SPEAKER: Order! I should like to explain to the House that it is not a matter for the Attorney-General to decide; it is a matter for the Speaker to decide.

Mr. Venning: The Deputy Premier just did.

The SPEAKER: Order! I believe that it is inappropriate that private documents, excellent though they may be, should be tabled in the House except in pursuance of the Standing Orders, which allow papers to be presented pursuant to Statute or by command, or accounts and papers ordered to be laid before the House. I therefore rule it to be beyond the competence of the House, in the circumstances, to have the aforesaid document tabled, as it would create a precedent that would be in conflict with Parliamentary principle.

Mr. MILLHOUSE: I must take another point of order, Sir. In what you have just said you have referred to private documents. The Attorney-General has been kind enough to supply me with this document, and it is headed "Transcript—A.B.C. news report". How on earth can that be a private document?

The SPEAKER: Order! Obviously the member for Mitcham did not fully understand all that I said. I have said that I believe that it is inappropriate that private documents, excellent though they may be, should be tabled in the House. This is a private document.

Mr. MILLHOUSE: I address my question to the Premier, because this matter has now become a matter of policy and of the credibility of his Government. Will the Premier make representations to the A.B.C. to obtain the tapes, or at least the transcript, of the Attorney-General's interview concerning homosexuals going into schools and, if he is successful in obtaining either or both, will he table it or them in the House? The Attorney-General earlier this afternoon refused the suggestion made to him by the member for Kavel that, to confirm what he claims is his credibility, he should obtain the transcript (I think that was the way in which the honourable member put the question). However, the Attorney-General in reply used the phrase "produce the tapes", and I was irresistibly reminded then of what had happened in the United States of America over Watergate; I do not know whether in his own mind he links the two. That was the first time I had heard the expression "produce the tapes" used in this context, but he used it. He went on, apparently thinking that offence was the best means of defence, to say that the matter was trivial, that it was finished, that he had won the vote in the House, and that he would not do what he had been requested to do. There has been, as has been said, widespread disquiet about this matter. The Attorney-General made very strong and, in my respectful view, unjustified attacks yesterday on the press and individual members of the press or the media, and this matter ought to be cleared up.

The SPEAKER: Order! I must remind the honourable member that he is now debating the matter.

Mr. MILLHOUSE: I do not intend to do that but, because of the importance of this matter and because of what has been said yesterday, before that, and today, I ask the Premier whether he will now intervene in the matter, get these jolly things, and table them in the House so that we can see who is telling the truth or who is lying.

The Hon. D. A. DUNSTAN: No, I do not intend to get any jolly things.

The SPEAKER: Order!

Mr. Becker: You deserve a nomination for the Academy Award.

Mr. Goldsworthy: I reckon that's worth a Logie.

The Hon. D. A. DUNSTAN: I am grateful for the honourable members' appreciation. On three grounds, I do not intend to take the action the honourable member suggests. The first of these grounds is that this matter has been disposed of, as the Attorney-General has said.

Mr. Millhouse: It hasn't been disposed of.

The Hon. D. A. DUNSTAN: The honourable member is trying to breathe life into it, but I am afraid that he is not a very good resuscitator. Secondly, the A.B.C. has a policy about the release of tapes. I have never been able to get a tape from the A.B.C. on any ground, whether I was involved in the matter or not, and I am not going to go through that sort of exercise again.

Dr. Tonkin: You've been able to get—

The Hon. D. A. DUNSTAN: I have not.

Members interjecting:

The Hon. D. A. DUNSTAN: That is the only way I have ever got anything any time I have asked for it. The situation is that I have not been offered transcripts by the A.B.C. previously when I have inquired about a matter, and I do not intend to go through an operation of that kind. The honourable member asks me to get these things in a way which I could not undertake anyway, and to have them in the House and to table them, and you, Mr. Speaker, have just ruled that I cannot do that. That disposes of that.

Mr. Millhouse: Come on!

Mr. Mathwin: You had his arm up his back.

The Hon. D. A. DUNSTAN: That is nonsense. I do not intend to go on with this nonsense.

Mr. GUNN: In view of his inability to satisfy the Parliament that the A.B.C. news report was not fair and accurate, will the Attorney-General withdraw the remarks he made yesterday about journalists, and apologise to them? Yesterday, the Attorney-General and other Government members made disparaging remarks about the media and the press, and the Attorney denied that he had said that he would promote the idea of homosexuals going into schools and speaking to students. The word "promote" came from the Attorney's mouth and was not used in the A.B.C. news report. It could be that the Attorney has misquoted the A.B.C., and on that basis he should withdraw his remarks forthwith.

The Hon. PETER DUNCAN: I am amused by the honourable member's turn of phrase when he says that I have not satisfied the House. I should have thought that the vote taken in the House yesterday would well have determined that aspect of the matter. If the honourable member cares to refer to the statement I made in the House yesterday and the subsequent speech I made during the debate on the motion moved by the Leader of the Opposition, he will see that my remarks against the press concerned principally the *Advertiser*, and I adhere entirely to those remarks. I have not reflected on the A.B.C. I believe its reporters in Sydney sent over what they possibly believed to be a fair interpretation of what I had said in Sydney. I am concerned principally about the way in which it seems to me that the *Advertiser* has tried to build up this story from nothing, and the way in which in many instances the *Advertiser* reporter used what I would describe, at the least, as unsavoury tactics to try to get any sort of story out of the matter. For the benefit of the House, I place on record one further matter that has occurred, as it is relevant to the question. An *Advertiser* reporter saw me on Monday following the Cabinet meeting and tried to conduct an interview with me, without announcing that he had put on his tape recorder. It was only after I had spoken to him for a couple of moments that I realised that his tape recorder was on. This is a particularly shabby sort of tactic to be used by reporters and is, undoubtedly, unethical, because it is against State law. I believe this is a further example of the sort of tactics about which I was complaining yesterday.

FERTILISER BOUNTY

Mr. KENEALLY: Will the Minister of Works ask the Minister of Agriculture whether he is aware of the Industries Assistance Commission report released today recommending the phasing out of the nitrogen fertiliser bounty over three years and, if he is aware of it, can he say how this recommendation, if adopted, will affect farmers in South Australia? In addition, will he indicate what effect this recommendation would have on the price of nitrogen fertilisers in South Australia? I have directed this question to the Minister because we all know the interest he has taken in the past few years through submissions to the Commonwealth Government and to the I.A.C.

The Hon. J. D. CORCORAN: I shall be happy to refer the matter to my colleague. As the honourable member has said, he has taken great interest in this matter, and I am certain he will be able to give a report to the honourable member about the matters he has raised. I shall be happy to give him that report in due course.

PETROL

Mr. WHITTEN: Will the Minister of Prices and Consumer Affairs conduct an inquiry into the petrol prices charged by oil companies who allow a 10c a gallon differential among resellers? I am prompted to raise this matter because of a report which appeared in the *News* last Monday and which stated that 12 jobs would go in the petrol price battle. It appears that several employees will lose their jobs because of petrol price cutting in South Australia. It also appears that oil companies are charging too high a price for petrol, with the object of freezing out small independent service stations. My comments are borne out by the *News* report, which states:

> The Automotive Chamber of Commerce general secretary, Mr. G. L. Mill, said discounting had again flared throughout the Adelaide metropolitan area. "It was starting to die out—but it's everywhere again," he said. "The big oil companies are behind it."

Will the Minister arrange for an inquiry into this matter?

The Hon. PETER DUNCAN: As the matter to which the honourable member has referred is causing some concern to the Prices and Consumer Affairs Branch, I think that, for the benefit of members, it would be useful if I set down on the record some of the circumstances in which the price of petrol in South Australia is now determined, because I think that that has a direct bearing on this matter. Since the setting up of the Prices Justification Tribunal, it has been the practice of the South Australian Prices Commissioner to co-ordinate his activities in the area of setting petrol prices with the activities of the tribunal. Before the introduction of the tribunal, the only effective petrol price control in Australia was that regulated by the South Australian Prices Commissioner. However, now the price of petrol is determined between the two authorities. The matter to which the honourable member has referred is causing us grave concern because it seems that discriminatory pricing is taking place at the wholesale level. I shall be pleased to have this matter investigated, because it seems that some oil companies are giving discounted wholesale prices to certain petrol stations, with what motive I cannot say now. However, as it seems that the practice is becoming widespread in South Australia, I shall be pleased to obtain a report for the honourable member after having this matter investigated.

WAGE INDEXATION

Mr. WELLS: Is the Minister of Labour and Industry aware of the latest wage claim of the Australian Council of Trade Unions on behalf of the workers of this State? A recent press report disclosed the fact that the A.C.T.U. had made representations to the Full Court for a 0·8 per cent increase in the wage rate of the labour force. This, of course, is an amazingly low figure, and it should be lauded. The employers admitted that they had expected a 2·9 per cent claim. Still the rapacious employers and Governments of Western Australia, Victoria, New South Wales and

Queensland opposed such a meagre claim which, I suggest, shows their utter contempt for efforts of the work force to assist the Government—

The SPEAKER: Order! I must remind the honourable member that he is commenting.

Mr. WELLS: Thank you, Mr. Speaker. Would the Minister care to comment?

The SPEAKER: The honourable the Minister must answer the question.

The Hon. J. D. WRIGHT: But I have been asked to comment.

The SPEAKER: No. The honourable the Minister must answer the question.

The Hon. J. D. WRIGHT: I, this Government, and the State have been strong supporters of wage indexation. I take the credit for keeping it alive in many parts of Australia, because Ministers of Labour in other States did not want to keep it going but wanted other methods, methods which have proved to be unsatisfactory for years. Undoubtedly, wage indexation has been one of the things that has helped us to retrieve a position into which we were heading, namely, a total inflationary area, with unemployment rife. If it had not been for the action of the State and Australian Governments in supporting wage indexation, that situation would have been here by now. It is of great credit that the last consumer price index increase was only 0·8 per cent. The original intention of the wage indexation decision provided that, unless there was a minimum of 1 per cent increase, there was no case to be heard as far as the courts were concerned. On this occasion it is rather extraordinary, because an allowance now made for Medibank has gone into the C.P.I. figures, thus reducing the increase to 0·8 per cent. True, there is a recognised figure of 2·9 per cent, for which everyone was expecting the A.C.T.U. to apply. I think it is a great credit to the A.C.T.U. I extend to it and other unions throughout Australia my congratulations for the moderation they are showing. It is because of that moderation by the trade union movement that inflation is now being reduced. Indeed, I believe the economy is starting to climb again. I again congratulate the A.C.T.U.

The Hon. D. J. Hopgood: And Mr. Hawke?

The Hon. J. D. WRIGHT: Of course. He is the leading figure in the A.C.T.U., and it would be very much his policy to apply for 0·8 per cent rather than 2·9 per cent.

UNION MEMBERSHIP

Mr. DEAN BROWN: Will the Minister of Works say whether Mr. W. W. Lachs was sacked from the Glanville dockyard of the Marine and Harbors Department because he refused to join the apropriate union and, if he was, will the Minister immediately reinstate Mr. Lachs? Last Friday, Mr. Lachs, an employee of the department, was given one week's notice when he refused to join the appropriate union. Since commencing work last August, Mr. Lachs has consistently refused to join the union on the ground that he is a conscientious objector to such an organisation.

Mr. Whitten: But he'll still take all the benefits.

Mr. DEAN BROWN: I think the honourable member should listen to what I am about to say. Mr. Lachs offered to pay into a charity a contribution equal to the union membership fee. However, this, too, was refused. When Mr. Lachs asked to see the Minister in order to put his case, a member of the Minister's staff said, "The Minister is aware of your case and does not wish to see you." That showed a complete disregard for this poor person. On Monday, Mr. Lachs sought in writing the reasons for his dismissal. However, he received from a senior staff member the verbal reply, "You and I both know without your asking me that it is because of the unions." This gentleman could not obtain a reason in writing for his dismissal. It seems that Mr. Lachs is to lose his employment because the Government has bowed to union pressure. This is discrimination of the worst type, yet the Minister sits here like the godfather and gives his support to such action.

The SPEAKER: Order! The honourable Minister of Works.

The Hon. J. D. CORCORAN: The answer to the honourable member's specific question is "No, Mr. Lachs will not be reinstated." This man was employed by the Marine and Harbors Department some time ago and, at the time he was employed, he undertook to join a union. I want the member for Davenport to remember that, because I expect people to give effect to undertakings that they give in order to obtain employment. As shadow Minister of Labour and Industry, the member for Davenport would certainly know full well that it is the Government's policy that preference in employment be given to unionists. The attitude adopted by the Government is that, when people are not already members of unions, they are asked whether or not they are willing to join one prior to their being employed. If the answer by one person is "Yes" and by another "No", the person who answers in the affirmative will be employed, because preference is given to those persons who will join a trade union. The Government makes no apology for that policy, as it is the policy of most major industries in this State and throughout Australia. It is in the interests of industrial peace to have a situation such as that on the workshop floor, and the honourable member knows that. Let me go further, because I have taken much interest in this matter, considering it to be a serious matter for a man to be sacked in circumstances such as these.

Mr. Dean Brown: Why wouldn't you see him?

The SPEAKER: Order!

The Hon. J. D. CORCORAN: The honourable member should keep quiet. He has had his chance, and I am now having mine. I personally telephoned the union involved to get not just one of its organisers but one of its officers to talk to this man. I asked the union to satisfy itself whether this man had a genuine conscientious objection to joining a union, even though he was party to an undertaking before being employed. I got the union officer to carry out what I considered to be exhaustive negotiations with Mr. Lachs. This occurred over a period of a fortnight, and Mr. Lachs was told that he could go to a commission (I have since ascertained that he was told to go to the wrong commission; however, that has since been corrected) which could listen to his case and decide whether he was a genuine conscientious objector, there being doubts whether or not he was.

Mr. Dean Brown: And he tried to do that.

The Hon. J. D. CORCORAN: He can still try to do so. There is nothing to prevent him from doing it and, indeed, the union advised him to do so.

Mr. Dean Brown: But it has been rejected.

The Hon. J. D. CORCORAN: It is my understanding that he has not yet been before the commission: his application has not been rejected, if that is the case. This man was given that opportunity. I did not think I could help this man by seeing him personally, as he knew what was the Government's policy. He has been told that not

only by the union official but also by those in charge of the workshop in which he was employed. He was told clearly what was the Government's policy, and he understood it. There is no doubt about that. I was absolutely certain that he understood every step that was described to him. If he goes to the commission and it upholds that he has a genuine conscientious objection, steps will be available for him to do what the honourable member has suggested. However, that has not yet happened. In accordance with an instruction, of which I am perfectly well aware, Mr. Lachs was given a week's notice, I think last Friday. That notice has not yet expired, and, if Mr. Lachs can go to the appropriate tribunal and get it to uphold his conscientious objection (which the union is certainly not satisfied with), we will look at the matter again. If he does not, his week's notice will stand.

FLOOD RELIEF

Mr. ARNOLD: Can the Minister of Works say whether the Government has offered assistance to councils along the Murray River that will have the responsibility of providing flood protection in the very near future? Government assistance in the past has been essential, and it has been very much appreciated. In view of the magnitude of the flood and the statement made by the Minister earlier this week that it would be about as high as the 1931 flood, it is obvious that much flood protection work will have to be carried out. While assistance has been provided in the past, often it has been provided at the eleventh hour, causing great concern to local government and the people who would be vitally affected. I ask whether negotiations have already been entered into with local government to provide the necessary flood protection.

The Hon. J. D. CORCORAN: The honourable member will be pleased to know that yesterday steps were taken to revive the Flood Liaison Committee, which operated so successfully during the last flood on the Murray in this State. That committee, which has representatives from the Lands Department and Engineering and Water Supply Department, is again functioning. The Minister of Lands will be making a submission to Cabinet seeking at least $250 000 to assist with the work in which the Flood Liaison Committee, through local government, will be involved. Its prime task will be, as before, to provide the money for the necessary works to protect local government facilities where that is possible, and to assist, of course, in the protection of other things where it is believed necessary and where some purpose will be served.

I think we are in time. The experience we had during the last flood means, in effect, that the guidelines are clearly established for the committee; it can get down to its work very quickly. There will be no delay in the decision-making process. As the honourable member will be aware, sometimes people were getting decisions on the last occasion almost more quickly than they could operate on them. In fact, it was rather embarrassing on one occasion where a decision was given only to find out that the wrong level had been taken in the case of certain shacks, which I think the honourable member was concerned about in relation to Lake Bonney. I can assure him that everything possible will be done, as quickly as possible, and in time to minimise the effects not only of the flood expected in late November and December but also the big flood expected in January. I think it reasonable to say there is some confusion in the minds of certain people about the flooding situation. There will be a very high river in late November and early December, but it will be followed by a higher river in January. I emphasise here that this is fairly early to be making accurate predictions, but it is expected that in January we could see, in the Murray in South Australia, the second greatest flood in the history of this State—in other words, greater than the 1931 flood. Everything possible will be done to see that we have everything in hand to assist those people who need assistance.

HIGHBURY GYMNASIUM

Mrs. BYRNE: Will the Minister of Education obtain an up-to-date report for me on the proposal, which has been approved in principle, to establish a gymnasium complex in the grounds of Highbury Primary School for joint use by students at the school and members of the Hope Valley and Highbury Youth Club? Questions on this matter have been asked by me before. I refer the Minister to the last reply given by the former Minister of Education on March 25, 1975. The club has asked me to raise this matter as the members would, if possible, like precise information about when the construction of the gymnasium will commence, so the club can plan its future in relation to accommodation.

The Hon. D. J. HOPGOOD: I will provide information that is as precise as possible for the honourable member.

UNIFORM REGIONAL BOUNDARIES

Dr. EASTICK: Can the Minister of Transport say whether the Uniform Regional Boundaries Committee has concluded its deliberations; whether, in obtaining detail for the report which it has presented or will present to the Minister, it has taken representations from local government; and whether the report, if finished or when finished, will be made available to this House? In a Question on Notice that was answered on August 19, 1975, certain detail was given by the Minister about this matter. I am aware that a number of councils made provision for officers and representatives of council to present information to the appropriate committee in support of their beliefs regarding regionalisation but that a number, if not all, of those councils have been refused the opportunity to make representations to the committee. It is with this background that I seek the overall information from the Minister. More specifically, has it been concluded, will it be made available, and what action has been taken by the Government?

The Hon. G. T. VIRGO: If the honourable member is talking about the Committee on Uniform Regional Boundaries, which I think he is (the C.U.R.B. committee, as it is commonly called), it reports not to me but to the Premier. It presented an interim report to the Premier which was tabled in Cabinet on Monday and which is subject to current discussions. Later, when determinations have been made, I will discuss the honourable member's suggestions about its being made public.

BRIDGE REPAIR

Mr. VENNING: Can the Minister of Transport say what is the programme for having the railway bridge over Crystal Brook creek replaced and the road bridges at Wirrabara and Hughes Gap repaired and replaced for rail and general traffic? I am sure it is not necessary for me to give any great detail about what took place in the North last weekend, prior to last weekend, and last Friday night. More than 6in. of rain fell in the northern part of the State, bringing the rivers down in flood to the degree that a derailment and a bridge washaway took place at Crystal Brook. Fortunately, there was an old bridge nearby, and it was possible to bring that into operation to enable the train that had been delayed to get into operation within

72 hours. The press made a statement about the excellent work done by railway employees during that period to restore the service as quickly as they did. I should like to add the comment that it was a combined effort by railway employees and private enterprise, and I commend that combined effort, which resulted in getting the bridge open. If the Minister cannot answer my question now (and I shall not be surprised if he cannot, as it is sometimes difficult for Ministers to have details at their fingertips), will he make a statement in this House tomorrow covering my question?

Mr. MILLHOUSE: Mr. Speaker, I raise a point of order on this question. It is, I suggest, covered by a series of questions which I have put on the Notice Paper and which appear on the Notice Paper today. That being so, I suggest that it is not proper for the honourable member to cover the same ground by question without notice.

Mr. VENNING: On a point of order, Mr. Speaker.

The SPEAKER: Just a moment, please. Will the honourable member for Mitcham say to which question on the Notice Paper he is referring?

Mr. MILLHOUSE: I was referring to questions 7 and 8 on the Notice Paper.

The SPEAKER: Will the honourable member for Rocky River briefly repeat his question?

Mr. VENNING: With great pleasure, Sir. My question was: will the Minister inform the House about the programming of having the railway bridge over Crystal Brook creek replaced and the road bridges at Wirrabara and Hughes Gap repaired or replaced?

The SPEAKER: Order! That is good enough. The honourable Minister of Transport.

The Hon. G. T. VIRGO: I can appreciate the desire of the member for Mitcham to get his question in ahead of that of the member for Rocky River. I should first like to say how grateful I am that the member for Rocky River at last has got around to complimenting the railways on doing something. That must have left a real lump in his throat. Be that as it may, the position is that I have had a preliminary report about the regrettable accident. The honourable member will appreciate that a full departmental inquiry is currently proceeding. The on-the-spot investigation team went to the location immediately following advice of the accident, to investigate the cause, but I think everyone appreciates that there will be quite a lengthy task involved in repairing and rehabilitating the bridge, and at this stage it would be quite impossible to provide any time schedule in relation to the railway bridge. In relation to the road bridge, I saw the Deputy Highways Commissioner this morning, and we briefly discussed this matter. His engineers are on site investigating the problem. Arrangements have been made, as I presume the honourable member would know, for a deviation (regrettably, via an unmade road that crosses the creek at a ford). If there is any further rain, that deviation will be impassable and it will be necessary to have a much longer deviation. It is quite impossible at this stage, and it will be impossible even tomorrow, to be able to provide any detailed time table regarding the replacement of the bridges concerned. As soon as it is available (I should imagine it would be quite some considerable time), I will attempt to remember to let the honourable member know.

ROADWORKS

Mr. MATHWIN: Will the Minister of Local Government say whether, when a grant is given by the Commonwealth Government for upgrading a road that is not a highway, and finance goes through the Highways Department, members of the Highways Department staff do the job without having to tender for the work? I understand that, when the Commonwealth Government gives a grant for upgrading roads, they do the job simply on their own direction through the Highways Department, and any other firm is not given the opportunity to tender for it. One would realise (and I am sure the Minister would, too) that in this type of situation the job could be done more cheaply in some cases by private enterprises that specialise in this work. Is this a fact and, if so, is it at the direction of the Commonwealth Government?

The Hon. G. T. VIRGO: I was hoping the explanation might have clarified the question a little more. I must confess I am completely confused by the question that the honourable member raises. Perhaps after Question Time, or at some other suitable time, we may have a chat in my office to clarify the matter. The situation in relation to grants from the Australian Government is that they are two-fold. First, grants are made to South Australia (indeed, every other State) via the National Roads Act, the Road Grants Act, the Planning and Development Act and the Urban Public Transport Act. Specified amounts are made available to the State for the specified purposes mentioned in the Act. Those grants go to the Highways Department and become part and parcel of the highways trust fund, which is dispensed in the building of roads, the repairing of the bridge for the member for Rocky River, and disposal to local governing bodies as grants or debit order work. Over and above that, grants are made by the Australian Government direct to local government; they do not come to us at all. If they are the ones the honourable member is talking about, they are the grants which are made direct to local government and which have no strings attached to them. If the honourable member can refer me to some specific cases upon which his question hinges, I shall be delighted to have a look at them to see whether the position can be clarified. Perhaps he will take up my offer and see me in my office after question time.

PERSONAL EXPLANATION: UNION MEMBERSHIP

Mr. DEAN BROWN: I seek leave to make a personal explanation.

Leave granted.

Mr. DEAN BROWN: The Minister of Works, in answering the question I asked today, accused me of misrepresenting the facts.

The Hon. J. D. Corcoran: I did not.

Mr. DEAN BROWN: He did. He accused me—

The Hon. J. D. Corcoran: I did nothing of the sort. The honourable member is not going to use this as an excuse to make a personal explanation.

Mr. DEAN BROWN: Mr. Lachs was not asked when he sought employment with the department whether he would join the union.

The SPEAKER: Order! The honourable member must resume his seat. This House is not to be used as a forum to debate a matter of this kind at this time. If the honourable member wishes to make a personal explanation, the House has given him permission to do so, but I point out to the honourable member that he cannot continue on a matter that he wants to debate.

Mr. DEAN BROWN: Thank you for that ruling, Sir, and I will certainly adhere to it. The Minister in giving his answer implied that I had misrepresented the facts.

The Hon. J. D. Corcoran: I did not.

Mr. DEAN BROWN: The fact was that Mr. Lachs, as I explained in my question, went through every formal procedure laid down for him, and I gave a full and complete account—

The Hon. HUGH HUDSON: On a point of order, Mr. Speaker. If in answering a question in the House a Minister disputes the facts as stated by a member—

The Hon. J. D. Corcoran: Which I did.

The Hon. HUGH HUDSON: —in explaining his question, or gives an answer which suggests there are different facts, and if a member is then able to say that that by implication means that the Minister is reflecting on that member, we will forever get personal explanations aimed at debating the matter and not giving personal explanations.

The SPEAKER: Order! I think at this stage we must realise that it is rather doubtful whether the member for Davenport is really making an explanation. If he is, he is certainly getting so involved in debate that we will be conducting a debate on the matter relating to Mr. Lachs. I suggest that we let the matter rest at that.

Mr. DEAN BROWN: I accept your suggestion, Sir, and I simply say to the House that in the question that I asked today I did not misrepresent the facts in any way by deleting any information whatsoever.

The SPEAKER: I do not think anyone intended that by word or any other action.

PERSONAL EXPLANATION: ATTORNEY-GENERAL

Mr. MILLHOUSE: I, too, seek leave to make a personal explanation.

Leave granted.

Members interjecting:

The SPEAKER: Order! The honourable member for Mitcham has the floor.

Mr. MILLHOUSE: I have been informed that last night on the A.B.C. programme *This Day Tonight* the Leader of the Opposition was interviewed about the motion which he moved yesterday of no confidence in the Attorney-General. I am told that, during the course of the interview, reference was made to the fact that I had mentioned my intention to move amendments to the Education Act so as to prevent homosexuals promoting their life style in schools, if the Government would not do so. I believe the Leader accused the Liberal Movement, and me, of doing an about face on this matter, and instanced the fact that the L.M. members in the Upper House did not support amendments to the Bill when they were moved by a Liberal there. I want to make clear in this explanation that we, and certainly I, have not altered our views on this matter, and what the Leader said last night was a misrepresentation of our view.

The amendments were opposed for two reasons. First, we were assured by the present Attorney-General that he meant what he said during his second reading speech (and I need not say what he said). He did not qualify that statement in conversation with us, but he has now admitted that he does believe homosexuals should be allowed to speak to social studies classes, or similar. There is now no doubt in my mind that he said what he did to ensure the passage of the Bill. The second reason is that, while we agreed with the aim of the amendments, we believed (and I still believe) that such amendments should not be in the Criminal Law Consolidation Act but in the Education Act, and it is the latter Act which I propose should be amended.

MURRAY RIVER SALINITY

Mr. ARNOLD (Chaffey): I move:

That, in the opinion of this House, the Control of Waters Act should be amended to provide a Water Resources Advisory Council to advise the Minister on salinity control in the Murray River, and the management of water resources in general.

The SPEAKER: Order! There is far too much cross-questioning and cross-examination going on.

Mr. ARNOLD: There is no doubt that water resources are the key to South Australia's future development. There is no way in which this State can develop unless we exploit to the full the potential of water storage and water resources in this State, whether they be the Murray River, underground waters in the South-East, waters in the catchment area of the Mount Lofty Ranges or artesian waters in the North of the State, whether they be for primary production, town development throughout the State, agricultural purposes, or to provide an assured water supply to the metropolitan area of South Australia. During the 1967-68 period of drought the Adelaide metropolitan area depended on the Murray River for about 70 per cent of its water supply. The development of water supplies and water resources in this State is probably the most essential item we must consider in the future development of this State. The need for a water resources council is widely accepted throughout South Australia, especially at this time when we recognise that we are about to enter into a period of extreme flood conditions in the Murray River. The Minister has said today that in January, 1976, South Australia could be faced with the second-worst flood on record.

Not only will this create problems at the time, but we are all well aware of the problems that immediately follow a major flood in South Austarlia. There is nothing strange about that: we know the reasons for it because we know the history of the Murray River and the fact that the Murray River flood plains carry a heavy salt load. During flood periods when the flood plains are covered, the salinity following the flood drains back into the river proper. As the waters recede and the pressure comes off, the water is allowed to drain back into the river proper and it brings back with it many thousands of tonnes of highly saline water. This problem is accentuated because, as soon as the river flow ceases and the locks are installed, the dilution flow of the Murray River is low indeed, and it is essential that immediately following periods of flood in South Australia we have sufficient water storage available to be released in a controlled way so as to control this natural drainage of saline water back to the Murray River. There is no way to stop it; the only thing that can be done is to have sufficient dilution flow to carry the salinity through the Murray River system in South Australia and out to sea.

Immediately following the flood conditions earlier this year a serious salinity problem developed in the Murray River in this State because there was no dilution flow to control the inflow of highly saline waters. Following a deputation in January from irrigators from the Riverland to the Minister of Works, he agreed to release water from Lake Victoria in an attempt to reduce this high salinity level in the Murray River. This was extremely successful and reduced the salinity level in South Australia by up to 500 electrical conductivity units. This brought the river water in South Australia back to an acceptable level of

salinity that could be handled by fruitgrowers and water diverters. Unfortunately, within two or three weeks of releasing that water the department decided to close off Lake Victoria when about 20 per cent of its capacity had been released into the Murray system. In closing off Lake Victoria, it also diverted the majority of the river flow heading for South Australia back into Lake Victoria to replenish the 20 per cent that had been used as a dilution flow in this State. Unfortunately, that action created a far worse situation than we had before the release of water from Lake Victoria, because not only did we lose the flow from Lake Victoria but we also lost the natural flow that was coming from the Eastern States to South Australia, so the river flow was far less following that action than it was before the release of water from Lake Victoria.

In the event of a water resources council being established, much of the responsibility for such action could be taken off the shoulders of the Minister because, if the representation of this advisory council was broadly based (representing all areas of activity of industry throughout South Australia), much of that responsibility could and would be accepted by the advisory council. This is not the first proposal for the Government to set up advisory councils to advise the Minister and to accept responsibility on behalf of the industries concerned. The Irrigation Act provides for advisory boards within the Lands Department's irrigation systems, and it is the responsibility of the advisory boards, which comprise lessees and fruitgrowers in the area concerned, to determine the starting dates of irrigations. In so doing, the responsibilty of setting the date is taken away from the department and off the shoulders of the Minister. If the dates set are wrong, and a considerable loss of crop or damage to plantings in the area results, the department and the Government are not responsible: the responsibility rests with the growers concerned, because they are members of the advisory board and it is their responsibility to decide matters on behalf of fellow growers.

A waters resources council would accept the same sort of responsibility. There is no doubt that, when the Minister agreed to the release of water from Lake Victoria, he accepted much responsibility in doing so. His action was supported strongly by fruitgrowers in the Riverland. It was a calculated risk, because there was no guarantee that further rain would fall to replenish water that had been released. The growers, together with the Minister, were willing to accept that gamble and take a chance, because it was a matter of losing their permanent plantings either then or in the future.

If such an advisory council were established, it would provide the Government with the necessary support it required to make decisions at critical times such as those to which I have referred. The water resources council would have the responsibility of advising the Minister purely not only in relation to water quality and salinity control but also in other areas of Murray River management. It is of the utmost importance that, during periods of above-average water flow (especially during winter months), the lock level (or pool level, as it is commonly called) should be reduced whenever possible by about ·9 metres to 1·2 m for about three or four weeks. This would enable the build-up of highly saline water that accumulates in the backwaters and swamps along the Murray River to be drained into the main stream and flushed through the river system and out to sea.

The need for this action is that, during summer months (when the critical irrigation period is in progress), it is necessary to ensure that river water is of the highest quality and the best possible water that can be pumped and made available in the river systems of this State. Naturally, if we are to lose lock or pool level at this critical time, the water in the swamps and backwaters will drain back into the river proper and we would be pumping that water during the critical period. If action was taken whenever possible during the winter months to drain as much of the backwaters as possible into the main stream and out to sea, it would be a safeguard in preparation for the intense irrigation period during the following summer months.

In the region between lock 3 and lock 4, this action is important, because, in that area, is Lake Bonney, which averages a salinity level of between 2 000 and 4 000 parts a million. If pool level is lost at lock 3 during the critical period, water will drain from Lake Bonney into the river proper. This water will be pumped lower down the river, especially at Waikerie, where there are large citrus properties that are susceptible to high salinity levels. On two or three occasions in recent years the Government has agreed to this practice and has not only provided safety measures for irrigators in the Waikerie area but has also considerably improved the quality of water in Lake Bonney.

Because Lake Bonney is a major tourist attraction in the Riverland, it is also a valuable economic part of the area, and the quality of water in the lake is essential to the area's future. Regarding the Cooltong, Chaffey and Renmark area, I foresee that the advice given by representatives of a water resources council would be of immense value to the Minister in relation to problems that could arise in Ral Ral Creek, which provides water for the Cooltong and Ral Ral divisions of the Lands Department irrigation area. In recent years, much difficulty has been experienced with high salinity levels that have been far greater than levels recorded in the river proper.

Lake Merreti is a small lake, but it contains sufficient water following a flood to provide the Chaffey and Cooltong irrigation areas with two good irrigations immediately after a flood. Had the control gates been reinstated on Lake Merreti in the past two or three years, the problem of high salinity immediately following a flood in the areas referred to would have been reduced immensely. Whether it is possible even now, with the expected flood approaching South Australia, to install control gates (which would be a small job), I do not know, but we would have at least two good irrigations immediately after the flood passed. If action could be taken even at this late stage, we could alleviate what will soon be an extremely serious problem. The work could be done at a minimal cost to the Government, and I therefore urge the Government to act immediately on this matter, because there will be enough problems immediately after the flood without having problems that could be resolved at comparatively small cost to the Government.

As far as general water quality is concerned, people are facing enormous problems in marketing their products, not so much in Australia but on the world market in Great Britain and the traditional markets of Europe. If sudden peaks of salinity are experienced, permanent plantings of citrus, vines and stone fruit will be affected not only in the long term but also now. The size of fruit can be retarded in such circumstances. Unless peaches and apricots are of a certain size, they are unsuitable for canning for oversea markets. This is a further critical problem we face when marketing our products overseas. As well as the decline in the crop and the total productivity of the area, as a result of poor quality

and high salinity, we are stopped from marketing products overseas. I commend the motion to the House and hope that, in the interest of water quality and the development of water resources in South Australia, a water resources council will soon be established.

The Hon. J. D. CORCORAN (Minister of Works): The honourable member and other members are well aware that the Government has for about three years been engaged on a course that will lead eventually to the introduction (I hope before the end of this session) of a Bill to provide for the management and protection of this State's water resources. Although the honourable member has said that the Control of Waters Act should be amended, I point out that that legislation will be replaced by the new legislation, included in which will be a provision for an advisory council to be set up on a State-wide basis. It will be a high-level council, to which the Minister will have the opportunity of referring any matters he considers necessary for its examination and recommendation, and it will be able to take initiatives in its own right. In addition to the advisory council, regional councils will be established throughout the length and breadth of the State, and they will be responsible for transmitting local knowledge and advice to the advisory council. That, in turn, will be fed back to the Minister and his officers so that final decisions can be made.

In the light of that, I imagine that the honourable member would be satisfied that the matters about which he spoke in moving his motion will be given due recognition and attention. There is no doubt in my mind that local knowledge can indeed be valuable, although sometimes it can be slightly exaggerated: I suppose that is inevitable when vested interests may be involved. However, by and large, I think that it can generally be said that the information given by people who have had many years of experience in their field in a certain region is valuable information. I have, as the honourable member has stated, seen many examples of this. He cited one that occurred not long ago following last year's flood, when a request was made by a deputation comprised of people from the region he represents who would have been affected in a marked way and who could have suffered the loss of permanent plantings. I think that the member for Light was also a member of the deputation. The impression made on me by people from that region assisted me greatly in making the decision I made on that occasion to ask the other States to allow us to borrow water under the River Murray Waters Act agreement.

As the honourable member has already pointed out, that was a calculated risk but one that paid off, because rains later in the year obviated the need to pay back the water. That was a valuable exercise for me, and I think it will be looked at closely in future years, particularly now that we are aware that there will be floods in late November and early December, and again in January. It is obvious to me that a similar problem will arise some time after the floods (which I hope can be avoided) but, as the circumstances are similar, we will be faced with a similar decision again next year. As the honourable member has pointed out, an advisory council could help to relieve the burden placed on my shoulders. It is not much good the Minister's saying, "I took heed of the local people"; it is much more valuable if he is able to say, "I acted on the advice of the advisory council," which would in the view of many people be better qualified to give that advice. I am concerned as is the honourable member and other honourable members that the major water resource on which South Australia relies so much be given all possible protection.

I have been critical in the House before today (and I am critical again today) of the length of time that has elapsed in trying to achieve some agreement among the other States and the Australian Government in connection with the broadening of the powers of the River Murray Commission. Whether it be the powers or functions of the commission, I think that, as a first step, we will have to be satisfied with a broadening of the commission's functions rather than of its powers to ensure that we can control quality as well as quantity in the Murray. I think, by and large, I can say that the commission has performed a satisfactory job within the terms of the River Murray Waters Act agreement with regard to the control of quantity. However, I believe it is imperative that we get down as quickly as possible to an extension of the commission's functions so that the matters about which the honourable member has expressed alarm today (and quite rightly), salinity being the major problem, may be discussed so that we can do something not only within our State borders but also within the borders of the other States. As we are at the bottom end of the system, we suffer because we are in that position.

I do not think we are at odds on this matter. I think this matter should be put above politics and that both the Opposition and the Government should be striving to do everything they can to ensure that these things happen. It may be of interest to the honourable member to know that later today I will leave Adelaide for Canberra, where tomorrow morning at 9.30 there will be a meeting of the steering committee, which was established about three years ago by the Prime Minister and the Premiers of New South Wales, Victoria, and South Australia. The steering committee is comprised of the Ministers from those three States and the Australian Minister for Environment, and at that meeting we will be considering recommendations of a working party comprised of technical officers involved in water protection and management. It will be our responsibility to examine those recommendations tomorrow and see whether or not we can find a beginning or some common ground on which we can extend the commission's functions (preferably its powers, but I think that we will have to take the first step first), so that the commission may study the problems and make recommendations to the various States, even if it does not have the power to implement them. As members know, States jealously guard their riparian rights in this matter (and rightly so), and they will not lightly let them go.

We usually talk of powers and functions as being two entirely different aspects and, if we can broaden the commission's functions, I am sure that there will be sufficient co-operation between the various States involved and the Australian Government to ensure that we get better control of quality in the Murray River than we do at present. This is a vital matter, and I do not want the member for Chaffey to think that I am spiting him, but I think the Government ought to be given due credit for the steps it has taken to reorganise the establishment of the Water Resources Branch within the Engineering and Water Supply Department and for the moves it is making towards introducing the Bill, which will be a voluminous document. It involves much drafting and work. I move:

To strike out all words after "House" and insert "the Government should be commended on the steps it has taken towards the introduction of a Bill to protect and manage the water resources of South Australia".

Mr. Arnold: That's sick.

The Hon. J. D. CORCORAN: This has happened, and the honourable member knows that. I am not denying his right to say that it should have happened before, and that it should happen as quickly as possible.

Mr. Arnold: You said this wasn't political.

The Hon. J. D. CORCORAN: The honourable member has moved his motion so that, when I introduce the Bill, I hope next February, he will be able to say that he urged the Government to do this. I expect the House to commend the Government on the steps it has already taken in relation to introducing the Bill next February. We have a common task, and we can get on with the matter. There is no need for us to snipe at one another. I want to get through to the honourable member that the Government has not been slack in this area, and that it is not an area in which one can move quickly. So many factors were involved. Not only that, but also three different departments were involved, all of which had their hands on the parts that they wanted to continue operating. I refer to the Mines, Health, and Engineering and Water Supply Departments. It took much time and negotiation to obtain agreement on who would be the controlling Minister and department.

The member for Torrens would be aware of the moves that were made in this respect over many years, because certainly this matter has been discussed for that time. I am pleased that I have been able to play a fair part in getting the matter off the ground, I hope by next February, getting it agreed to in the House, and seeing it work as I would like it to work, so that we have a more effective control and management of our resources. They are extremely vital to us in this State, and every resource that we have, no matter how small or where it is, should be properly managed and protected. That will be the aim of the Bill to be introduced, I hope, later in the session. I ask the House to support my amendment.

Mr. GOLDSWORTHY (Kavel): I do not intend to speak at length on the Minister's amendment, which I want slightly to amend so that this matter can be put in its correct perspective. I move:

That the amendment be amended by striking out "Government" and inserting "Opposition"; and by striking out "towards" and inserting "to hasten".

I move this amendment in all fairness and to get the record straight. The Government is trying by its amendment to pat itself on the back regarding a matter that was initiated last year in a motion moved by the member for Chaffey.

The Hon. J. D. Corcoran: We've been working on this for five years.

Mr. Arnold: And got nowhere.

Mr. GOLDSWORTHY: This matter was initiated by the member for Chaffey, and this has hastened the Government into taking action, as we have seen happen so often before. I refer, for instance, to the matter of free flow in the Murray River that was initiated by the member for Chaffey. Before long, the Government had grabbed the idea and promoted it as its own idea. I have moved the amendment to the Deputy Premier's amendment so that the praise for its implementation, if there is any praise, is given in the right direction. It should be bestowed on the Opposition, and particularly on the member for Chaffey, who has done his best to push the matter along.

Dr. EASTICK (Light): I second the motion *pro forma*.

Mr. ARNOLD (Chaffey): I appreciate the remarks made by the Deputy Premier during the debate, especially his statement that this is not a political issue. Indeed, it is beyond being a Party-political issue. Unfortunately, the amendment moved by the Deputy Premier when closing his remarks completely negated what he had said earlier.

The Hon. J. D. Corcoran: No, that's a fact, though.

Mr. ARNOLD: Members know that we have been striving to achieve something in the area, which has now been determined: that there should be a water resources advisory council so that it can assist the Minister in his work. As the Deputy Leader said, the Opposition during the last Parliament advanced the thought, by way of a motion, that an advisory council should be appointed. At the opening of this session of Parliament, the Government came out with the suggested appointment of a water resources council. That is the first time that the Government has mentioned—

The Hon. J. D. Corcoran: I'll show you the docket.

Mr. ARNOLD: I accept that the Government has, unfortunately, been working in this area for five years. I say "unfortunately", as it is a pity that we did not reach this stage about three years ago. It is a disaster for South Australia that it has taken five years to reach the point at which we are near to introducing a Bill of this kind. Up until the opening of Parliament for this session, the Government had not said how it would achieve this end. Nor did it refer to the possibility of making use of people in the community on, say, a water resources advisory council. Unfortunately, the Minister's amendment indicates that he has brought politics back into the matter.

Mr. Goldsworthy: We've got to get the politics right.

The SPEAKER: Order!

Mr. ARNOLD: Unfortunately, the Deputy Premier has lost the goodwill with which the motion was originally moved.

The House divided on Mr. Goldsworthy's amendment:

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

Noes (23)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran (teller), Duncan, Dunstan, 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.

Amendment thus negatived.

The House divided on the Hon. J. D. Corcoran's amendment:

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

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

Amendment thus carried; motion as amended carried.

EMERGENCY FIRE SERVICES

Adjourned debate on motion of Mr. Gunn:

That, in the opinion of this House:

(*a*) the Government should immediately proceed to build new headquarters for the Emergency Fire Services;

(*b*) that the Director of the E.F.S. be given more staff and facilities for the coming fire season; and
(*c*) that the Government immediately introduce the proposed Country Fire Services Act.

(Continued from October 15. Page 1357.)

The Hon. J. D. CORCORAN (Minister of Works): During the past few months there has been much public misrepresentation of the Government's attitude towards the Emergency Fire Services, and in most cases this has been done as a purely political exercise in order to try to embarrass the Government. There is no doubt that members opposite must take the blame for constantly adding fuel to a controversy that should never have begun. In doing this, of course, they have scandalously undermined the morale of the E.F.S., and contributed to a potentially dangerous atmosphere of divisiveness between the different fire-fighting services. I want to make it perfectly and abundantly clear that the present voluntary system in the E.F.S. has the complete backing of the Government.

Mr. Goldsworthy: Who wrote that?

The Hon. J. D. CORCORAN: For the honourable member's information, I can write as well as read. Our backing has been reiterated on many occasions by the Minister of Agriculture, yet the misleading and damaging inuendoes about the future of the E.F.S. continue.

I will further stress this point by stating that the Government has no intention of incorporating the voluntary fire-fighting services into a single fire-fighting body. The E.F.S. will continue as a separate fire service. There will be no merger between the State fire-fighting services; I hope that is perfectly clear. Members will be aware that a committee has been established to report on South Australia's fire prevention and protection services. The committee has been asked to investigate and report on: first, the study of a report of a working party into the operation of the Emergency Fire Services and the Dunsford report into the South Australian Fire Brigade; secondly, the necessity for and feasibility of one authority to have planning control of the separate fire services; and thirdly, the desirability of such an authority under the jurisdiction of one Minister.

I stress the second point of the terms of reference of this committee—the necessity for and feasibility of one authority to have planning control of the separate fire services. While examining the necessity for and the feasibility of one authority to have planning control, it is emphasised that such control, if thought feasible and necessary, would be of separate fire services. The Government has one thought in mind in the establishment of this committee and that is to provide South Australia with the most efficient fire prevention and fire protection service possible.

Although the State's E.F.S. and Fire Brigades Board have both been subjected to separate investigations, there was an urgent need to consider whether both services should have an integrated planning authority, and also whether such an authority should come under the jurisdiction of one Minister. The committee is not examining the present structure of the E.F.S., in which the Government has the fullest confidence, but I think members will agree that the present fragmented situation in which three Ministers (that is, the Chief Secretary, and the Ministers of Local Government and Agriculture) have responsibility for the fire services is unsatisfactory. The present examination could well lead to a rationalisation of Ministerial responsibility for the fire services. An indication of the Government's desire to receive urgent answers to these questions is the instruction given by the Minister of Agriculture that the committee should furnish him with an interim report within the next month. That answers the member for Kavel.

The member for Eyre raised the matter of the introduction into Parliament of the proposed Country Fire Services Act. I can assure him that the legislation is ready, and hopefully it will be introduced in this House as soon as possible after the committee has made its initial report. On the question of new headquarters for the E.F.S. at Keswick, I can report that the land has been purchased, preliminary plans have been approved by the Public Works Committee, and construction will begin as soon as it is practicably possible.

Mr. Wotton: When will that be?

The Hon. J. D. CORCORAN: As soon as it is practicably possible. If the honourable member had any experience in Government he would know what that term does mean. There are certain things such as finance, priorities, and everything else involved.

Mr. Venning: You have had the land bought for a long time.

The Hon. J. D. CORCORAN: Yes, we have. We had a lot of trouble in getting it, as the honourable member might be aware. It was not easy to get that from the Railways Commissioner at the time.

Members probably will be aware that I gave an assurance at the recent opening of fire prevention week that a sophisticated radio network costing about $12 000 would be installed at the present E.F.S. headquaters in time for the coming bush fire season. The network will include very high frequency portable mobile radio sets, a number of hand phone radios, and a high frequency single side band transceiver for use in a mobile radio control vehicle. It will enable the headquaters to establish and maintain much more effective control of units in fighting outbreaks of fires. I am also informed that negotiations are proceeding as a matter of urgency for the appointment of an additional officer to the headquaters staff.

From the foregoing it will be seen that the Government has the interests of the E.F.S. fully at heart. Much play has been made by members opposite, and by other mischievous individuals, about the resolution adopted at this year's A.L.P. conference. To clear the air, I will give the terms of the motion adopted at that conference, as follows:

That the State Government establish a committee of inquiry into all aspects of organisation and control of South Australia's fire prevention, fire protection and fire-fighting services. Such committee to be given terms of reference designed to recommend to the Government necessary legislation which will provide the most efficient fire safety standard for the people of South Australia.

That motion was moved by Mr. R. Overall, Secretary of the Fire Fighters Association, and it was adopted by the State Conference. Following that resolution, the Labor Party's rural policy, announced before the recent State election, stated clearly that the Government would proceed with its plan for the reorganisation of the E.F.S. into a highly co-ordinated modern voluntary fire-fighting service. At no stage, either in the resolution or in the subsequent rural policy of the Party, was there even a hint that the E.F.S. would lose its voluntary status or its present position as a separate fire service. The present system of subsidising expenditure by the E.F.S. organisations and local governing authorities on fire-fighting equipment will continue.

I hope that what I have said today will finally clear up any doubts that may have been held on the future status of the E.F.S. Members opposite can be assured that the future of the E.F.S. as a separate and voluntary fire service is secure. The Government's sole intention in setting up the present committee of investigation is to ensure that South Australia has the most efficient fire prevention and fire protection services possible.

In order to put the record straight and following what I have said, I move:

To strike out all words after "House" and insert:

(*a*) the Government has the fullest confidence in the E.F.S.;

(*b*) the Govenment will maintain the status of the E.F.S. as a separate entity; and

(*c*) the Government will build new headquaters for the E.F.S. as soon as is practicably possible.

Dr. EASTICK (Light): I believe that the Minister, in his tirade against members on this side, has indicated the Government's subservience to people outside the Government. I accept that some of what is suggested in the amendment (copies of which members on this side have not yet received) appears to be reasonable, but in saying that I do not want to suggest that the original motion of the member for Eyre is unreasonable. I believe he has highlighted a real concern existing throughout South Australia for the continuance of a service that has been of tremendous advantage to the community at large. It has more than proved its worth; indeed many of the people who make themselves available for the purpose of emergency fire-fighting do so at their own expense knowing full well (and this applied more in the past than it applies at present) that they were not necessarily covered, nor were their families likely to be recompensated, for injury or death that might have followed the services they gave to the State.

The number of committees set up to consider this matter in recent years is scandalous, because experts within the field of community services in this area made themselves available at Government invitation and expense when they went to other States to seek the most up-to-date information, which was necessary to ensure that the E.F.S. in South Australia continued to be in the forefront of this type of activity. They were able to capitalise on the recent experiences of the Tasmanian people, and they were able to obtain details from the Victorian and New South Wales services to help them advance the cause in this State. They made representations to the Government, and were given to understand that their recommendations were totally satisfactory to the Government, and yet a Johnny-come-lately in the person of the secretary of the Fire Fighters Association interfered in the affairs of the E.F.S., and this has done that association no credit. This has held back the necessary guarantees to the people of this State who make themselves available for the E.F.S., and I believe that the Government must stand condemned for its lack of activity in this area.

I asked for the opportunity of seeing the Minister's amendment, because I believed every member on this side would want to support the fact that the Government, indeed the Parliament, has the fullest confidence in the E.F.S. There has never been any suggestion by members on this side that they have not had such confidence. It is gratifying to find the Government will maintain the status of the E.F.S. as a separate entity, but that decision could have been made several years ago. The Government is putting off the vital issue when it says it will build the new headquarters as soon as is practicably possible. This delay has probably something to do with the Government's inability to obtain the degree of funding from its Commonwealth colleagues it has always said it would be able to obtain from the Government of its own political persuasion in Canberra. The amendment, although it is supported totally by members on this side, seeks to defeat the purpose of the original motion. I believe it would be more in keeping with the true spirit of interests of members if both the motion and the amendment were passed.

Mr. GOLDSWORTHY (Kavel): The amendment of the Deputy Premier does not make much sense to me. This is an amendment to the motion moved by the member for Eyre, and it appears to me that it has been drafted in haste. If passed, part of the motion would read:

That in the opinion of this House the Government will build new headquarters for the E.F.S. as soon as is practicably possible.

Obviously the Deputy Premier has not given the requisite amount of thought to the wording of this amendment. It is a hurried attempt by the Deputy Premier and the Government to try to save face, and in doing so the Deputy Premier has seen fit to accuse the Opposition of all sorts of wrongful practices, accusations that are unjustified. We do not have time to go into the intricacies of the English used in this amendment, which is an attempt on the part of the Government to try and dispel some of the fears that have arisen within the ranks of the E.F.S. The initiative was taken by the Opposition, which has never had any doubts about the efficiency of the E.F.S., but because of the clumsy way the Government has framed its amendment the situation will not be completely covered. The Premier himself must confess that it is nonsensical for the amendment to state:

That in the opinion of this House the Government will build new headquarters for the E.F.S. as soon as is practicably possible.

The Hon. D. A. Dunstan: There is nothing ungrammatical about that.

Mr. GOLDSWORTHY: Another part of the amendment is "That is the opinion of the House the Government has the fullest confidence in the E.F.S." If we are being asked for our support, we have grave doubts about the attitude of the Government towards the E.F.S. in view of the debates that took place at the annual convention of the Australian Labor Party. To ask us to support an amendment that the Government has the fullest confidence in the E.F.S., when there is little evidence of that confidence, cannot be accepted, and I will therefore press on with an amendment. Part of my amendment will be to provide:

. . . this House support the Government in maintaining the status of the E.F.S. as a separate entity.

I will not deal with the third part of the Minister's amendment, because I do not know how it can be improved. It is pleasing to note that the Government has at last come to its senses about this matter. The Minister's amendment does not improve the motion, but shows that the Opposition has been pressing the matter for some time.

Mr. Wotton: What about staff facilities, have they been mentioned?

Mr. GOLDSWORTHY: No.

Mr. Mathwin: It's a complete farce.

Mr. GOLDSWORTHY: Yes. An amendment would slightly improve the situation, so I move to amend the Minister's amendment as follows:

In paragraph (*a*) to strike out "Government" and insert "House"; and to strike out paragraph (*b*) and insert the following new paragraph:

(*b*) This House support the Government in maintaining the status of the E.F.S. as a separate entity.

Mr. VENNING (Rocky River): I commend the member for Eyre for moving the motion. The Minister has clearly stated what is the position as far as the Government is concerned in relation to what Mr. Bob Overall, Secretary of the Fire Fighters Association, wishes to achieve in South Australia. The motion has forced the Government to state just where it stands on this matter. I also commend to the House the amendment moved by the member for Kavel to amend the Deputy Premier's amendment.

The Hon. D. A. DUNSTAN (Premier and Treasurer): The Deputy Leader says that his amendment improves the meaning of the motion; in fact, it does not do so. He complains about the Deputy Premier's amendment. Maybe there is a slight ground for complaint, but the motion, as amended by the Deputy Premier, is at least grammatical. What the member for Kavel does in his first amendment is to introduce a gross tautology. The Deputy Premier's amendment is much better.

Mr. GUNN (Eyre): I am pleased that the Government has had the courage at least to make a positive statement about what it has in mind for the future of the E.F.S. in South Australia. During the past few months the Government has failed to inform properly members of the E.F.S., who are concerned about the future of that organisation. The Deputy Premier has the audacity to accuse members on this side of the House of undermining the confidence in the authority of the E.F.S. If anyone has undermined that confidence it is the Government which, in its actions, is under the direct domination of people who sit on South Terrace. That is why the morale of the E.F.S. has been undermined. About 18 months ago, when I had the pleasure of opening an E.F.S. demonstration day in my district, members of that organisation complained to me about the Government's inactivity in this matter. The Deputy Premier, in the first part of his amendment, states:

(*a*) The Government has the fullest confidence in the E.F.S.

Who set out to undermine that organisation? It was the Government and the trade union movement. The second part of the Deputy Premier's amendment states:

(*b*) The Government will maintain the status of the E.F.S. as a separate entity.

The only people who have attempted to amalgamate the fire-fighting services of this State have been supporters of the Government. The third part of the Deputy Premier's amendment states:

(*c*) The Government will build new headquarters for the E.F.S. as soon as is practicably possible.

Does that mean next week, next year or in 25 years? Judging by the Government's activities, it could be never. That amendment tells us absolutely nothing. The Government will carry the amendment by the sheer weight of numbers. We are aware of that, but at least the exercise has enabled members of the E.F.S. to have a little more confidence in what the Government has in mind. I sincerely hope that the Government will get on with the job of maintaining the E.F.S. as a viable and strong organisation which has protected country areas for many years and which has, in my opinion, been given rather poor support by this Government.

It is a voluntary service, and that is what the unions and this Government do not want. We have had a clear example from the Deputy Premier today about what the Government thinks of people who wish to express their views or to operate by themselves. We know the Government believes that people should be compelled, directed and regimented. I sincerely hope that the House will accept the amendment moved by the Deputy Leader. I am disappointed that the Government has decided to amend my motion. However, I see little point in opposing the amendment.

Mr. Goldsworthy's amendment to the Hon. J. D. Corcoran's amendment negatived.

The Hon. J. D. Corcoran's amendment carried.

Motion as amended carried.

STAMP DUTY REBATES

Adjourned debate on motion of Mr. Evans:

That, in the opinion of this House, the Liberal Party policy which would allow rebates, to a maximum of $300, for stamp duty on the purchase of a first home, should be immediately implemented by the Government, so that this major unnecessary financial burden for young people attempting to own their home can be removed.

(Continued from October 1. Page 997.)

The Hon. D. A. DUNSTAN (Premier and Treasurer): I intend speaking briefly to the motion, because I understand the honourable member wants a vote to be taken on it. The motion is in line with a Liberal Party election policy and, to some extent, I suppose it has made an attempt to cost its election promises. Before the recent election, the Government made absolutely clear what were the areas of taxation concession that could be agreed to and the State still be able to provide the financial situation that was forecast in my election policy speech, that is, that South Australia would have a balanced Budget this year and be able immediately to put $26 000 000 to reserve and, hopefully, put some additional money in the bank. That is necessary because, if a projection from last year's experience were to occur in the next financial year, without reserves we would be faced with considerable increases in taxation. We would be able to get through this year, but it is necessary for us to keep substantial reserves as against next year's escalation, when there will be no carry-over effect of any increases in taxation.

In these circumstances, the Government was careful in costing its proposals and said that the concessions in taxation measures would be confined to those proposals. We had in view the possibility at that time, although we were not able to promise it because at that stage there had not been an agreement between the States, of a further remission in pay-roll tax. That provision has been promised to the House, and I shall be introducing the Bill tomorrow. We are not able to go further. No doubt the honourable member sees this measure as being attractive, but I point out that the Government has undertaken considerable proposals in South Australia which make it possible for people to achieve housing in this State through the assistance of the Government at a rate very much lower than that in any other city in Australia.

Mr. Goldsworthy: Is that right?

The Hon. D. A. DUNSTAN: Of course it is right. It is happening only because of the policy of the Government. The Government is providing more than twice the level of bank assistance at concessional interest rates a head of our population than is the case in any other State. The Government is providing far more a head through the governmental housing assistance of the Housing Trust than is any other State. South Australia has the Lands Commission in operation; it has stabilised land prices, and that is expenditure of the Government, provided to keep housing prices down. In those circumstances we cannot make further concessions in this area, and I do not propose that the House should agree to the proposal of the honourable member.

Mr. EVANS (Fisher): Because of the shortage of time and previous comments on this matter, I did not complete my remarks. I had no wish to go on today, because of the time factor. I am disappointed that the Premier is not willing to accept the motion. This State has always had a cost factor, in relation to housing, lower than that in any other State. That is to the credit not only of this Government but of past Liberal Governments in South Australia. The pattern was set. The Premier knows that, and he should give due credit. The Premier did not say how much the $300 concession would cost, because it is not significant in the total State Budget, and he knows that. It could be carried by this State quite easily.

It is quite wrong for the Premier to suggest that young people today do not face a major problem in buying a house. He should remember that those people who contract for a house to be built do not pay stamp duty on the cost of the house, but young couples, forced quite often to buy houses built for sale or established places, face that commitment. We are talking in this case of excepting only the first $300. The person who contracts to build does not meet that commitment, and it must be remembered that people in that position are not usually struggling young couples but people who are established in life, who have been able to plan their living to a greater degree, or who are in a better area of affluence.

We are trying to help the group of people who must buy houses, not of a high standard, built 30 years or 50 years ago. They are forced into that position because of the economic situation brought about through the Commonwealth Government, yet the Premier says we should not be concerned with them. He knows that the cost in the past has always been lower in South Australia than in any other State. We have not got that benefit today for young people, because our costs are catching up with those of other States. Although I know the Premier realises that, he will not admit it. I am disappointed that, leading his Government, he is saying to young people who want to buy their first property that they do not deserve a concession of $300 on the first stamp duty. This is virtually the cost of one room of very average furniture for a young couple, but the Premier denies people that by knocking out this motion, admitting, by his non-statement, that he knows that the overall cost to the State would be very small indeed. I am disappointed that he is willing to lead his colleagues down that path, saying to young people struggling to buy a house, "We do not consider you are worth the $300 relief from stamp tax." I ask honourable members to support the motion.

The House divided on the motion:

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

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

Pair—Aye—Mr. Nankivell. No—Mr. Corcoran.

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.

Motion thus negatived.

CADET CORPS

Adjourned debate on motion of Mr. Mathwin:

That this House disagree with the decision of the Commonwealth Government to abolish all Army Cadet Corps in Australia, because it will take away from the youth of Australia another opportunity to develop self-confidence and responsibility; and calls upon the Commonwealth Labor Government to rescind its decision to abolish School Army Cadets forthwith.

(Continued from October 8. Page 1191.)

Mr. MATHWIN (Glenelg): I thank members for the interest they have shown in this motion. Since it was moved, the Air Cadets and the Navel Cadets have also been axed by the Commonwealth Government. I express my disappointment at the contribution made by the Deputy Premier, who, as an ex-military officer, should realise the importance of the Army Cadet Corps and the effect the abandonment of the corps will have on people. It seemed to me that the Deputy Premier's main criticism of the corps related only to its military value: he failed to consider the other matters for which the corps is well known. The corps has been of great benefit to the country. At page 1189 of *Hansard*, the Minister said:

I want to let the honourable member know that the Commonwealth Government's decision was not based on wishy-washy information. The matter was considered by the Defence Force Development Committee (the most authoritative source of advice available to the Minister for Defence on defence capability matters) . . .

I remind the Minister that the most important report to the Government is that of the Millar Committee of Inquiry into the Citizen Military Forces. It was published in June, 1974, so one could not call the report an old report. I refer members to page 2 of the report, which states that one advantage of the cadet corps is as follows:

To develop qualities of leadership, citizenship and self-reliance in a framework of military activities.

The report defines the framework of military activities as meaning "in a disciplined environment". That may be one of the reasons why the Government has opposed the motion. Page 19 of this important report (which I believe the Deputy Premier failed to read) contains certain questions used in determining community attitude towards the cadets, and the following results are given:

Are you for or against cadet training for boys at school? For, 76 per cent; against, 18 per cent; and no opinion, 6 per cent.

The report also states that girls should be included in military cadet training and, in this respect, the report states:

Are you for or against cadet training for girls at schools? For, 56 per cent; against, 37 per cent; and no opinion, 7 per cent.

These results show that most people were in favour of cadets. As reported at page 1191 of *Hansard*, the member for Semaphore, when speaking about the Opposition, said:

They are also the first to complain that firearms are available to teenagers who can wreak destruction on mankind. Also, they are the first to try to instill fear into the community that Australia will be overrun by hordes of invaders from Asia . . .

Regarding firearms, the first thing on which army personnel instruct the cadets is the safety and proper use of firearms, and that should be common sense to anyone who wants to see farther than his own nose in this matter. Another honourable member who spoke to the motion was comrade Keneally.

The SPEAKER: Order! I ask the honourable member to withdraw that remark and use the expression "the member for Stuart".

Mr. MATHWIN: I will withdraw my remark and apologise. The member for Stuart showed no flair for the subject about which he was talking; indeed, he was well off the mark. It is only as a result of the men who were in action during the Second World War that he is here today in the freedom he enjoys in this House and Parliament and this great country of ours. May it rest on his head if he wishes to do the same kind of thing as one of his colleagues in the United Kingdom did (Ramsay MacDonald), who brought the United Kingdom's armed forces to their knees and who was responsible for the situation in the United Kingdom prior to the Second World War: he really caused a catastrophe for the Western World. I am most disappointed at the Government's attitude and express the concern of many people, both young and old.

I remind members that I was invited to the last ceremony held by the Sacred Heart College Cadet Corps, which has done a great job in this area, and it was a sad occasion, because people were there with regret. The cadet corps at that school has a marvellous record. Members of the Regular Army have supported me in moving this motion. The amendment moved by the Minister of Works only condones the decision of his Commonwealth colleagues to axe the cadet corps. In moving the amendment, the Government has failed to support the people whom it ought to support. I ask the House to consider my motion from the viewpoint of its worth to the State and the nation. I ask members to support the motion.

The House divided on the amendment:

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

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

Pair—Aye—Mr. Corcoran. No—Mr. Venning.

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

Amendment thus carried; motion as amended carried.

SUPERPHOSPHATE BOUNTY

Adjourned debate on motion of Mr. Gunn:

That, in the opinion of this House, the Federal Government should immediately accept the report of the Industries Assistance Commission which recommends the reintroduction of the superphosphate bounty.

(Continued from October 8. Page 1179.)

Mr. KENEALLY (Stuart): In opposing the motion, I should like to refer to the people who purport to be spokesmen for the primary producers. The whole debate about primary production would be much more useful to the industry if it was conducted without emotion and without irrationality. However, in explaining his motion, the member for Eyre was both emotional and irrational. I have been unable to see anything in his speech that justifies his moving the motion. I consider that he moved it merely to play politics at the expense of the farmer. He sought to use the farmer as the butt for playing politics. Of course, this in no way helps the cause of the farmer. The debate on primary industry should be based on reality, not on emotion. The following are some instances of pure emotion and irrationality displayed by the honourable member for Eyre (*Hansard*, page 1179):

All that is necessary is that the Commonwealth Government and this State Government accept their responsibilities. If those Governments put aside their socialist philosophy, which is aimed at destroying the free enterprise system and the family farming concept. . .

Referring to me, the member for Eyre said:

He knows nothing about agriculture and has a dislike for people in agriculture.

Dr. Eastick: You don't know anything about farming.

Mr. KENEALLY: For some reason or other, members opposite believe that one has to be a farmer in order to understand the problems of primary production. It is false for the honourable member to say that I know nothing about farming and that I have no regard for people in agriculture. My grandparents were the first settlers on the land north of Quorn. After farming the land for many years, they were forced off the land because of farming conditions in that area. My whole family background has been one of farming, so that argument is futile. This applies not only to me but also to many Government members whose background is in farming. We differ because the Government wants to have a rational debate on farming whereas the Opposition wants to have an emotional debate.

The honourable gentleman also said that the socialist philosophy was to break down the family unit. What absolute rubbish! It is democratic socialist philosophy to support the family farming unit. It is the uncontrolled free enterprise ethic that members opposite support that is the greatest threat to the farmer in this country. Small farmers cannot compete with the bigger interests that are gobbling up small units in this community. I refer to the Rundle Street farmers, about whom members opposite are complaining. To suggest that socialism is the enemy of farming is so ridiculous as to be absurd. The superphosphate bounty is a socialist bounty. It seems to me that the spokesmen for farmers, having tried out socialism in Australia in the last 20 or 30 years, like it so much that they object to anyone else participating in it. They like socialism, bounties and concessions, but these are all to be denied to everyone else.

Government intervention of any kind in industry is, to members opposite, an intervention against the free enterprise system. Therefore, it is socialistic. However, they cannot have it both ways. If they want subsidies, they must accept that they are a Government involvement and so, in a sense, socialistic. Government members support them where they are essential and where they can be justified.

Mr. Whitten: And where there is an area of need.

Mr. KENEALLY: That is so. I should now like to explain why the Government made its submission to the Industries Assistance Commission when it was decided that the superphosphate bounty should not be continued. The Government did so because it considered that the bounty ought to be continued until the commission brought down its final report. It also considered that any disruption in the industry would have adverse effects, as it undoubtedly did. The withdrawal of the bounty had adverse effects not only on primary producers but also on industries manufacturing goods used by those primary producers.

If the bounty was reintroduced now, subject to the final decision of the I.A.C., there would be another dislocation, and we would have a bust-boom situation. We are seeking a stable economy in primary and secondary industries. If the industry is given a subsidy and it is then taken away,

given back to the industry and taken away again, it does not enable those in the industry to plan. Indeed, this militates against stability, which I am sure all members would agree is needed in primary industries.

As Opposition members realise, distribution of the superphosphate bounty is inequitable, as 80 per cent of primary production in this country is controlled by 20 per cent of the farmers. This means that 20 per cent of farmers receive 80 per cent of the subsidy, and the 80 per cent of farmers who really need it get only 20 per cent of the subsidy. The subsidy has been in vogue for many years. Indeed, it has been paid since 1931, except for 16 years, when it was removed by a Liberal and Country Party Government in Canberra. It was removed on the last occasion by Sir John McEwen, when he was the Minister responsible. However, that was not a socialist plot. For some reason, because the industry was buoyant, it was justified. Now, when it is suggested that the cereal industry is buoyant, it is said to be unjustified.

I make the point that the majority of the subsidy goes to the minority of farmers, and those people who need superphosphate cannot afford it. The subsidy is $11·81 a tonne, and I understand that the cost of superphosphate is more than $60 a tonne. So, if farmers can afford to pay that $60 a tonne the subsidy is useful to them. However, if they cannot afford to pay the cost of superphosphate (and small farmers cannot afford it now), the subsidy is of no use to them, because they must pay $50 out of their own pocket to obtain the $11 subsidy.

Therefore, this militates against the small and marginal farmers. Rather than raise this emotional issue, and suggest that we should support the implementation of the subsidy, members opposite should do their industry a service and examine the matter rationally, and try to help farmers in difficulty perhaps to find means of finance or credit that are currently unavailable to them. The subsidy is inequitable also in that it goes to some farmers and not to others. Some South Australian farmers use it, whereas others do not, so those who use it obtain the subsidy. If a farmer has to decide his priorities, that is, whether to erect new fencing or to use superphosphate on his property, and he plumps for the former, he receives no assistance. It is therefore a discriminatory subsidy in that respect. Members opposite laugh at this, because they have not thought the matter through. However, the member for Mount Gambier is not laughing, because he understands what I am saying.

The superphosphate bounty is either a production or a welfare bounty; it can be no other. If it is the former, 80 per cent of the bounty goes to 20 per cent of the farmers, and most of the farmers, including those in the pig and chicken industries, do not get it. The cereal farmer is the major user of superphosphate in South Australia at present. He has had two extremely good seasons during which he has received record prices. I point out to members opposite that these record prices have been obtained because of the large demand in Russia and China. This has kept up world prices, as those countries are taking so much of the world's crops. Members opposite look stunned, because they do not realise this. I suggest that they follow it through.

This year, we have had another good year in cereal farming. Indeed, we have had three good seasons and, if the subsidy is paid as a welfare subsidy for farmers, they do not at present need it. There is no justification for it, and the position now is exactly the same as it was when Sir John McEwen removed the bounty previously. In the 1973-74 financial year, $69 000 000 was paid in superphosphate subsidies throughout Australia. It is estimated that, if the subsidy was renewed this year, it would cost only $30 000 000. This substantiates my point that fewer farmers can afford superphosphate. It has nothing to do with whether or not the subsidy is paid. However, it has much to do with the increase in superphosphate prices. Removing the subsidy would involve less than 30 per cent of that increased cost. The major reason for increased superphosphate prices relates not to the removal of the subsidy but to industry. If it were reintroduced, only the profitable, the large and the affluent farmers would profit by it. Therefore, one can suspect the motives of the honourable member who introduced the motion, which seeks only to benefit affluent and rich farmers. Members should make no mistake about this. Indeed, if members opposite were willing to follow that argument through, they would see that what I have said is correct.

The fact that we have had the subsidy in the past has encouraged farmers to go into the unprofitable but subsidised use of superphosphate, for example, pre-supering rather than supering at the time seed is grown. That system has proven to be a wasteful use of a valuable resource.

Mr. Rodda: How do you substantiate that?

Mr. KENEALLY: It has been substantiated by the Agriculture Department, and the honourable member would be well aware of that if he is aware of farming processes, and I believe he is, as he is a successful farmer. Perhaps he can afford to buy superphosphate, but there are many other farmers who cannot afford to buy superphosphate, and these are the people at risk. These are the people we should be attempting to help, yet these are the people that the member for Eyre through his motion is not trying to help whatever.

Mr. Rodda: Tell us about maize crops.

Mr. KENEALLY: It is strange that, when I am trying to make a completely rational and unemotional examination of the industry, the honourable member tells me that farmers cannot grow maize in South Australia. A little irrigation would overcome that problem. Once again I am advising the experts about what they should do in their own industry. No wonder South Australian farmers are getting the worst possible advice from the people they elect to this House; those people should be in this place trying to promote the best interests of primary producers and trying to seek solutions to problems faced by primary producers.

It does the member for Eyre and his supporters no good whatever to try and make political capital out of the plight of many South Australian farmers, which plight is of vital concern to this Government. This Government (together with the present Australian Government) has sought more than any other Australian Government to put primary production in Australia on a good footing. We have sought to encourage primary producers to produce without reliance on subsidies or concessions whatever, because any industry based primarily on subsidies or taxation concessions in always at risk. Primary producers must be encouraged to seek alternative methods of production.

They must be discouraged from farming marginal lands which give a return in one season in six. Such development is at risk in times of drought or poor markets, and farmers again must seek Government assistance. Australia

has a vital and virile farming community and primary industry, and it has to continue as such. However, it can continue as such only if free enterprise people (the individualists who are determined to stand on their own feet), do exactly that: stand on their own feet and seek their own solutions to their own problems. We will encourage them to do so. We oppose the motion, because it will do nothing whatever to help in this matter.

Mr. BLACKER (Flinders): I should just like to make a couple of brief comments in supporting the motion. I wish I had time to answer fully the remarks of the member for Stuart. No-one would like it better than I if primary producers were able to stand on their own feet. That is exactly what everyone wants: we want primary industry to be without any need of subsidy or other assistance whatever. Although that is what people in primary industry would like, the reason why they are forced to seek assistance lies with the rest of the community with which it has to work.

I refer to secondary industry and the many commodities in relation to which primary industry finds it impossible to pass on its costs. It is secondary industry which sets the artificial standards and levels, and against this background the primary producer has not the alternative but to look for some consideration and assistance. I refer to the shipbuilding industry, which is subsidised to the extent of 47 per cent. What would happen if that industry had to stand on its own feet? The industry would be out of existence and there would be thousands unemployed.

Mr. Keneally: We do not object to subsidies and concessions. We accept that, but we are saying that there should be an encouragement within those subsidies and concessions.

Mr. BLACKER: There is another aspect to be considered, too. If the member for Stuart was genuine in his remarks, he would say that the grain used in the manufacture of bread in this State should be bought at market levels. Presently, grain used in bread manufacture is subsidised; the farmers are subsidising the home consumption price of bread. Therefore, every loaf of this basic commodity is subsidised. Indeed, a loaf of bread could cost up to about $1·00 if that were not done.

Primary producers would prefer not to have to rely on subsidies or any other assistance, but the rest of the community does not operate in that way, and primary industry cannot pass on its costs as can other sectors of the community. Primary industry is at the tail-end. What more can primary industry do? Primary producers seek assistance only because they are forced into a corner, and they have no alternative means of getting out of it.

Mr. Keneally: I point out that 80 per cent—

Mr. BLACKER: The amount of capital invested in relation to the return and—

Mr. Keneally: What is—

The DEPUTY SPEAKER: Order! The honourable member has had his say.

Mr. BLACKER: The productive output of South Australia is directly governed by the amount of superphosphate used. I have much pleasure in supporting the motion.

The DEPUTY SPEAKER: When the member for Eyre speaks, he closes the debate.

Mr. GUNN (Eyre): There is little one need say to the member for Stuart in reply to his comments. Indeed, the best way to demonstrate the attitude of the Labor Party in this State is to make sure that he honourable member's speech is widely circulated throughout country areas, so that people will be completely conversant with the attitude of the Labor Party, and especially of the member for Stuart. I should like to make two points in reply. First, if we accept the argument advanced by the honourable member, the Labor Party and the member for Stuart do not support the tariff protection enjoyed by the motor vehicle industry in Australia.

Secondly, the member for Stuart made personal accusations about me, and I challenge him to go outside this House and repeat them, as he can then be dealt with in the appropriate place. The honourable member's attitude is similar to that of the Prime Minister and his colleagues in relation to the Commonwealth Opposition, which has been trying to have the superphosphate subsidy reinstated on behalf of the people of Australia, who will benefit. The attitude displayed by the member for Stuart is completely in keeping with the attitude of people who do not understand, do not care and have no regard for primary industry.

The House divided on the motion:

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

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

Pair—Aye—Mr. Coumbe. No—Mr. Corcoran.

The SPEAKER: There are 22 Ayes and 22 Noes. I give my casting vote in favour of the Noes.

Motion thus negatived.

RURAL LAND TAX

Adjourned debate on motion of Mr. Boundy:

That, in the opinion of this House, rural land tax should be abolished.

(Continued from October 8. Page 1182.)

Dr. EASTICK (Light): The member for Gouger secured the adjournment of this debate on the last occasion. If he now had his usual strong voice he would be saying that we on this side would be supporting the motion. For a long time, we have supported the view that rural land tax should be abolished, and we have not moved from that position, even though there were people in the community who suggested at the last election that the failure of the Liberal Party to promise that it would immediately seek to remove rural land tax if it gained office was a repudiation of its platform or its past attitude. The point was made then that the overall economic situation of the State was such that it was necessary clearly to define the funding position of the State before it was possible to make any direct offers to the community, except in the vital fields of stamp duty, for people owning their first houses, and succession duties.

I refer to the same thing as I did last evening, because it is pertinent to this measure, as it is to any measure associated with the raising of taxes, on the basis of either unimproved or improved land ratings—capital taxes. Today, increasing areas of rural land are being valued at elevated values, not because of a failure of valuators to do the right thing (I uphold the position in which they find themselves) but because the interpretation of the Acts dealing

with valuation, as directed by the Government, both Commonwealth and State, is to force consideration to be given to the sale of other land of like value in the appropriate areas.

I said last evening that there are many occasions when the subdivision of land has elevated the value of surrounding land, but there is no market, nor would there be, for the purchase of massive areas of the same type of land. We have recognised this in the metropolitan area over a period of time, and section 12c of the Land Tax Act permits consideration to be given to the plight of people engaged in *bona fide* rural pursuits on land adjacent to developed land. I say, without fear of contradiction, that it is necessary for similar consideration to be given, in the future, to the real value of land in respect of its rural usage, having regard to the intrusions of non-rural use for some adjacent land. It is a complex matter that I do not want to develop further because of the need to take a vote on this measure and on others, but it behoves the Government to look seriously at the whole problem, recognising that capital taxation in all its areas will have a disastrous effect on the people of this State, be it land tax, succession duties, water rates, sewerage rates, or come what may.

Mr. BOUNDY (Goyder): I need speak only briefly in closing this debate, because the motion is clear-cut: it calls for the abolition of rural land tax in this State. I am disappointed that the Premier, in his reply, refused to consider favourably the suggestion contained in my motion. I refer members to page 1182 of *Hansard*, where the Premier said:

I believe that the present division of responsibility between urban dwellers and rural holdings is in no way really to the disadvantage of holders of rural property, who receive concessions in a marked degree not available to others in the community. At the same time, they seek that we should extend services to provide to them similar services to those existing in urban areas.

I would agree that we do, in rural areas, receive some concessions and that perhaps some of them are not available to urban dwellers. By the same token, urban dwellers receive assistance that is not available to the rural community. As I said when opening this debate, I believe the rural community has a record of self reliance about many aspects that affect people in the community. In replying to the debate the Premier also stated that the overwhelming majority of land tax is paid by urban dwellers and urban industries. I cannot refute that claim because, in money terms, it is correct; however, if in the opinion of the Premier the amounts paid by rural landholders are only a pittance (and I do not agree that they are), it should not be difficult to abolish this tax completely.

If that action were taken it would end the continuing fiddling with the Land Tax Act that is necessary to make it relevant to present-day values. I agree with what the member for Light said about valuations, how they reflect the inflated values placed on small parcels of land and how that is detrimental to all rural properties. I need not further ventilate the matter, because I want a vote taken on it. I thank those members of the Opposition who have supported the motion, and I commend it to the House.

The House divided on the motion:

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

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

Pair—Aye—Mr. Gunn. No—Mr. Corcoran.

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.

ELECTORAL DISTRICTS REDISTRIBUTION BILL

Adjourned debate on second reading.

(Continued from October 1. Page 997.)

Dr. TONKIN (Leader of the Opposition) moved:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

LITTER CONTROL BILL

(Second reading debate adjourned on October 8. Page 1187.)

The House divided on the second reading:

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

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

Pair—Aye—Mr. Gunn. No—Mr. Corcoran.

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.

Second reading thus negatived.

LISTENING DEVICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 1. Page 1001.)

The Hon. PETER DUNCAN (Attorney-General): In deference to the wishes of the Opposition, I intend to be mercifully brief in my comments on this Bill.

Dr. Tonkin: It has been imposed upon us.

The Hon. PETER DUNCAN: I understand the Opposition wishes to have this matter dealt with as expeditiously as possible and, accordingly, I will brief. I have had an opportunity of reading with interest the comments made in the debate in the other place, and also the comments of the Leader of the Opposition when he explained the Bill in this place. Whilst I concede that there is some merit in the views of the Leader as expressed in this House, I think he will agree that this is a most difficult matter. The arguments for and against were weighed most carefully when the legislation was first introduced to Parliament. The Government decided at that time that this provision should be introduced into the law of South Australia. The principal reason in favour of section 7 remaining in the Act is that there is a need to make exceptions to the general rule that, while the law should not generally condone the use of listening devices without the knowledge of the person whose voice is recorded, there is a need for an exception in cases where the desire to record the conversation is legitimate.

There are examples where such conduct is legitimate. One could quote the case of a person who knows that, during the course of a telephone conversation, for example, he is to be blackmailed. That is an example of a legitimate reason why one would want to record a telephone conversation. Another example, perhaps a similar one, is that of a person who knows that he is perhaps to be offered a bribe in a telephone or other type of conversation. In these types of example, there is a need for a provision of this sort to enable people to record private conversations. I believe that those are two clear examples, but there are a number of others, though they may be less clear.

It should be the position in this House that we weigh the whole matter most carefully to determine whether we are going to accept that the matters to which I have referred are sufficiently important for us to provide such a section in the law to ensure that on those occasions, rare though they may be, it is possible to have a situation in which the law provides that people can use listening devices. That is what section 7 provides. I know the argument of the Leader was basically that no person should have his conversation recorded without his consent, that listening devices can be concealed, and that this should not take place; further, that if a conversation is recorded in writing certainly all the participants know that it is being recorded.

On balance, I think that the occasions when a person ought to be able to record a conversation without telling the other parties to the conversation, although rare, are sufficiently important for us to leave the section in the Act for the present. The other argument in favour of retaining such a provision is that a conversation between two or more persons, if it is of a private nature, becomes the property of those persons, and as such they should have the right to that conversation. In those circumstances, it is arguable that it is reasonable to have a provision of this sort to enable people who are parties to such conversations to record those conversations. For those reasons, the Government believes that this Bill should be defeated, so that section 7 in its present form is left in the Act.

The SPEAKER: If the Leader of the Opposition speaks, he will close the debate.

Dr. TONKIN (Leader of the Opposition): I am disappointed that the Government will not accept the most rational, sensible and pertinent amendment contained in this Bill, and I pay a tribute to the Hon. Jessie Cooper, whose grave concern this matter has been for some time. The Attorney-General earlier complained that he had been tape-recorded without his knowledge and, if anything else shows the need for this section of the Act to be deleted, I believe that the Attorney's earlier statement would bear that need out. I have a feeling that the Attorney is not completely wholehearted in his opposition to the matter and I suspect that we may well see action taken (and I hope that we do) when further consideration has been given to it by the Government. There is little point in saying more now, but I hope that we shall be able to consider the matter again at the first opportunity.

The House divided on the second reading:

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

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

Pair—Aye—Mr. Gunn. No—Mr. Corcoran.

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.

Second reading thus negatived.

SUCCESSION DUTIES

Adjourned debate on motion of Mr. Boundy:

That, in the opinion of this House, the scale of succession duties on rural land should be reduced, so that the family farm is not destroyed by this tax.

(Continued from October 1. Page 1008.)

Mr. BLACKER (Flinders): I move to amend the motion as follows:

By striking out all words after "House" and inserting "succession duties on rural lands should be abolished".

I think that my views on this subject are quite well known, because I have made several references to this matter in the House. I believe that every honourable member must take a responsible attitude to the people in our community. I say that, because the anticipated total gross receipts under the legislation are about $16 500 000; therefore, I suppose that the net receipts would be about 1 per cent of the State's total estimated revenue. If one cannot accept the fact that 1 per cent is derived from this means of taxation (and if we are unwilling to consider this aspect), we should take a look at our own credibility. I, for one, would be pleased to forgo 1 per cent of the State's expenditure or for my taxes to be increased by that 1 per cent.

The Hon. D. A. DUNSTAN (Premier and Treasurer): On a point of order, Mr. Speaker, I understood that the honourable member's amendment referred to the abolition of succession duty on rural lands. Is that correct?

The SPEAKER: The amendment refers to item No. 10, Orders of the Day, Other Business.

The Hon. D. A. DUNSTAN: The amendment provides for the aboliton of succession duties on rural lands, but the member for Flinders is talking about 1 per cent of the tax.

The Hon. R. G. Payne: He said it was 1 per cent.

Mr. BLACKER: I appreciate that I have taken the whole aspect of succession duties on a broad basis, but I will now limit my remarks to the rural lands aspect. Rural lands succession duty comprises most of our succession duties.

The SPEAKER: Is the amendment seconded?

Mr. EVANS: Yes, Sir.

The SPEAKER: The honourable Premier.

The Hon. D. A. DUNSTAN moved:

That the sitting of the House be extended until 6.10 p.m.

Motion carried.

Mr. Blacker's amendment negatived.

Mr. Boundy's motion negatived.

ELECTORAL ACT AMENDMENT BILL (ROLLS)

Adjourned debate on second reading.

(Continued from August 7. Page 499.)

Mr. COUMBE (Torrens) moved:

That this Bill be read and discharged.

Bill read and discharged.

INDUSTRIES ASSISTANCE COMMISSION

Adjourned debate on the motion of Dr. Eastick:

That in the opinion of this House, the Government should immediately state a case to the Industries Assistance Commission calling on the commission not to recommend any further extension of reductions in the rates of duty which reductions would be to the disadvantage of Australian industry.

(Continued from September 10. Page 649.)

The Hon. D. J. HOPGOOD (Minister of Education): I move:

To strike out all words after "That" and insert "this House:

(*a*) reaffirms its belief in a healthy and diversified industrial base as a means of ensuring security of employment;

(*b*) supports the action of the South Australian Government in having accepted by the Australian Government a plan for the motor vehicle industry which, as compared with the report of the Industries Assistance Commission, gives greater security of employment to workers in the motor vehicle industry in this State; and

(*c*) urges the Australian Government to accept the recommendation of the Caucus Economic and Trade Committee of October, 1974, as a reasonable set of goals for I.A.C. policy on the motor vehicle industry."

In view of the constraints of time, I will not expand on the amendment, but I commend it to the House.

The Hon. HUGH HUDSON seconded the amendment.

Dr. EASTICK (Light): The amendment could justifiably be presented to this House as an entirely different motion and be supported by everyone here, except for the back-scratching aspect of it. The recommendations in the amendment completely fail to recognise the importance of industry in total to the future economy of South Australia. The Minister has sought to imply that the motor vehicle industry represents the total purpose behind the original motion, but that motion goes far beyond that. My motion is important in respect of the prawn industry, the footwear industry, the clothing industry, and the general engineering industry of this State. I therefore cannot accept the amendment as being in the best interests of the people of this State, and I shall vote against it.

Amendment carried; motion as amended carried.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (MEETINGS)

Adjourned debate on second reading.

(Continued from September 10. Page 655.)

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I wanted to make a long contribution to the debate on this important Bill, but time will prevent me from doing so. This Bill conflicts with the provisions of International Labour Organisation convention No. 87, dealing with the freedom of association and the protection of the right to organise. Article 3 of that convention provides that workers and employer organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities, and to formulate their programmes. If this Bill was carried, it would take away those freedoms, and there would be control by the State; that is what the honourable member is asking for. It is provided that public authorities shall refrain from any interference that would restrict this right or impede the lawful exercise thereof.

The convention was passed by the I.L.O. in 1948 and was ratified by the Australian Government with the consent of all State Governments, yet a member of another political Party has introduced this Bill, which would take away those freedoms that have been established since 1948. It is an absolute shame that this Bill should ever come before the House. In the preamble to convention No. 87, reference is made to the declaration of Philadelphia. In 1944, during the Second World War, the I.L.O. met in Philadelphia and issued a declaration concerning its aims and purposes, and the principles that should inspire the policy of its members. Australia has always been a member of the I.L.O. Actually, Australia was one of the foundation members. Having been asked by the Whip to be as brief as possible, I conclude by saying that this Bill represents the worst secret ballot legislation that has ever been before this House, and I oppose it.

Second reading negatived.

PETRO-CHEMICAL COMPLEX

Adjourned debate on motion of Mr. Dean Brown:

That this House view with grave concern the indefinite postponement of the construction of a petro-chemical complex in South Australia and the subsequent effect that this will have on employment opportunities. Furthermore, this House condemn the South Australian and Australian Governments for their gross mismanagement of this development project and for their failure to uphold the A.L.P. State election promise of 1973, and call on the State Government to immediately table in the House all Government documents and correspondence relating to the petro-chemical complex,

which the Minister of Mines and Energy had moved to amend by leaving out all words after the word "House" first occurring and inserting in lieu thereof the following:

supports the efforts of the State Government to ensure a productive use of Cooper Basin liquids which will encourage employment and the decentralisation of industry in the Spencer Gulf area.

(Continued from September 10. Page 654.)

Mr. KENEALLY (Stuart): In the cause of justice, I am willing to accept the democratic decision of the House on this measure.

Amendment carried; motion as amended carried.

[*Sitting suspended from* 6.8 *to* 7.30 *p.m.*]

PUBLIC FINANCE (SPECIAL PROVISIONS) BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Public Finance Act, 1936. Read a first time.

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

That this Bill be now read a second time.

The Bill is intended to ensure that, should there be a reduction in flow of Commonwealth Government funds as a consequence of the present financial impasse in the Commonwealth sphere State Government activity and employment that is dependent upon or related to the availability of those funds will, within the limits of available resources, not be adversely affected. The measure proposes that the Treasurer will be authorised to (*a*) make good from available resources any short-fall in Commonwealth funds; and (*b*) borrow moneys for this purpose. The powers proposed to be granted to the Treasurer are, by this Bill, only available until February 29 next. If the present situation still obtains on that day, Parliament may be asked to review the situation during the February sitting. I point out to members that, in fact, our reserves, trust accounts and working balances are very buoyant. South Australia is the only State that has not had to call on trust funds and working balances in support of the current Budget; it has very substantial reserves. It would, in my view, be a grave dereliction of duty on the part of this Parliament if, in fact, South Australia faced some difficulty in making the

normal payments from its Treasury from the accounts in which State and Commonwealth moneys are provided, and if we did not use the resources available to us, either from our balances or from obtaining an overdraft of Treasury bills to carry on the normal payments that people in the community have a right to expect under the law or under agreements that have been made between the Commonwealth and State Governments.

The Government believes that it is necessary to minimise hardship on people in South Australia so far as it is able within its constitutional capacity and responsibility in respect of the situation that has arisen from the impasse that has developed constitutionally in Canberra. This Bill is aimed, therefore, to give the Treasurer the ability to meet those difficulties in the short period in respect of funds, when we know that, whatever happens finally in Canberra, we will be paid by the Commonwealth Government and, whatever Commonwealth Government is involved finally in decisions on this matter, it will have to pass appropriations in respect of its obligations that it has in relation to payments to this State.

Clauses 1 and 2 are formal. Clause 3 inserts a definition of "prescribed day", that is, February 29, 1976. This is the last day on which the powers conferred by this measure may be exercised. Clause 4 authorises the Treasurer to make good from the Treasurer's advance to the extent possible any short-fall in Commonwealth funds that are properly payable. The moneys issued from the Treasurer's advance will be credited to the appropriate trust account and then expended in the ordinary way.

I point out to members that, in the case of Commonwealth payments to the State for certain purposes, we have, as I have previously explained to the House, now set up specific funds in the Treasury and, therefore, a payment to that separate account is clearly identifiable. When, in due course, the funds are received from the Commonwealth they will be applied to reimburse the Treasurer's advance. Clause 5 authorises the Treasurer to borrow moneys in the manner set out in subclause (1) for the purpose of providing sufficient funds to meet the payments referred to above. Subclause (2) makes clear that the borrowing powers conferred by this provision are in addition to any other borrowing power. Clause 6 provides for the expiry of the Act presaged by this Bill to occur on a day to be fixed by proclamation, since the measure is essentially a temporary one. This form has been adopted since, although the transfer and borrowing powers are limited in time, the measure should continue in operation to enable the reimbursement and repayment provisions to have full effect.

Mr. Coumbe: Are we talking only about Revenue Account?

The Hon. D. A. DUNSTAN: Yes, we are.

Dr. TONKIN secured the adjournment of the debate.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (MORATORIUM)

The Hon. J. D. WRIGHT (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to amend the Industrial Conciliation and Arbitration Act, 1972-1975. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

Members will recall that a similar Bill was passed last year extending the moratorium period contained in section 133 of the Act. This section was a temporary measure inserted to overcome problems arising from the judgment of the Commonwealth Industrial Court in *Moore* v. *Doyle*. The purpose of the amending Act was to ensure that no legal challenge to the rules, officers or members of any registered association could be sustained during the moratorium period. This period expires on January 4, 1976.

It was intended to introduce, in the present session, the necessary amending legislation, based upon the report that Mr. Justice Sweeney made to the Australian Government last year. A preliminary draft Bill was circulated for comment to the secretaries of all State-registered organisations (both of employers and of trade unions), to some lawyers who specialise in the industrial jurisdiction, and to Mr. Justice Sweeney, who had indicated his willingness to comment. The comments that have been received, particularly those of Mr. Justice Sweeney, judges of the Industrial Court and some lawyers, indicate that some modifications must be made to the preliminary draft. Because of the complex nature of the issues involved, and their importance to all trade unions and employer organisations, it is obviously necessary that a revised draft be prepared and circulated for comment by all interested parties before a Bill is introduced. Clearly, there is not sufficient time for this to be done, and a Bill passed by the end of the year.

The Government is grateful to Mr. Justice Sweeney, who has attended a conference in Adelaide to discuss in detail the various matters raised, including those to which he thought consideration should be given. This conference, which was also attended by the President of the Industrial Commission, took place recently. Members will appreciate that it is therefore necessary for the same action to be taken this year as at the end of last year, namely, to extend further the moratorium period. It is clear that the necessary action to be taken by registered associations, as a result of the passing of the final amending legislation, will take some time to implement. Hence, clause 2 of the Bill proposes that the moratorium period be extended for a further period of three years until January 4, 1979.

Mr. DEAN BROWN secured the adjournment of the debate.

STATUTE LAW REVISION BILL

The Hon. PETER DUNCAN (Attorney-General) obtained leave and introduced a Bill for an Act to make certain consequential and minor amendments to, and to correct certain errors and remove certain anomalies in, the Statute law and to repeal certain obsolete enactments. Read a first time.

The Hon. PETER DUNCAN: I move:

That this Bill be now read a second time.

It proposes further corrective legislation to the Statute law of this State with a view to bringing a revised edition of the consolidated public general Acts from 1837 to 1975 a stage nearer to publication. I seek leave to insert in *Harnsard* the remainder of the second reading explanation without my reading it.

Leave granted.

EXPLANATION OF BILL

The bulk of the legislation of this State has now been examined and corrective legislation, where necessary or desirable, and to the extent possible, has been prepared

or is in course of preparation for incorporation and inclusion in that edition. In the explanation of the Statute Law Revision Bill, 1975, which was passed by Parliament earlier this year, members were informed of the nature and volume of the work that has been involved in this project. It is hoped that the publication of the new edition will proceed as speedily as possible and that the volumes would become available as a permanent record of Acts in force as at the cut-off date. This would also enable the Statute Book to be kept under constant review and close scrutiny as well as up to date.

This Bill is designed to facilitate the preparation of Acts for consolidation by making consequential and other clarifying amendments to, and correcting errors and removing inconsistenies and anomalies in, a number of Acts without altering policies and principles that have already been endorsed by Parliament. It also repeals certain Acts which are obsolete or no longer relevant and which will never be invoked for the purposes for which they had been enacted. These Acts are listed in the first schedule to the Bill. The second schedule to the Bill contains, in the first column, the references to the Acts to be amended; in the second column, the proposed amendments to various provisions of those Acts and, in the third column, the citations of those Acts (as amended by those amendments) where such new citations are necessary. In preparing the amendments in the second schedule, precaution and care have been taken to ensure that no existing rights are affected and that no amendment to any Act changes any policy or principle that has already been established by Parliament.

Clause 1 is formal. Clause 2 (1) repeals the Acts set out in the first schedule. The reasons for the repeals of those Acts are now explained. The Radium Hill Water Supply Agreement Act, 1953, was enacted to authorise the execution of an agreement between the States of New South Wales and South Australia and the Broken Hill Water Board for the purpose of enabling the Government of South Australia to obtain a water supply for Radium Hill from the Broken Hill Water Board. The Uranium Mining Act, 1949, as amended, was intended to cover the uranium mining operation at Radium Hill and the Port Pirie treatment plant which produced uranium oxide during the period 1951 to 1961 under contract to the United Kingdom and the U.S. Atomic Energy Commissions. The conditions that affected that operation at that time no longer exist, and the legislation is obsolete and for the most past irrelevant, and it is unlikely that the State will engage in the production of uranium in the foreseeable future without special legislation enacted for that purpose. As these Acts are no longer relevant and no longer being used they are being repealed.

The Surplus Revenue Act, 1938, provided for the Treasurer to apply not more than £100 000 of the surplus from the Revenue Account for the financial year ended June 30, 1938, to acquire shares in Cellulose (Australia) Ltd. It also gave the Treasurer various other powers to protect his financial interest in the company. The Act was amended in 1951 to enable the Treasurer to acquire a further 20 000 ordinary shares in the company which were paid for from moneys standing to the credit of the Loan Fund. The shares purchased in the company have been sold, and any other investment in the company would require fresh legislation. Such action is not contemplated as future assistance, if any, should be sought and obtained through the Industries Development Act. Accordingly, as the Surplus Revenue Act, 1938-1951, no longer serves any purpose, it is being repealed.

Clauses 2 (2) deals with the case where an Act expressed to be repealed by this Bill is repealed by some other Act before this Bill becomes law. This is an eventuality that is possible and this provision enacts that, in such a case, the enactment by this Bill that purports to repeal that Act has no effect. Clause 3 (1) provides that the Acts listed in the first column of the second schedule are amended in the manner indicated in the second column of that schedule and, as so amended, may be cited by their new citations as specified, in appropriate cases, in the third column of that schedule. Clause 3 (2) deals with the case where an Act expressed to be amended by this Bill is (before this Bill becomes law) repealed by some other Act or amended by some other Act in such a way that renders the amendment as expressed by this Bill ineffective. This is another eventuality that could well occur. Clause 3 (3) deals with the case where an Act amended by this Bill is repealed by some other Act after this Bill becomes law but the repeal does not include the amendment made by this Bill. I now explain the amendments in the second schedule to the Bill.

Building Societies Act, 1975: The amendment to section 4 (1) merely corrects an erroneous citation of one of the Acts repealed by the amended Act.

Firearms Act, 1958: Subsection (5) of section 9 provides that a "licence shall not be granted except on payment of a fee of five shillings or such other fee as may be prescribed". Although the amount of 5s. is capable of conversion to an exact equivalent in decimal currency, the power to prescribe some other fee by regulation could well create a situation whereby a different fee could be prescribed by a regulation which might be subject to disallowance by Parliament at the time of the cut-off date for the new edition of consolidated Acts. Such a provision could also lead to confusion with the Act prescribing one fee and the regulations prescribing a different fee. To avoid this confusion, the schedule of amendments amends section 9 (5) by providing (in lieu of the existing provision) for the payment of such fee for the granting of the licence as may, from time to time, be prescribed. This would mean that all such fees will be prescribed by regulation, but, as a transitional provision, a new subsection (6) is added that will have the effect of preserving the existing fee until regulations providing otherwise have been made and have taken effect.

The amendment to section 10 (2) and the new subsection (2a) inserted in section 10 follow the same principles in relation to the renewal of a licence as are contained in the proposed amendments to section 9. The amendments to section 41 (1) and section 41 (2) are consequential on the repeal of the Animals and Birds Protection Act, 1919-1938, by the Fauna Conservation Act, 1964, which, in turn, was repealed and superseded by the National Parks and Wildlife Act, 1972.

Fruit and Vegetables (Prevention of Injury) Act, 1927: The amendment to section 3 arises from the reference in the definition of "inspector" in section 3 to the "Vine, Fruit and Vegetable Protection Act, 1885, or the Vine, Fruit, and Vegetable Protection Amendment Act, 1910", both of which Acts have been repealed and superseded by the Fruit and Plant Protection Act, 1968 (which has only recently come into operation). The effect of the amendment is to extend the meaning of inspector to cover not only inspectors appointed under the repealed law but also those appointed under any corresponding subsequent enactment.

Fruit Fly Act, 1947-1973: This Act, as at present enacted, defines "fruit fly regulations" in section 2 as meaning the regulations made under the Vine, Fruit and

Vegetable Protection Act, 1885-1936, by proclamations which bear the dates mentioned in the schedule to that Act and were published in the *Gazette* on the pages mentioned in that schedule. The Vine, Fruit, and Vegetable Protection Act, 1885, and its amendments, were repealed by the Fruit and Plant Protection Act, 1968, which was brought into operation by proclamation within the last few weeks, but there is also no reference to the expression "fruit fly regulations" in the Fruit Fly Act, 1947-1973, as at present enacted. That expression was defined for the purposes of section 4 of that Act and all the provisions of that section were repealed by Act No. 23 of 1953 (section 4) and Act No. 14 of 1955 (section 3). As the schedule to the Act applies only to the definition of "fruit fly regulations" and the definition now serves no purpose, both that definition and the schedule are being repealed by this Bill.

Liens on Fruit Act, 1923-1932: Section 8 of this Act prescribes fees which have never been altered since 1923. Those fees are capable of being varied by regulation under the Fees Regulation Act, 1927, and, in order to conform with the policy already approved by Parliament in other legislation, that section has been amended to provide that all fees chargeable for the purposes of that section may be prescribed by regulation made under the Liens on Fruit Act itself. The amendments also preserve the existing fees until regulations providing otherwise have been made and have taken effect. The other amendment to the Act makes a decimal currency conversion.

Marine Stores Act, 1898-1963: Section 3 of the Act prescribes a fee of 5s. for every collector's licence. This fee is capable of being varied by regulations under the Fees Regulation Act, 1927. In order to avoid the problems that arise in the consolidation of Acts which, by their own provisions, prescribe fees that have been varied by regulation under the Fees Regulation Act, and in accordance with Government and Parliamentary policy as expressed by recent legislation, the amendment to section 3 strikes out the provision prescribing the amount of the fee, and that provision is replaced by a new section 3a which provides that there shall be paid for the issue of a collector's licence such fee as is for the time being prescribed and that until regulations made and in force under the principal Act provide otherwise, the current collector's licence fee shall continue to be payable. The amendment to section 5 makes a conversion to decimal currency. The amendments to section 6 are a decimal currency conversion and the substitution for the expression "police constable" of the expression "member of the Police Force" which is more generally applicable and not restricted to the rank of constable.

The amendments to section 7 consist of a decimal currency conversion and a drafting amendment. The amendments to sections 7a (3), 7b (1) and 8 consist of decimal currency conversions. Section 10 of the Act, *inter alia*, prescribes an amount of fee payable for a dealer's licence. This amount has been varied by Act No. 15 of 1958 and later by regulation under the Fees Regulation Act, 1927. The earlier explanations relating to the amendment to section 3 and the enactment of section 3a are equally applicable here. The amendment to section 10 strikes out the provision prescribing the amount of a dealer's licence fee and that provision is replaced by new section 10a which provides that there shall be paid for the issue of a dealer's licence such fee as is for the time being prescribed and that, until regulations made and in force under the principal Act provide otherwise, the current dealer's licence fee shall continue to be payable. The amendments to section 13 are a decimal currency conversion and a consequential amendment. The amendment to section 14 is a decimal currency conversion.

The amendments to section 33 consist of substitutions of the general expression "member of the Police Force" in place of references to commisioned officers and other members of the Police Force, without altering the intention of Parliament, and a decimal currency conversion. The amendments to section 23 are a consequential amendment consistent with earlier amendments and a decimal currency conversion. The amendment to section 24 is a consequential amendment consistent with earlier amendments. The amendment to section 30 confers the power to prescribe fees payable for the purposes of the Act. This amendment is consequential on the provisions of proposed new sections 3a and 10a.

The Partnership Act, 1891-1935: This amendment updates the definition of "court" in section 45.

Public Works Standing Committee Act, 1927-1974: The amendment to section 5 (4) will bring the reference to the Public Service Act, 1916, up to date. The amendment to section 7 (1) substitutes a reference to the Minister of Works for the reference to the Commissioner of Public Works.

Real Property (Registration of Titles) Act, 1945: The fee prescribed by subsection (3) of section 24 is no longer charged or payable and that subsection is therefore struck out.

Road and Railway Transport Act, 1930-1971: Section 27e of the Act confers jurisdiction on the Industrial Court as constituted under the old Industrial Code, 1920, to deal with industrial matters, as defined in that Code, relating to the employment (as employees) of drivers of motor vehicles used for carrying passengers or goods for hire or reward. That Code had been repealed and superseded by the Industrial Code, 1967, and the provisions of the Industrial Code, 1967, which had superseded the relevant provisions of the Industrial Code, 1920, have themselves been subsequently repealed by the Industrial Conciliation and Arbitration Act, 1972. It has therefore become necessary to repeal section 27e and enact a new section in its place. The new section, in effect, makes no change in the policy enacted by the old section but updates that policy and makes it consistent with the provisions of the 1972 Act. Sections 27f to 27q are being repealed, as they had virtually been declared invalid by the High Court in 1957 (see *Pioneer Express Pty. Ltd. v. The State of South Australia*, 99 C.L.R. 227) and have not since been invoked. The amendment to section 30 (1) merely extends to the proving of a permit the principles already adopted in the Act, in relation to the proving of a licence.

Sale of Fruit Act, 1915-1935: The amendment to section 3 has arisen from the reference in the definition of "inspector" in section 3 to the Vine, Fruit and Vegetable Protection Act, 1885, or the Vine, Fruit and Vegetable Protection Amendment Act, 1910, both of which Acts have been repealed and superseded by the Fruit and Plant Protection Act, 1968 (which has recently been brought into operation). The effect of the amendment is to extend the meaning of inspector to cover not only inspectors appointed under the repealed law but also those appointed under any corresponding subsequent enactment.

Sharebrokers Act, 1945: The amendment to section 3 (1) amends the definition of "approved auditor", which is obsolete in that it relates to an auditor licensed under the repealed Companies Act, 1934. The amendment updates the definition by reference to the provisions of section 9

of the Companies Act, 1962, as amended (under which a person can be registered as a company auditor) or any corresponding subsequent enactment.

State Lotteries Act, 1966-1974: The amendments to section 4 (7) and section 13 (4) extend the references to the Public Service Act, 1936-1966, to include any corresponding subsequent enactment. The amendments to section 16 (6) and section 16 (8) alter the references to the Chief Secretary to the Minister of Health, as those references were obviously to the Chief Secretary in his (then) capacity of Minister of Health.

Statute Law Revision Act, 1974: The amendment to this Act is consequential on the repeal of the Wild Dogs Act, 1931, as amended, by the Vertebrate Pests Act, 1975.

Statutes Amendment (Miscellaneous Metric Conversions) Act, 1975: The amendment to this Act is linked with the amendment to the Stock Mortgages and Wool Liens Act, 1924-1935, which is also included in this Bill. The amendments have arisen from representations by the Law Society of South Australia Incorporated pointing out to the Government that the international paper size prescribed for stock mortgages by the amendment made by the Statutes Amendment (Miscellaneous Metric Conversions) Act, 1975, was not practicable or suitable for photocopying. In order to meet the difficulties mentioned by the Law Society and to enable the other provisions of the Statutes Amendment (Miscellaneous Metric Conversions) Act, 1975, to be brought into operation without delay, the Government has decided to strike out from that Act the references and amendments applying to the Stock Mortgages and Wool Liens Act, 1924-1935, and to amend the last-mentioned Act, by altering the paper size to that recommended by the Law Society, the alteration to take effect as from a day to be fixed by proclamation. The Government intends, if this amendment is approved by Parliament, to defer the making of the proclamation bringing the Statutes Amendment (Miscellaneous Metric Conversions) Act into operation until this Bill becomes law.

Stock Diseases Act, 1934-1968: The amendment to section 8a (1) strikes out from paragraph XIV of that section the reference to the Animals and Birds Protection Act, 1919-1938, as that Act and its amendments had been repealed and superseded by the Fauna Conservation Act, 1964, which in turn has been repealed by the National Parks and Wildlife Act, 1972. A reference to the last-mentioned Act is substituted in place of the repealed and obsolete Act.

Stock Mortgages and Wool Liens Act, 1924-1935: The explanation of the amendments to this Act has been included in the explanation of the amendment to the Statutes Amendment (Miscellaneous Metric Conversions) Act, 1975.

Surveyors Act, 1935-1971: The amendments to this Act are only of a formal nature and do not alter the policy of the existing legislation in any way.

Swine Compensation Act, 1936-1974: The amendment to section 14 strikes out subsection (2a), which has been redundant since the enactment of the Swine Compensation Act Amendment Act, 1974, which enacted subsection (2) of that section in substantially identical terms to the provisions of subsection (2a).

Swine Compensation Act Amendment Act, 1962: The amendment to this Act strikes out an erroneous and meaningless amendment to the principal Act which was never incorporable or corrected. It purported to strike out the words "this section " in section 13 (*c*) of the principal Act and insert other words in their place, but a paragraph designated as "(*c*)" has never existed in that section. The amendment was obviously intended to amend subsection (2) of section 13, and that subsection was re-enacted by section 3 (*b*) of the Swine Compensation Act Amendment Act, 1964, which included the words erroneously sought to be inserted in "subsection (*c*)" of that section. The erroneous amendment made in 1962 is now being struck out as it was rectified by the 1964 amendment.

Tatiara Drainage Trust Act, 1949-1968: Section 53 of this Act provides that every rate shall be of an amount fixed by the trust for each "pound" of the ratable value of all ratable property within the district. Conversion of "pound" to its exact equivalent would not be appropriate under the Decimal Currency Act, 1965, in this case and substitution of the word "dollar" for the word "pound" would not be permissible without legislative authority. Section 75 (2) provides that a person shall not vote at an election unless he is at least 21 years of age on the day of that election. This is not consistent with policy already endorsed by Parliament in other legislation, and any alteration to the qualifying age can be made only by amending legislation. The amendments to this Act contain the necessary corrective legislation to amend those sections and the opportunity has also been taken of including amendments for making other conversions to decimal currency at the same time in order to minimise the use of footnotes where those conversions would otherwise have had to be made pursuant to the Acts Republication Act.

Unclaimed Moneys Act, 1891-1962: The schedule to this Act would be out of date if the Act were consolidated in its present form, and the proposed amendments to the Act also include conversions of amounts expressed in the old currency into decimal currency. One of the amendments to the schedule to the Act is a substitution of an amount of $600 for the amount of £350 in the second column, as that schedule is only a hypothetical example of the form of register required to be kept under section 3, and $600 would represent a more likely and appropriate amount as the "first dividend on 600 shares" in a company, and substitution of $700 for £350 would have made the amount of the dividend incompatible with the number of shares in the example shown in the schedule.

Veterinary Surgeons Act, 1935-1968: The amendment to section 7 (1) merely strikes out a redundant word. The amendment to section 21 redesignates as subsection (2a) the subsection numbered (3) inserted by Act No. 50 of 1965 as a subsection numbered "(3)" already was in existence in that section. The amendment to section 30a (1) merely corrects a grammatical error in the section.

Volunteer Fire Fighters Fund Act, 1949-1957, as amended by Statute Law Revision Act, 1965: The amendment to section 2 amends the definition of fire control officer consequentially on the enactment of the Bush Fires Act, 1960, which repealed the Bush Fires Act, 1933-1946. The amendments to section 13 (3) and 13 (4) are consequential on the enactment of the Workmen's Compensation Act, 1971, which repealed the Workmen's Compensation Act, 1932-1947. The other amendments make conversions of amounts expressed in the old currency to their equivalents in decimal currency.

Wills Act, 1936-1975: Before consolidating this Act under the Acts Republication Act, it seems appropriate to repeal section 7, which is now obsolete. That section provides:

Subject to the Married Women's Property Act, 1883-4, no will made by any married woman shall be valid except such a will as might have been made by a married woman

before the first day of August, eighteen hundred and forty-two.

The Married Women's Property Act, 1883-4, was repealed by the Law of Property Act, 1936 (now Law of Property Act, 1936-1974), the provisions of which are clearly inconsistent with section 7 of the Wills Act.

Wrongs Act, 1936-1974: The first amendment to section 3 is consequential upon the enactment of sections 23a, 23b and 23c by the Wrongs Act Amendment Act, 1940. The second amendment to section 3 is consequential on the enactment of Part III by the Wrongs Act Amendment Act, 1939, and the addition of further sections to that Part by subsequent amending Acts. The amendment to section 8 makes a conversion to decimal currency.

The amendments to section 25 (2) are consequential on the amendment to that section by section 16 (*b*) of the Statutes Amendment (Miscellaneous Provisions) Act, 1972. Section 26a of the Wrongs Act, 1936-1974, as presently enacted, deals with an insurer or nominal defendant who is referred to in section 70d of the Road Traffic Act, 1934-1950. Quite apart from the fact that most of the Road Traffic Act, 1934, and its amendments had been repealed by the Road Traffic Act, 1961, that particular section had been repealed and superseded by various provisions of Part IV of the Motor Vehicles Act, 1959, and a new section is now being substituted for the present section 26a which clarifies the provisions of the previous section and is more meaningful.

The amendment to section 27a (1) extends the reference to the Workmen's Compensation Act, 1932-1950 (which has been repealed and superseded by the Workmen's Compensation Act, 1971), to any corresponding subsequent enactment. The amendment to section 27a (3) is consequential on the repeal of subsection (5) of that section by the Statute Law Revision Act, 1952. The two amendments to section 29 (1) are consequential on the abolition of the South Australian Harbors Board and the assumption of its responsibilities by the Minister of Marine. The amendment to section 29 (5) makes a conversion to decimal currency. The amendments to section 29 (7) extend the references to the repealed Workmen's Compensation Act, 1932, to any corresponding subsequent enactment.

Mr. WARDLE secured the adjournment of the debate.

COOPER BASIN RATIFICATION BILL

Adjourned debate on second reading.

(Continued from October 28. Page 1468.)

Mr. DEAN BROWN (Davenport): The Liberal Party supports this Bill with pleasure. I believe that it will be to the long-term benefit of the whole State. However, I believe from the outset that it is important to try to clarify what this huge wad of documents that the Minister gave us yesterday is all about and exactly what the indenture Bill provides. With respect (and I realise that the Minister's second reading explanation had to be technical), it is difficult to obtain a true picture of exactly what the Bill does. I should like briefly to outline the position as I see it, and perhaps the Minister can correct me if I make any mistakes. I have had these documents to examine closely for only 24 hours, but I do not criticise the Minister for that, as I understand there has been much negotiation, that there has been little time, that the indenture must be considered by this House and dealt with by a Select Committee, and that it must be considered in another place before the adjournment of Parliament.

The Bill and the indenture have four specific purposes. The first purpose is to rationalise the use of the Cooper Basin hydro-carbon reserves. This is important, as members must appreciate that many producer companies are involved in producing hydro-carbon fuel in the Cooper Basin. Unfortunately, not all of these companies have an equal share. The two major companies are Delhi and Santos, the Australian Government having a 50 per cent share in Delhi. Because of the many companies involved and because they do not all have an equal shareholding in all areas of the Cooper Basin, various areas have been farmed out to different companies. It was necessary to obtain some sort of rationalisation of the entire field.

This has been achieved by what one can describe as a unique unitisation of the entire number of companies involved as producers. Such unitisation is important because of the previous agreements that have been signed with the Australian Gas Light Company, which had a contract to supply gas to Sydney. It is well known that A.G.L. has rights to certain areas of the Cooper Basin sufficient to guarantee supplies for the Sydney market until the year 2005. However, to achieve unitisation it was necessary to undedicate some of the previous agreements with A.G.L. It is pleasing to see that agreement has been reached on that matter, and we now have this agreement before us.

The second important result of the agreement is that it guarantees a use for the gas from the Cooper Basin, and this guarantee will come from two areas: first, from A.G.L., which will use the gas in Sydney and, secondly, through the Natural Gas Pipelines Authority of South Australia, which will use the gas in the Adelaide metropolitan area as well as in large country towns. I understand, Mr. Speaker, that Port Pirie will shortly be able to use natural gas obtained from this field. Tied in closely to this matter is not only a guarantee of the use of gas but also, and possibly more important, the guarantee of a future gas supply for Adelaide. As the situation presently stands, there is a guaranteed supply for Adelaide until 1987. That is perhaps a general statement, and I should not make it too general, but the guarantee of gas supplies to meet the demands of the Adelaide market through the authority from 1987 until 2005 and beyond that year is unknown, and this agreement will help secure a known quantity of gas or hydro-carbons for the Adelaide market.

I believe that is extremely important, especially as through A.G.L. there is a guaranteed supply of gas for Sydney. As this is basically a South Australian resource, it is important that South Australia have the same sort of guarantee as Sydney has, or even a better guarantee as we see contained in this indenture. The third aspect of the agreement is that it guarantees an increase in the price that can be paid for the hydro-carbons produced from the field. The pricing arrangement, as I understand it, means that the price at which the gas is sold to the authority can be increased through justifiable increases in the cost of producing the hydro-carbons. This is most important, because through a guarantee in price it is possible for producers to carry out further exploration work in the field.

This is essential. One of the major problems of the field is that there is every likelihood of there being far greater reserves than are known and, once the guaranteed price is obtained, further exploration work can be undertaken. I understand that no exploration wells have been drilled in the Cooper Basin for about two years, and that is most unfortunate. However, I understand that an exploration well was started earlier this month, and I look forward to seeing the results of that drilling. I believe that those results will be available next month.

The fourth aspect dealt with by the indenture provides for guarantees for gas producers and for the people in the

Far North of South Australia as regards upgrading the infrastructure, first, directly relating to the gas fields in the Cooper Basin and, secondly, in servicing those areas. I am sure the member for Frome will further take up this aspect of the indenture, because it affects much of his district. It is pleasing to know that the Strzelecki track will be vastly improved so that it can be used by ordinary motor vehicles.

Mr. Millhouse: At what expense?

Mr. DEAN BROWN: The expense will come out, and that is the whole purpose of having a Select Committee looking at the matter. Such questions as that, and I have already listed many questions I wish to have answered, will be dealt with by the committee. I do not see any point at this stage of the debate in trying to argue about the cost of this project to South Australia or the benefits that will accrue from the amount of revenue that will come to South Australia through royalties.

I should like to congratulate the persons representing the producers, Australian Gas Light Company, and the senior public servants of this State who brought about an agreement after two years of heavy negotiation. This has been a period of great uncertainty, especially for the producers, and I am pleased to see that this result has been achieved. Under the indenture, A.G.L. will receive its guaranteed supply of gas for the Sydney market, but it should be clearly understood that all other rights to gas (whether known or unknown) found in the Cooper Basin will go to the South Australian authority. That means that South Australia will have at least a guaranteed supply of some quantity until 2005, probably sufficient for the Adelaide market even beyond that period, if the expectations in the Cooper Basin come to fruition. The increase in money available for exploration is important, because one possible reason why the Redcliffs petro-chemical complex has not been proceeded with is that Imperial Chemical Industries and other members of the consortium did question the actual reserves of gas in the Cooper Basin.

The Hon. Hugh Hudson: Liquids, not gas.

Mr. DEAN BROWN: True, hydro-carbons from the Cooper Basin. The guarantee that I.C.I. was looking for was beyond the sort of guarantee the producers could give in respect of liquid hydro-carbons. The indenture is essential, because it will ensure (and this is possibly one of the greatest benefits of all that will accrue from the project) future exploration of the field. It is possibly unfortunate that we have had to give a stimulus to exploration in the field through such an agreement. About three years ago there was already an incentive for the exploration of hydro-carbons in Australia, but that incentive was well and truly destroyed by the current Labor Government in Canberra. On a previous occasion in this House, I have listed the various areas of taxation concessions that have been removed by the Australian Government that have totally destroyed the entire exploration for hydro-carbons in Australia.

Three years ago, when the Labor Government came into power, there were 36 drilling rigs in Australia exploring for hydro-carbons. I understand today there are four or five and, further, that only two of those four or five drilling rigs are in active use. That is a sad state for Australia to be in, particularly when there is an energy crisis throughout the Western world. It is an even sadder reflection when we see that Australia has come through the energy crisis so far reasonably well because of the previous policies of Commonwealth Liberal Governments, which have encouraged exploration for hydro-carbons within Australia. The finding of hydro-carbons in the Cooper Basin, on the north-west shelf, and in Bass Strait can be put down to the policies that the Liberal Government had to encourage exploration, and it must be complimented on that and the benefit that it has given to Australia during the last few years.

The other reason why such an indenture agreement is essential at this stage is the failure of the State Government to secure a petro-chemical complex for South Australia. Such a complex would have given a guaranteed price for gas by this stage and a guaranteed use for some of the liquid hydro-carbons from the Cooper Basin. That would have ensured that further exploration was economically viable. I realise that, even before a petro-chemical complex could proceed, it would have been necessary to sign some form of indenture agreement. This indenture agreement is now securing that long-term future for that field, even though we do not have a petro-chemical complex. We hope that the present State Government will wake up from its sleep of inability and inactivity and be able to secure for this State a petro-chemical complex.

The industrial base in South Australia is stagnating sufficiently now, without further incompetence coming from Ministers. As I said, the indenture agreement is long overdue and is welcomed by the Liberal Party; we support it. There are certain areas where I have reservations about some points in the agreement, but they can be clarified further before the Select Committee, and we can comment on those when the Select Committee's report comes before this Chamber. With those remarks, I support the passage of this Bill and believe it will be to the long-term benefit and advantage of South Australians.

Mr. ALLEN (Frome): I, too, support this Bill. I assure the Minister that it is with great pleasure that I speak on it this evening. This project has been of great interest to me ever since 1959, and I have carefully watched its progress. Since 1970, when I took over the District of Frome, it has been of considerable interest to me. Members may recall that I have asked questions in this House at various times about roads and other aspects of this gas field. I am pleased to see in the indenture that the Government will take over the responsibility of upgrading the Strzelecki track; everyone in that area will be pleased about that, because this is one of the roads in the North that is creating many problems at present.

At one time, the Birdsville track was considered to be the horror stretch of the North, but that has been considerably upgraded, and now the Strzelecki track would be classed as one of the worst roads in the North. The rains of early 1974 have done considerable damage to the Strzelecki track, with the result that much of the track had to be rerouted. It is not the scenic drive it used to be, but I am led to believe that it is now a better and safer road in the very wet weather.

It is interesting to read the indenture. It states, in paragraph (3) under the heading "Infrastructure at Moomba and Roads":

> Within 24 months of the date of the ratification of this indenture, the State shall remake or upgrade the said road to a standard which would enable the said road to be reinstated for use by vehicles other than heavy vehicles—

that means it would be a road fit for conventional vehicles to travel on—

> within a reasonable period after the passage of the peak of a flood of equal magnitude to the peak of the flood which occurred during the first half of 1974.

That flood was the largest flood in the history of the white man in South Australia, so it may be many years before we experience another flood of that nature. The indenture states in paragraph (4):

In the event of a flood of less than or equal magnitude to the peak of the flood which occurred during the first half of 1974 the State shall ensure that the road is reinstated for use to the standard referred to in clause 5 (3) hereof as soon as is reasonably practicable and in any event the State will endeavour to ensure that the road will be reinstated within eight weeks after the passage of the peak of such flood or such longer period as the State and the producers may agree.

This, too, is reassuring to the people of that area, particularly as practically the whole of the goods used in the Moomba gas field must travel up that road by transport. There are many transports based at Lyndhurst at present, and they work continually on that road to supply the gas fields. The indenture continues in paragraph (5):

The producers shall advise the State and the Commissioner of Highways if and when it is proposed to use a heavy vehicle for travel on the said road and, upon receipt of that advice, the State shall direct the Commissioner of Highways to remake or upgrade the road where necessary and further if required by the Commissioner of Highways the producers shall agree with the State that they shall pay the full cost as previously agreed in writing by the producers of remaking or upgrading the road where required for that use and the full cost of restoration of all damage to the road arising from that use.

So that would be reassurring, in that any damage done by the company would be made good by the company itself. I asked a question in this House recently about the problem at Lyndhurst. I understand all the pipes for the Sydney gas pipeline for the Moomba area were carted from Leigh Creek via Lyndhurst to Moomba, and there were as many as 23 transports based at Lyndhurst carting these pipes, and this did a lot of damage to the road. I took up this matter with the Minister. Fortunately, rain occurred and settled the dust problem, and we overcame the problem in that way; but there is much traffic on that road.

There is another aspect, too, that I fully agree with, and that is the land at Moomba where the gas fields are situated. A freehold title will be given to the company for 394 hectares. When one considers that about $141 000 000 will be invested in plant in this area, it is to be understood that the companies will require freehold title for that property. It is interesting to note that the headquarters of the Moomba field is situated on the Gidgealpa Station, which is owned by Mr. J. E. Dunn, of Copley; the Minister of Mines and Energy knows him very well. We had the pleasure of staying a night at the hotel when we made a trip to the Mid North. With those remarks I support the Bill.

Mr. COUMBE (Torrens): I support the Bill. I realise that it will go to a Select Committee where more detailed information will be elicited. I hope that members of the committee will invite producers, consumers and other interested parties to come before the committee. This is a most important measure that undoubtedly can and will affect the industrial and domestic development of South Australia and New South Wales, especially Sydney, for many years. It is remarkable when one looks back and sees what a difference has occurred in our mode of living and industrial development and in our mode of energy consumption in South Australia since we have used natural gas from Moomba. I have visited the field, having taken an interest in it first in a private capacity and lately in an official capacity, so I know the conditions that apply on the field.

I was closely related to some of the negotiations that preceded the introduction of this measure, which is different from the preliminary agreement that members of the Opposition received from the Government in about May this year. It is in the interests of South Australia that this Bill is passed. I say that advisedly, because producers will be able to continue. That is an important facet of this legislation. Great praise should be given to the two initial producers, Delhi and Santos, for their enterprise and risk in exploring this part of South Australia and the south-western corner of Queensland, and eventually finding gas. The companies were looking for oil, but found gas, which has been used for the benefit of South Australia.

The companies have farmed out some of their original tenements. That is a natural procedure because of the need for capital, and in this type of activity much capital investment is necessary. We in this House have a responsibility to look at the future of South Australian industry, putting aside the matter of the gas we will sell to Sydney and the price paid for it there. That price will be less than it would have been had it been supplied from Bass Strait. The Australian Gas Light Company side of the agreement has been negotiated. The price structure for gas supplied to Adelaide was recently increased to enable exploration to resume. A recent reply I received from the Premier confirmed that drilling is to proceed and that part of the increase to 24c, I think, is to be used to enable exploration to continue.

It is one of the tragedies of this enterprise that proving of the field ever stopped. The sooner we get back to proving the field the better. We know there is a certain proven reserve and, hopefully, an estimated reserve in the area that has not yet been proven. Fundamentally, that reserve must be proven and we must look for additional fields to add to our underground supplies and reserves. I stress that, in the interests of South Australian industry and the domestic supply (whether through the Electricity Trust of South Australia or the South Australian Gas Company or other purchasers), we have an obligation to see that the future of that industry and its expansion is safeguarded. The degree to which industrial expansion and the use of natural gas has occurred in recent years is remarkable after switching from wood, coal, and oil to natural gas. Environmentally, the use of natural gas has eliminated the emission of otherwise noxious and obnoxious smoke and odour.

The Bill provides for the delivery of gas to the expanded Adelaide market to the end of 1987. Perhaps the Minister could clear up a query I have, because I had the impression that the original agreement referred to the early 1990's. Perhaps it has been bob-tailed a little. There may be a reason for it. I have perused the technical papers that were supplied to me yesterday. If my memory is not playing tricks on me, I thought the original agreement related to the early 1990's. Perhaps this date of 1987 has been included for the purpose of having a common date. I am talking about the first phase and not the second phase, which goes to 2005. It is an important aspect, because the consumers and producers came to that original agreement.

I hope the Minister can explain what will be the interest to South Australian industry, which certainly gets preference. South Australia will certainly get the benefit of the sale of gas to Sydney. The royalty is fixed at 10 per cent until 1987, the period of the agreement, but will not escalate.

Dr. Eastick: Or less.

Mr. COUMBE: It is up to 10 per cent. Another important aspect of the measure is the provision for periodical reviews of the cost of gas. That is absolutely essential, especially in times of rising costs of production because of inflation and other matters. I have read the

items dealing with land dedication and undedication, which is an unusual word to me. I know what "dedication" means and I assume I know what "undedication" means. Another interesting aspect of the Bill relates to rates and taxes and the use of the term "chattels" to get over the problem of rates and taxes for capital improvements on the field. The normal effects of arbitration will not apply.

The member for Frome said that he believed a fine effort has been made regarding the Strzelecki track. People who have visited that part of the world know the absolute need for reliable land access. I have been bogged even in a four-wheel drive vehicle on roads that would normally be considered passable. The *force majeure* provision is normal, and another part of the Bill deals with environmental matters. Although that is necessary, when one sees the Moomba field, one wonders how environmental measures will be implemented. The main thing to be considered in passing this Bill is that it will enable the producers to continue their normal work of extracting, processing, and purifying the product, which then goes to the pipeline authority.

The other matter relates to the rights of A.G.L., which are being readjusted. If we do not proceed with this measure, there could be some doubt as to the future ability of South Australian industry to continue to use this product. One of the important things we must consider in the future is the ability to get liquids from this field. The liquids are there, the hydro-carbons, but, during the debate in this House on the Redcliff project, it was mentioned that the liquids would be piped out. Who knows what the future holds? We must get the liquids out of the field. At present they are going to waste or being flared, and this is a national scandal and a tragedy. While I do not blame anyone at this time, I mention that as a matter of fact.

I support the Bill, in the interests of South Australia and its industries, more particularly the domestic load. I assure the member for Whyalla that, although he has no pipeline in his town, a tremendous amount of bottled gas is used there, even though some of it is reticulated. Here we are looking at the domestic field, which has expanded enormously. When this Bill gets to the Select Committee, I hope that many of these things will be brought out and that as many interested parties as possible will be invited to give evidence so that the Select Committee can report to this House in more detail. I should like the Minister, in reply, to take up my point about the date of 1987; I thought a later date had been included in the original agreement. I indicate my support in the way I have spoken.

Mr. MILLHOUSE (Mitcham): I must, first, indicate a personal interest in this matter; I declare that personal interest. About 10 or 11 years ago I went to Gidgealpa, up the Birdsville track, and down the Strzelecki track. When I came back, I bought some shares in Santos. I cannot remember whether I paid $200 or $400. I still have them, but I have never had anything from them, of course. However, I thought it proper that I should mention that matter before I spoke in this debate.

Mr. Rodda: You have a vested interest!

Mr. MILLHOUSE: Yes, a very real vested interest in the matter. I imagine, from my own experience and from having listened to those who have spoken in the debate, that none of us knows anything about this indenture.

Mr. Dean Brown: What? The Minister does.

Mr. MILLHOUSE: The member for Davenport takes that as an insult. He can take it as he likes; that is my experience. Despite the courtesy of the Minister in providing me with some information about this and the fact that we have had 24 hours to look at it, none of us could possibly have had sufficient time to go through the indenture and work out what it means or what its significance is. There is no doubt about that. I could not do it, and I do not think any other member could. It is obvious from the speeches made that no-one has been able to do that.

I imagine that one of the reasons for this is to get over the Trade Practices Act. That sticks out, even on a cursory run through the indenture. I also believe that the Resources Development Bank insists that everything should be sewn up neatly before it is interested in lending money. I think that has a good deal to do with the form in which we find this indenture. I understand it has taken years of hard work and many tussles with Mr. Connor (of unhappy memory) and his portfolio, and then with the State Government to get the indenture to the situation in which it now stands. I give one warning to those who have expressed pious hopes about the Select Committee. There will be precious little time for the Select Committee to go through this and to give the indenture a reasonable examination. It is obvious that the Bill must be through both Houses in less than three weeks. If it goes through this House tonight and the Select Committee has only the rest of this week and next week (it cannot possibly have any longer than that if the Bill is to get through the Upper House in a few days after being returned to this House), there will not be much time for the committee to do much work on the Bill, and that is a pity.

The indenture is dated October 16, so there has not been a great deal of time to get it into the House. It is a most complex agreement. Although it is not particularly long, it is extraordinarily difficult to follow, as I have found from looking at it in the past 24 hours. Clause 4 (1) is described as a general statement of legislative policy, whatever on earth that means. I read the Bill before I looked at the explanation, and I wondered what the legal significance could be of clause 4 (1) of the Bill, which states:

It is the intention of the Parliament that this Act so far as it lawfully may, shall be held and construed as applying to the Commonwealth and any agency, instrumentality or authority of the Commonwealth in so far as the Commonwealth or any such agency, instrumentality or authority is or becomes a party to the Indenture.

What the legal effect of this is, I do not know. It is normally for the Commonwealth to say what will bind it and what will not. I cannot imagine how the State Parliament can bind the Commonwealth in this way. It is called a general statement of legislative policy, and I think that is a departure in our law. I hope that the Select Committee can give some thought to that. Far more important, however, is clause 22 (2) (and the member for Davenport may have mentioned this). It gives the most sweeping dispensing power, and in all fairness to the draftsman it is mentioned in the explanation of the clause. Just listen to this:

Without limiting the generality of subsection (1) of this section the Governor may by regulation dispense with, suspend or vary, so far as is necessary, for the purpose of carrying out or giving effect to the Indenture any provision of any Act, by-law, rule or regulation or other provision having the force of law (under whatever authority made) and which in the opinion of the Governor—

that is the Government, of course, in fact—

having regard to the representation, if any, of the Producers prevents or impedes or would prevent or impede the carrying out or giving effect to the Indenture and any such regulation shall apply and have effect as if it were enacted in this Act.

We are engaged in an exercise of faith in the Government and the producers when we allow so sweeping a power to

go through, because it literally puts this agreement and this Act above the whole of the law of South Australia, whether it be on the environment, something to do with the payment of rates and taxes, or whatever else one likes. It is a most sweeping power to give, and it is not really sufficient for the Minister to say, "Of course, this is by regulation, and Parliament can do something about it." What if the regulation were to be made in the last week of November of this year? We are to have three sitting weeks, we understand, in February next.

Mr. Mathwin: If we are lucky.

Mr. MILLHOUSE: If we are lucky; and then we are not to sit again until June. If we were to have done what the Premier first said, until some pressure in this place and outside made him change his mind, there would have been eight months in which Parliament would be absolutely impotent and the regulation would speak. That is a most sweeping power. I do not necessarily speak against it.

Mr. Dean Brown: I think you're right, except in relation to the environmental aspect; there is some safeguard there.

Mr. MILLHOUSE: There may be in an earlier section or in the indenture itself, but the member for Davenport has apparently not realised the significance of clause 22 (2), under which the indenture itself is overridden by this provision, if necessary. That is what is of great significance.

The Hon. Hugh Hudson: For the purpose of carrying out or giving effect to the indenture.

Mr. MILLHOUSE: That would be the case. I am not going to argue a legal point now with the member for Davenport, but I believe that, despite the correction I have made to what I said earlier, it is at least arguable that clause 22 (2) could override any of those laws whether they are referred to in the indenture or not. I think that the Minister and the honourable member are right in saying that the indenture cannot be touched, but any of the Statutes are capable of being touched under clause 22 (2). It is, in other words, a very sweeping power indeed. Those are the only things in the Act I want to mention. We have heard a good burst on the Strzelecki track from the honourable member for that district. I am intrigued (and this is one of the difficulties one has in understanding the indenture) because, if one looks at clause 1 (12), the definition clause, one sees that it refers to "unitised substances". My curiosity was aroused by that term. "Unitised substances" means "unitised substances" as defined in the unit agreement. I do not really know what the "unit agreement" is. The definition is about eight lines long and it is difficult to construe, but it is nowhere annexed or attached to the agreement, and no-one knows what is in the "unit agreement". We will never know what the definition of "unitised substances" means by looking at what we have in front of us.

The Hon. Hugh Hudson: I am willing to try to get you a copy of it, if you provide me with a suitcase.

Mr. MILLHOUSE: Do not worry, but it shows how impotent Parliament is on an occasion like this. All I hope is that competent people are put on the Select Committee. I do not want to be put on it (and I would not be put on it by the Government or the Liberals), but I hope that the committee's members do some work on this matter. If they find any faults in the Bill or the indenture (although goodness knows what they could do about it if they found them in the indenture), I hope that they will report them to Parliament so we will know what they are all about.

Dr. EASTICK (Light): I raise two or three matters in the hope that the Minister, when replying, will be able to give members some background knowledge relative to the current situation on the matters I raise. First, I indicate that I am interested in the aspect that clearly sets out to guarantee the petrol feed stock of South Australia for a period into the future. The wording is "rationalise so as to optimise the recovery of the State's petroleum reserves", and that is contained within part of the total.

The Hon. Hugh Hudson: To what are you referring?

Dr. EASTICK: I will come back to that later, but that is the actual wording. On an occasion about 2½ years ago (and I have drawn this to the Minister's attention since he became the Minister associated with this project), the Premier gave me an unqualified guarantee that, in any circumstances in the arrangement that had been entered into with A.G.L., the total of the wet substances of the gas production (in other words, the petroleum portions) would be retained within South Australia and that any use of this fraction of production from the fields would be entirely within South Australia. This can be checked through and, in essence, this was the reason why the petrochemical project at Redcliff was being set up and it was to be utilised at that source, and only dry gas would be permitted to go to Sydney.

Without Redcliff, it is now not going to be an economically feasible project, I believe (and this is the question that is basic in my query to the Minister now), to so treat the gas that is directed towards Sydney, so that it is only dry gas. In other words, we in South Australia will be providing to the Sydney market a gas product that contains a percentage (albeit every endeavour will be made to reduce the percentage of wet materials that go to Sydney) of some of our future petroleum products. Indeed, I could go further and say that the major reason for escalaion of cost (probably representing about one-third of the cost of the total Redcliff project so far as the consortium was concerned) was the demands made by the then Minister for Minerals and Energy that the liquid petroleum gas be turned into motor spirit. The scale of the project (and we could run into all kinds of difficulty associated with what the word "scale" means), be it Redcliff or in the metropolitan area (and this feature was drawn to my attention by the people at I.C.I., at Wilton), was increased by one-third, by virtue of that transference of l.p.g. into motor spirit.

The other matter which caused concern was that, without further investigation or exploration, and without a guarantee that there was a project which could immediately use the wet content of the gas, the feed stock provision for a Redcliff project was going to diminish on then known reserves every year that wet gas was permitted to go through to Sydney. So, we had a series of reasons, quite apart from the costing factor, that is, the cost of the gas at the wellhead, that were militating against the continuance of the Redcliff project. I use that information only by way of background information, because I want to return to the first question I asked of the Minister, namely, what will be the rationalisation of the petroleum reserves as far as South Australia is concerned?

How will we contain it and maximise the retention of those reserves against some possible future use, having regard to the fact that, although it might be possible to exploit those fields that are known to be high gas producers and low liquid producers, there are limitations on returning the liquid component back into the gas fields? Indeed, there is an expectation of about 25 per cent of

loss, I am advised, of the liquid part by way of diffusion once it is directed back into the field.

The other important matter relates to the rate of royalty; it will be 10 per cent or less until 1987. I wish to refer to the claim that the indenture has been concluded on the basis that the producers will know exactly what their costs will be, so that they can obtain funds from the resources bank, cost the project forward, and give the types of guarantee for their products that are required. If there is a variable until 1987, as a result of the provision relating to a figure of 10 per cent or less, with what figures will the producers be dealing? The amount may be trivial in terms of so much a unit but, in terms of trillions of units, a figure of ·1 per cent and certainly 1 per cent or 2 per cent become considerable.

Clause 4 is a legislative recognition of the fact that the Commonwealth Government intends to become directly or indirectly a party to the indenture. Will it be a direct party or an indirect party? What will the Commonwealth do in respect of the whole project? What commitment have this Government or the producers made with the Commonwealth that will allow the Commonwealth to involve itself in the whole scheme? Is it only in regard to financing through the resources bank, or is it more involved than that? Many questions arise in the mind of anyone reading the documents. I realise that further detail will be provided during the proceedings of the Select Committee. Provided I can be assured on the basic issues, I intend to support the Bill.

The Hon. HUGH HUDSON (Minister of Mines and Energy): I thank members for their attention to this Bill. I realise that the time available has been short, but that is not something that we have planned: it has been forced upon us by the circumstances. The indenture was signed on October 16, and three weeks before that, when I set that day as the last day for signing the indenture, it was not at all clear that we would get everything cleaned up for it to be signed. I think the indenture was signed at about 4.15 on that Thursday afternoon, and negotiations ceased at about 3.50 on that afternoon. It was not until the indenture was signed that work commenced on the Bill. The time available for the preparation of the Bill and the subsequent discussion about the Bill between the Parliamentary Counsel and the producers prior to its introduction here was very limited. It is necessary, for general reasons related to financing the project, to ensure that all these processes are carried out prior to the end of this portion of the session; in any event, prior to the end of November.

The member for Davenport raised questions concerning the Australian Gas Light Company. The contract of the company to the year 2005 covers only 2·8 trillion cubic feet. The Sydney pipeline has been planned with a capacity of four trillion cubic feet. It was demonstrated apparently only to be viable if four trillion cubic feet would pass down that pipeline during the relevant period. Until we are satisfied with the amount of gas we get after the Australian Gas Light Company has got 2·8 trillion cubic feet, the company can get no more. It cannot get any further up to the four trillion cubic feet, and then it can get access to gas only with our agreement. Under the future sales agreement, we are contracting to purchase 100 000 000 cubic feet in each of the years from 1988 to 2005 and, in addition, we are taking an option on all further gas.

Mr. Dean Brown: Whom do you mean by "we"?

The Hon. HUGH HUDSON: I mean the Natural Gas Pipelines Authority of South Australia. We are taking an option on all further gas that may be available in the South Australian portion of the Cooper Basin. True, the Australian Gas Light Company has one or two minor fields in the Queensland portion of the Cooper Basin, but there are difficulties involved with the Queensland Government that loom fairly large, and there can be no guarantee to the company or anyone else that that gas will be made available. At present there are two trillion cubic feet proved in respect of the Australian Gas Light Company, and it has a contract to take it to 2·8 trillion cubic feet—a contract that South Australia would recognise. Beyond that point we take priority over all supplies of gas. The member for Davenport raised a question about the cost of the Strzelecki track, and I guess that the member for Frome will be interested in that. The Highways Department is unable to give a precise estimate because, until it gets into the job, it is not sure how much trouble it will get into. The department expects a cost of up to $1 500 000. Under the indenture, this cost will be met by the Government; the community should meet it because, if the producers met it, it would end up in the price of gas, and the community would pay for it, anyway. It is in our overall interests to ensure that the producers' operations are as efficient as they can be. So, the most satisfactory way of proceeding with the necessary upgrading of the Strzelecki track is for the State to commit itself to it.

I point out to the member for Davenport that I do not think it is possible for him to tie in the hiatus in exploration in the Cooper Basin with the Australian Government. There were certainly tax changes made by the Australian Government that affected the financial position of the producers. However, the State and the Australian Gas Light Company both agreed to an increase in the field price of gas from 24c to 30c. It was applicable from the beginning of this year to cover the producers for the cash flow effect of the Australian Government's tax changes. So, from our viewpoint, the tax changes were unfortunate in that they led to an increased price for gas to Adelaide consumers. The producers were not put in a worse position as a consequence of those tax changes, because the Australian Gas Light Company and the South Australian Government agreed that they had to be fully compensated for the effect of those tax changes on the cash flow.

Mr. Dean Brown: The Chairman of Santos would disagree with you. There are two annual reports on this matter.

The Hon. HUGH HUDSON: Nevertheless, the problem of the producers' cash flow has probably been a critical factor in the position. The price increase which was referred to by the member for Torrens was an increase of 50 per cent and was negotiated last year. It started to produce a cash flow to finance exploration from the middle of last year, but exploration has only just recommenced. Other problems have caused the hiatus in this respect, and I do not think it would be profitable for the honourable member to enter into a detailed debate on that matter.

The question regarding liquids and the concern about I.C.I. to which the honourable member referred were factors in the situation, in that they were concerned that, after the Tirrawarra discoveries, there had not been, because of a lack of exploration, further significant discoveries of liquids. Undoubtedly, when the contracts had been written between the producers and I.C.I. for the supply of liquids, it would have led to the appropriate bank financing

arrangements that would have helped with further exploration and perhaps unlocked that difficulty. However, until the agreements were all tied up, the proposals of the Redcliff petro-chemical consortium did nothing particularly regarding the financing of the producers' exploration efforts.

They were only proposals at that stage and, until actual contracts had been entered into, the producers were not in a position to use any form of paper as a means of obtaining additional funding from the banking system. I also point out to the honourable member that my remarks in this connection point to the fact that, once again, it was not a failure on the part of the State Government that led to the lack of exploration. The Government has tried all along to co-operate to the fullest extent in order to ensure that, so far as it was able to do so, the producers' cash flow position was met and that they would therefore be able to carry out further exploration.

Mr. Dean Brown: Indirectly the State Government was responsible.

The Hon. HUGH HUDSON: The honourable member can say that, although I believe he is doing so merely as a political ploy off the top of his head, and he has no basis for saying it. He has no basis, in relation to the actions of the State Government, for saying it. He might think he can come out with some airy-fairy statements that demonstrate it in his mind but, in fact, they do not demonstrate anything of the sort. In this connection, I point out to the member for Light that the main liquids are in the Tirrawarra field in the Cooper Basin, and at present gas is being taken from Moomba-Gidgealpa and from the Big Lake field, all of which, I understand, are dry fields.

Dr. Eastick: Not completely.

The Hon. HUGH HUDSON: True, but the amount of liquids that would be available from those fields for any petro-chemical scheme is not significant. It is not until they get to the stage of having to develop the Tirrawarra field particularly that the situation becomes critical in relation to the liquid scheme. Regarding the use of these liquids, they do not necessarily entail a petro-chemical complex. There are other possible uses of the liquids that would not necessarily go as far as the complete petro-chemical exercise.

Dr. Eastick: If you've still got them.

The Hon. HUGH HUDSON: These matters are at present being considered, as I have explained previously in the House, to ascertain the economic viability of the various alternatives that are open for the development of those liquids. In addition to that investigation, certain other discussions, to which I now intend to refer, are taking place. I am simply saying that the Government has the problem in mind and is willing to do what it can to help. However, I think it ought to be clear that, in view of the difficulties experienced with the previous consortium, it is absolutely essential to establish the economic viability, and the kind of commitment that will be made to infrastructure by the Australian Government, before we start getting really excited about any possible results. I do not intend to do anything to create expectations about what may or may not happen until I am fairly confident of the results that may be achieved.

Dr. Eastick: Are you acknowledging by that statement that premature statements were made in the past?

The Hon. HUGH HUDSON: No. I think the commitments that were made previously were made with reasonable expectations as to the results that were likely to flow from the original letters of intent and the original negotiations. The capital cost of the petro-chemical works, as against the relative inflation of the price of the products to be produced from the works—

Dr. Eastick: That's l.p.g. utilisation?

The Hon. HUGH HUDSON: I will come to that soon. The events relating to inflation and the concern regarding the supply of feed stock were the two main reasons for the I.C.I. Alcoa and Mitsubishi consortium pulling out. They have asserted to me more than once that the Australian Government's requirement for the use of crude oil, not propane and butane, in the Tirrawarra field, to be used in the production of motor spirits, was not a factor, as the Australian Minister for Minerals and Energy at that time, Mr. Connor, and the Government, had made it clear that the price of the motor spirit would be adjusted to take account of the cost of doing it in that way.

Dr. Eastick: It still affected the cost of the project.

The Hon. HUGH HUDSON: If there is a higher capital cost, we must get a greater return in order to justify it. If the greater return is there, the extra funds for the higher capital cost will be forthcoming.

Dr. Eastick: No.

The Hon. HUGH HUDSON: If the honourable member does not understand that simple point of economics, I suggest that he cease interjecting until he understands it.

Dr. Eastick: I suggest that you go—

The Hon. HUGH HUDSON: If the rate of return exists in relation to the production of motor spirit because there is a price adjustment to allow for the higher costs, the necessary capital funds will be forthcoming. The concern about inflation related to the relative return on the capital investment on the remainder of the petro-chemical complex, because the costs of inflation in building the complex were rising more rapidly than the expected price of the products to be produced. That was the problem, not the motor spirit aspect.

Mr. Dean Brown: Absolute baloney!

The Hon. HUGH HUDSON: The honourable member can say that it is absolute baloney. That is the kind of stupidity with which he carries on for political reasons.

Members interjecting:

The SPEAKER: Order!

The Hon. HUGH HUDSON: I point out that the position that has been taken on the price of crude oil in the recent adjustment illustrates well the point which was made by Mr. Connor at the time and which was accepted by the people involved locally in the consortium. We now have differential prices for crude oil, depending on its origin. There is import parity for newly-discovered crude oil; there is a certain price for Bass Strait oil, another one for Barrow Island oil, and yet another for the Moonie field. There was to be a price for Cooper Basin crude oil sufficient to ensure that the refining of that oil to motor spirit would be a profitable exercise for the consortium. That guarantee—

Mr. Dean Brown: But Connor would not give that guarantee.

The SPEAKER: Order!

The Hon. HUGH HUDSON: That guarantee had been given to the consortium, and at no stage did the consortium tell me that the factor that has been mentioned by the member for Light was a reason for its withdrawal. Members can accept or reject that statement. I have made it before, and I do not intend to have my word on the matter continually questioned. I do not intend to say

to the consortium that it was not telling me the truth when it set out the reasons to me over a period of some hours for its withdrawal. I repeat: the point that members opposite have tried to make because it is politically convenient—

Dr. Eastick: It's factual.

The Hon. HUGH HUDSON: The member for Light says it is factual, and he can go on saying that it is factual, until he becomes even more fatuous than he is. I repeat: the consortium has not made that point to me, and it has not at any stage substantiated the claims of the Opposition on this matter.

Mr. Dean Brown: You must have spoken to the wrong people.

The Hon. HUGH HUDSON: There is no point in discussing the matter further. Concerning the point raised by the member for Torrens in respect of the extent of the agreement, the original agreement was to be in force until 1991, but it has been bob-tailed. It was bob-tailed in order to meet an expanded Adelaide market, which was greater than was first foreseen and in exchange for now being able to draw on the Big Lake field, which previously was dedicated to A.G.L., even though the undedication of that field had not been completed. So part of the arrangements that have been made with A.G.L. involved the bob-tailing of the previous agreements, as I have explained, and the drawing on the Big Lake field at present, even before the conclusion of the deed of covenant and release concerning A.G.L.

Reference was made to what preference we had, and I think I answered that point, in part, by referring to the size of the A.G.L. market. The contract currently provides for 2·8 trillion feet. That would not have been sufficient to justify the viability of the Sydney plant. Further gas, beyond that 2·8 trillion feet, will depend on the agreement of the State of South Australia acting through the pipelines authority. The other position that I should mention is that, while we did attempt to secure the agreement of A.G.L. to price parity so far as the field-gate price of gas was concerned, so that South Australia paid exactly the same price as A.G.L. paid, which is the current position, we were unable to secure a long-term agreement to that effect from A.G.L.

However, we have protected ourselves to the best possible extent by insisting on arbitration provisions in relation to the price of gas which means that, if at any stage producers give A.G.L. a better field-gate price than South Australia has, it has to be at the expense of the producers' profits. They have to meet the full costs of that. The arbitrator (should there ever be a need for arbitration in determining the South Australian price), under the future sales agreement that has been negotiated, has to assume that any price he is considering for the South Australian market applies to A.G.L., so that the producers are assumed to get the same benefit in revenue from their sales to A.G.L. as they get from us.

Mr. Coumbe: Beyond parity?

The Hon. HUGH HUDSON: No, up to parity. If they happened to be selling to A.G.L. at a lower price (at a discount), the South Australian arbitrator would not take that into account; he would simply assume that they were selling at the same price, not at a discounted price, and therefore obtaining the revenue benefits of that.

Mr. Coumbe: It doesn't matter, of course, if they pay a premium.

The Hon. HUGH HUDSON: No, that is all right. He does not have to take that into account. Whilst we do not have exactly price parity, we have the next best thing to it. As the pipeline costs to Sydney will be well in excess of the pipeline costs to Adelaide, the Sydney price of gas will be significantly greater than the Adelaide price.

Mr. Coumbe: Still lower than Bass Strait, I believe.

The Hon. HUGH HUDSON: I believe so; I am not absolutely certain on that point. The matter of royalty was referred to by the member for Light. Royalty is a factor to be taken into account in relation to the arbitration procedures. It was not a factor that affected the financing of the project through the Australian Resources and Development Bank. The agreement on maintaining the royalty relates in part to the relationship between the producers and A.G.L., in that their contract provides that any increases in the royalty are to be half met by A.G.L. and half met by the producers. We wanted to ensure that there was some benefit there. Regarding clause 4, the Commonwealth has an interest in Delhi. It was an interest through the P.M.A. but, since the P.M.A. has collapsed, it is now an interest of the Commonwealth itself, and the Commonwealth therefore becomes the sub-licensee. Clause 4 (1) is the best attempt we could make to look as though we were binding the Commonwealth, so far as the law under this indenture is concerned.

Dr. Eastick: That is the extent of its involvement?

The Hon. HUGH HUDSON: Yes. There has been no difficulty. Another honourable member said that the situation had gone on for a long time because of Mr. Connor. That is completely untrue. The Commonwealth has not directly as a Government (only indirectly, through Delhi) been involved in the negotiations. It has tended to play a passive role in this whole matter. The complicated negotiations have related to A.G.L., the New South Wales State Government, the financial arrangements with the banks, and the fact that there are nine producers who have all to be satisfied.

Mr. Coumbe: Is it constitutionally possible?

The Hon. HUGH HUDSON: We think so. The member for Mitcham claimed that clause 22 (2) provided for a wide regulation-making power. This is a consequence of the scheme of the Bill. The alternative would have been (and this is putting it in a rough-and-ready way) to have made the indenture the law, simply saying, "This is the law." We would then not have been sure of the extent to which various Acts were affected, and we would have been faced with a situation involving a degree of uncertainty. We were firm in the view that the Bill should be operated on a scheme wherein it actually amended the law to the extent that was necessary to give effect to the indenture.

Of course, this regulation-making power is a means of covering the situation in relation to anything that may have been missed elsewhere in the Bill, and it also ensures that Parliament can control the extent to which the law is amended. If we had adopted the other scheme of arrangements, the generality of the whole matter could have been significantly greater. I thank members generally for the attention they have given to this matter. I am pleased to have their support, and I look forward to the rapid passage of this legislation.

Mr. Dean Brown: Is it true that the Monarto Development Commission will be used for the planning of the township?

The Hon. HUGH HUDSON: I believe that the honourable member, on his recent visit to the Monarto Development Commission, said that he would support Monarto, so long as there was an inquiry that reported that it was all right.

Mr. Dean Brown: I didn't say that.

The Hon. HUGH HUDSON: Well, I am sorry about that.

The SPEAKER: Order!

The Hon. HUGH HUDSON: I am sorry to be transgressing, but I was led into that transgression by the behaviour of the member for Davenport.

The SPEAKER: Order!

The Hon. HUGH HUDSON: I apologise for him but, even so, I thank him for his support of the measure.

Bill read a second time and referred to a Select Committee comprising Messrs. Allen, Dean Brown, Hudson, Olson, and Slater; the committee to have power to send for persons, papers, and records, and to adjourn from place to place; the committee to report on November 6.

SUCCESSION DUTIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 28. Page 1491.)

Mr. McRAE (Playford): I support this legislation, which I regard as a half-way mark to the promised land, like the Israelites tracking out over the Sinai Desert and eventually reaching that land of milk and honey. As an individual, I believe that there should be a total remission of succession duties between spouses but, by the same token—

Mr. Dean Brown: You believe that, do you?

Mr. McRAE: Yes, I do; but of course one must take into account the financial situation of the State. I hope that, as a result of the Constitution Convention, which I hope can continue, for the member for Light and I both believe it has a role to play, there will be a much needed adjustment of progressive tax growth rates for the State that can permit the ultimate—the abolition of succession duties as between spouses, and the abolition of succession duties in other areas, too. So I see this as being, as it were, half-way through the trip through the desert, with the promised land in sight and, having got the promised land in sight, we can be thankful for what we have achieved so far in this Bill.

Before getting on to the congratulations about the Bill, one thing must be said about the Act itself, which is in such an incredible mess. It has been amended so many times that it should be repealed and re-enacted in a properly redrafted form. That is necessary, but I doubt whether there would be many legal practitioners in South Australia who would dare to say that they really understood the Succession Duties Act. In fact, if they do say that, I suggest we should be wary of them and place more trust in those people who say, "We do not really understand the ruddy thing", because they will be the more realistic people. That is my second comment.

I come now to the credits. I give credit to the Government of South Australia for the fair way in which it has considered in a real and practical manner its citizens, in both the metropolitan and the rural areas.

Mr. Venning: Do you think we can make this Bill retrospective in any way?

The SPEAKER: Order!

Mr. McRAE: I hoped there could be a measure of retrospectivity, but again we fall back on this matter of the capacity of the State's finances to cope with such a situation. I am assured by my Premier that this is not a feasible proposition; but personally I would have hoped it would be retrospective.

Mr. Venning: Retrospective for people who are now having to sell their properties to pay probate?

Mr. McRAE: No, but, as we go through the Bill, we can give the honourable member a number of reassurances about his constituents' position. I congratulate both the member for Mallee and the member for Eyre on their excellent contributions to this debate. The member for Mallee made an excellent speech and also has been co-operating throughout the day in preparing amendments based on his speech last night. On the floor of the House there seems to be a conference going on, which indicates that perhaps he has progressed that much further.

I do not want this to be as long a speech as it might be. Briefly, I summarise the situation and want to emphasise the way in which the drafting of legislation like this is so important, in that, as we legislators try to sort out a situation that will be fair, the estate planners are trying to sort out a situation that will avoid all our endeavours. I think I can come to that. It seems to me that this Bill is presented specifically for what would be regarded as five areas requiring urgent attention—

The SPEAKER: Order! There is too much audible conversation.

Mr. McRAE: —in the main, to alleviate hardship, or possible hardship, that the present Act imposes. I will summarise the areas and then explain in more detail. Clause 4 is to clarify and make exempt from succession duty transfers between spouses who have taken advantage of the Government's recent relief from stamp duty of transfers between spouses. Clause 6 is to overcome the technical loophole that was evident following the decision in Bray's case. I think I should say that the Bray in question is no relation to our own Dr. Bray, the Chief Justice. However, this is a good illustration for members who may know how estate planners can look for loopholes and use them quickly and shrewdly. If we listen to this example, we can see how clever and simple this plan was.

In this case, Bray loaned funds to his family company and money was lent upon the terms that it should be repayable in full upon the expiration of 90 days notice given under his (Bray's) hand and subject thereto should be repayable by annual instalments of not less than a stated amount over a period of 40 years. Bray died without having given notice requiring repayment and with a number of instalments not having been repaid. Once a man is 2 m under, it is hard for him to give notice or to sign! So the situation was this. At his death, the amount outstanding on the loan was $162 800. The executors claimed that the value of the loan for estate duty assessment was $49 876, taking into account the moneys repaid. This was on the contention that the repayment was "under his own hand" and that the right to such notice was personal to the deceased and, he having died without exercising that right, it could not be exercised by his executors. So, the value of the estate at the date of a deceased's death was much less than the total of the instalments remaining to be paid. The claim was upheld, and the value of the loan for estate duty purposes was $49 876. This sort of avoidance should not be possible in South Australia but, under the provisions of the existing Act, it is possible. Likewise, it is

still possible under the provisions in this Bill, but foreshadowed amendments will make it impossible.

It shows how careful one must be in this sort of situation. Clause 6 provides a way of blocking this sort of scheme, successful as it was, but really does not totally achieve that purpose. Therefore, a further amendment will be introduced which will finally solve the problem. Clause 7 is extremely important. A general power is now given to the Commissioner to remit interest on duty where reasonable cause exists. The Commissioner did not have this power before; he should have it to cover hardship situations. The fourth area relates to clause 11. This is also an important clause, because it increases the rebate to spouses in estates of a deceased spouse. The clauses to which I have referred bring the Act into line with current values. The prior rebates were quite insufficient, in view of the average market value of houses. The principal Act does not take into account current inflationary trends, but the Bill does, and spells out a method whereby each year rebates can be increased in accordance with appreciating values. Again, I see this as being only halfway through the desert, with the promised land in front of us, but at least we can see the promised land, so we have gained something.

The fifth area relates to clause 15, which brings urgent relief to rural landholders. As the member for Mallee has already spoken on this matter and will no doubt speak again in Committee, I will not add anything further except to say that it was an urgent relief and should have been granted previously, and it is therefore to the Government's credit that that relief has been provided. I now wish to comment more fully on the amendments. In relation to clause 4, the Government previously gave relief, in the case of transfers, to remove stamp and gift duty on an interest in a matrimonial home. Since this relief was instituted on July 14, 1975, there has been some concern whether, in the event of subsequent death of a spouse, the transfer is subject to succession duty.

The Law Society approached the Government and asked that the matter might be clarified. Of course, it is in everyone's interest that the matter be clarified, and it has now been clarified. Curiously, subsequent to the Law Society's submissions, a decision was handed down by the Full Supreme Court of India, which held precisely what Mr. Barouche claimed in his submissions on behalf of the Law Society. Before the Indian decision was handed down, conflicting cases had arisen in South Australia and New South Wales and, as destiny would have it, it was at this time that the Full Supreme Court of India held to the letter exactly what Mr. Barouche had been arguing.

I can summarise my remarks in this area by saying that clause 4 puts the matter beyond doubt, because any transfer following the Government's decision to remit stamp and gift duty on a transfer of a matrimonial home will in no way be brought under the provisions of the Succession Duties Act. I have summarised the Bray situation in relation to clause 6, and see no reason for further comment. Clause 7 relates to section 51 of the Act, which provides that interest is payable on succession duty six months from the date when duty first becomes chargeable. Under the Act, the Commissioner has the power to postpone the date when the interest commenced. However, the Commissioner had no power to remit interest. This provision has resulted in hardship. The Commissioner should have power to remit, wholly or in part, any interest. Under clause 7, the Commissioner is given the power to do that.

Clauses 11, 12, 13 and 14 relate to the increase in benefit to spouses and children, and are really the most important clauses of the Bill. They represent a major step forward by the Government to bring into line exceptions for duty for spouses in an inflationary economy. Unfortunately, fixed rebates do not work: they are resulting in hardship to most surviving spouses in this State. The Government not only wants to increase rebates as promised but also wants the rebates at all times to be in step with the average estates in South Australia.

I certainly take into account the problems raised by the member for Mallee. Regarding the matrimonial home, the reality of the position is that a rural matrimonial home is of much less a value than an urban matrimonial home and, therefore, if values are being averaged out, the indexation procedure does not work as favourably as it might work. Against that, in relation to the monetary benefit (that is, all benefits to the spouse apart from real estate), the consumer price index is operating. Using my humble arithmetic and using a figure of somewhere between 10 per cent and 16·9 per cent (hoping that inflation will fall over the next two years), an $18 000 house will increase in the expected term of this Government from its base to between $25 000 and $30 000, depending on the inflation rate in the ambits I have given. That is certainly a real benefit.

It could be argued that the benefit might have been better expressed as a full rebate and have taken into account prospectively the inflationary factors. Anything that is done in this area must be seen in two lights. The first is that we should all be trying to reduce hardship on spouses and dependants. However, at the same time, we cannot ignore that the finances of a small State such as South Australia cannot be placed in jeopardy and, until a decent growth tax is entrenched in the Constitution of Australia, we cannot be too generous. Perhaps more wealthy States can be more generous, but at this stage we cannot be too generous. However, as time goes on I hope we will reach that stage. In relation to the rural situation, I realise, from observations made to me by the member for Mallee (who has worked hard on this matter) and other honourable members that there are different situations in the rural scene.

I can summarise the situation fairly by saying that the Government has been concerned at the rural situation. A rural holding is often of a substantial value, yet the income in proportion to the value of this asset is slight. The situation is more acute when succession duty is levied on the capital asset. Take the situation of a farmer who is trying to meet his mortgage commitments: in the event of his death, the duty charged could well mean the end of his venture. To alleviate this problem, clause 15 amends previous legislation dealing with this matter and provides that the rebate will be one-half of the value of rural property held by the deceased irrespective of the value. I know that, for the great majority of rural landholders in South Australia, that will be a tremendous advantage. There will be certain areas where, under the formula provided, that will not perhaps supply everything they would want, but what people want and what can be provided are two different things.

In essence, I therefore most strongly support the Bill. It is one I have worked hard on in an attempt to see that the various technical problems that have faced the legal profession, the trustee companies, and others in endeavouring to administer estates should not be increased. I hope that the time will come (looking to the promised land) when we will have a spare Parliamentary Counsel

who can do the sort of redrafting I am looking at, in this and many other areas. Quite frankly, at the moment anyone who can understand the Succession Duties Act is doing very well. Only those who frankly admit that they do not understand it are the ones who should be trusted. I come back to that. With those remarks, and in the expectation that I will have a few words to say in Committee, I give my strongest support to the Bill.

Mr. MILLHOUSE (Mitcham): I assure the member for Playford that he can trust me, because I do not claim to understand the Succession Duties Act, and I am the first to admit it. As he said, I think few members of the legal profession, apart from those who are engagaed in our capacity as proctor, would understand the Succession Duties Act, so I am encouraged to think that, after what he has said, the member for Playford will trust me on this matter. I support the Bill, and so does the Liberal Movement. It does not go nearly far enough, in our view, but, so far as it does go, we support it. The policy I gave at the recent election went rather further than this, and I suspect (although this would be strongly denied by the Premier) that what I said had some influence on him. This is what we said about succession duties:

The succession duty in this State is based on a sliding scale, depending upon the amount of the succession, and the closeness of the relationship to the deceased.

I knew that much about it; I wrote that myself. The policy continues:

Because of inflation, money values have gone up so much that the concessions to the surviving spouse have almost become an illusion. The L.M. will exempt altogether from duty the matrimonial home passing to a surviving spouse. In addition, we shall, as soon as finances permit, reduce succession duties on rural land so that the family farm is not destroyed by this tax. We will also introduce indexation of the scales of duty so that the Government does not take the quite unmerited, indeed immoral, advantage of inflation yielding ever higher duties at the expense of those least able to afford them.

All those things were mentioned by the Premier in his second reading explanation and are at least partly reflected in the Bill. We must remember that many people in the community want the Government to go much further, even further than I was prepared to go in our policy speech. I do not know how many thousands of signatures have been placed on petitions circulating in this State in the past few months, but the prayer in the petitions, which I drafted myself (although I explained to Mrs. Tapp at the time that I personally could not go as far as this), states:

Pass an amendment to the Succession Duties Act to abolish succession duty on that part of an estate passing to a surviving spouse.

In other words, anything, whether the matrimonial home, stocks and shares, realty of any description, or whatever it might be, would be free of duty if it passed to the surviving spouse. Even that has not met with universal favour, because one person in my district said, "That is no good to me. I am not married and my brother is not married. We share a home. What is in it for us?" It is not possible to cover everyone and every case and still retain any vestige of succession duties.

Let us not be too congratulatory (either self-congratulatory or congratulatory of the Government), because we are not going nearly as far as many people would like us to go, certainly not as far as I should like to go. We are not going as far, I think, as some of the other States. I have Queensland in mind. If no-one has quoted the letter from the Treasurer of Queensland on this matter, I shall do so. Because the Premier is so fond of his counterparts in Queensland, I propose to quote that letter, because the Queensland people have gone much further than the Premier has gone. In view of all the things he says about them (and sometimes I am inclined to agree with some of them), it is interesting to find that the Queensland people take a different view of themselves. This letter is dated October 15, and it was written to Mrs. Tapp by Sir Gordon Chalk, the Liberal Leader.

Mr. Keneally: A great guy.

Mr. MILLHOUSE: He is certainly a few shades less reactionary than his senior colleague, Mr. Bjelke-Petersen. The letter states:

Dear Mrs. Tapp,

Thank you for your letter concerning the announced abolition of succession duty in respect of property passing between spouses in Queensland. It is difficult to point to one factor above others which has induced me to put forward this particular concession. It has always been the Queensland Government's policy to grant relief from succession duties as and when this became possible in the light of the budgetary situation and I have always considered that the area in which relief is most needed is the spouse to spouse area.

I have, of course, as Treasurer received many submissions from organisations pressing for death duty relief, particularly in this spouse to spouse area, and I have also had expressions of views from many individuals who had been affected by these duties at a time when they were least able to face burdens of this nature. In a review of State taxes and charges carried out as part of our Budget preparations, it was found that, due to our tight rein on Government expenditure, we could offer some death duty relief without lifting our other tax levels above those in other States. The opportunity was therefore seized to give effect to the most needed part of our long-term aim to phase out this form of taxation.

There we have mention of benefits by the generous Queenslanders, in stark contrast to the meagre benefit given by the Government in this State. My deputy, while I have been speaking, has made a calculation and finds that the number of persons who have signed the petitions is 16 593, with 500 more to come tomorrow.

I have been dealing only with the part of the Bill concerned with concessions to spouses. I must admit that my friend and colleague from Goyder has been chortling (as have other members in my Party with connections in the country) about the concessions to primary producers in the rural areas. I have no complaint to make about them although, as with all these things, they could go further. When we plug up one gap to save the revenue we create other anomalies.

We have been doing this since the beginning of legislation, and I do not suppose that we will stop doing it. I have a copy of a letter, which illustrates this point, from a solicitor in town. It is a copy of a letter he wrote to the Commissioner of Succession Duties in September arising out of a certain estate which he was handling and which showed a most glaring anomaly and unfair situation. The writer states:

Further to our letter to you of September 11 last in connection with the estate of—

I will not mention the name—

to which you gave your verbal reply to the writer to the effect that the amendments sought for by us had already been recommended by your department and passed on to Parliamentary Counsel for drafting—

and I am pleased to see that they are in the Bill—

we consider that there is a case for the sought for amendment to "exclusion" (*a*) to section 55e to be made retrospective to the date of the passing of the Succession Duties Act Amendment Act, 1970, on the following grounds:

I have not even asked the Premier whether he would be willing to do this, because I am confident that he would

not make an amendment of this nature retrospective, and from my position on the Opposition benches I would hesitate to do so. I have read the letter, because it shows how unfairly the Act can sometimes work. The letter continues:

1. As the officers of your department admit, the matter was obviously overlooked when the Legislature considered the 1970 amendments. Any anomalies which arose as a result of those amendments must therefore be corrected with effect from the date that such anomalies arose.
2. As again your officers admit, there have been very few cases of a similar nature to that the subject of this correspondence, which have arisen since 1970. Indeed your Senior Assessor can only specifically recall one such case. The State's revenue will therefore only be slightly affected. Any persons who might consider that they have a claim should such retrospective amendment be passed, would be made aware of the situation by accurate statements in the press made at the appropriate time.
3. Our clients and a few others who have been similarly affected would be saved from an injustice for which they otherwise have little hope of redress and in respect of which they only stand to suffer, while others will reap the advantages of the amending legislation, if the retrospective action is not taken.

The writer says that a copy has been sent to the Parliamentary Counsel. The letter sets out the facts which are that, because there was a succession which would only pass on survivorship for a period of a few days, the Commissioner regarded that as an uncertainty, and, therefore, the rebate was not allowed. That situation is being altered in the Bill, but it is certainly something that should not have been allowed to happen. I do not think there is anything more I need say about this Bill. It is, as I implied, a matter for experts in this field of law and there are, I venture to say, few of those in the House. The Bill should be considered in more detail in Committee than elsewhere. Although I support the Bill, I wish it went even further.

Mr. GUNN (Eyre): The Bill meets some of the problems that Opposition members have been raising ever since I have been a member. This form of taxation, I believe, is one of the worst forms of taxation levied on individual estates or on anyone. There is no justification for this kind of capital taxation because, in relation to rural estates, it is operating in direct contrast to the rural reconstruction scheme that has been set up to assist people in difficulties. The greatest difficulty I come across in my district (and no doubt other members face it in their districts) is the problem caused by succession duties. I believe that the time has long passed when we should allow a situation to exist in which people can be taxed out of their home by this kind of taxation. To make matters even worse, there is no justification for having double taxation in this field, and I cannot for the life of me understand why it has been necessary for successive Commonwealth Governments to levy Commonwealth estate duties, thus making a double tax on death. It is bad enough to tax once, but to have both major areas of government cut the cake up even more is an absolutely disgraceful set of circumstances.

The Bill, as the member for Playford rightly pointed out, will go some of the way, and I hope that the Government will soon be able to go even further before long. As a matter of principle, I believe that there should not be this type of taxation, because people pay taxation all their lives. They pay all the other various forms of taxation on the goods they buy and on other transactions in which they engage and, when they die, their families are levied; in many cases, they are left in a position in which they must sell their assets or house, and this cannot be justified. I realise that this form of taxation was introduced originally to stop large estates that had accumulated, with millionaires passing on millions of dollars to their children, but we do not have that situation today, except in only a few cases.

If Governments, particularly State Governments, are concerned that one or two individuals will own considerable land and not do anything with it, they have power under various other Acts (particularly the Minister of Lands has this power) to prevent people from buying up adjoining properties. So that problem can be solved. Of all the sections of the community that face problems with this form of taxation, those engaged in primary industry face the worst situation. If one examines the Green Paper, which the Prime Minister organised in May, 1974, to investigate agriculture in general, one sees on page 193 the following interesting figures in paragraph 7.30:

In 1971-72, the Federal estate duty assessments on primary producers amounted to about 29 per cent of the total duties assessed for persons in all industries. By constrast, primary producers constituted only 4·6 per cent of the income tax paying population and their income tax assessments amounted to 4 per cent of total income tax assessed in that year.

Those figures alone indicate conclusively that primary producers are being victimised by this form of taxation. I also agree with what the member for Playford had to say, namely, that the Act ought to be completely repealed. I hope it is, and that it is never re-enacted. That would be the best course of action this Parliament could take while we have double taxation in this field, and that would greatly assist many people. I believe there is no justification for a spouse to have to pay tax on anything she receives from her spouse. While looking at this form of taxation, we should also be looking at gift tax, which ensures that people get caught under the Succession Duties Act. Unfortunately, gift tax was introduced by a Government of my political colour, and I think it was an unwise course of action. Wherever I go in rural areas I find that people representing rural industries have been for years clamouring to have this form of tax greatly reduced.

I believe that, with the election of a Federal Liberal and Country Party Government, when the States are given a decent return and proper financial agreements, the next Liberal Government in this State will be able to reduce State succession duties greatly. I look forward to that time, which I hope will be after the next Commonwealth and State elections when justice will be done, and when we will not have the situation we have today. It is all very well for the Minister of Education to laugh, but he will laugh on the other side of his face when we next face the people. He and his colleagues only just scraped home in the last election, and they had to buy the support of the member for Pirie to stay on the Government benches.

The DEPUTY SPEAKER: Order! This is not an election speech. I should like the honourable member for Eyre to withdraw his statement about the honourable member for Pirie. The honourable member for Eyre was reflecting on the Chair.

Mr. GUNN: I did not intentionally reflect on the Chair. I made that statement in relation to the member for Pirie.

The DEPUTY SPEAKER: I ask the honourable member to withdraw his statement.

Mr. GUNN: I am happy to withdraw the statement. This Bill will be of some assistance, but it should go much further. It is too little too late.

Mr. VENNING (Rocky River): The subject matter of this important Bill affects people throughout the State,

particularly people in rural areas. Whilst some members on both sides have applauded the Government for introducing this Bill, I do not consider that the Bill goes as far as it should to give the relief required by people in rural areas. I would have wished that the Bill could provide for some retrospectivity. For a long time we have been pleading with the Premier to do something about succession duties. True, this Bill gives some relief, but I would have hoped that the Bill could provide for retrospectivity to January 1 or to the time the Premier gave his policy speech prior to the last election.

During the last 12 months, more than 29 petitions have been presented to this Parliament on succession duties and, as the member for Mitcham said, those petitions contained more than 16 000 signatures. Some people are in trouble right now in connection with succession duties, and it will be distasteful for them if they find they have just missed out on getting the benefits that they need if they are to carry on their vocation of primary production. On the one hand we must consider the effect of succession duties on rural people and on the family farm while on the other hand we have the Commonwealth scheme for assisting primary producers by way of debt adjustment and farm build-up, which is administered by the Lands Department under the chairmanship of Mr. Alby Joy. One of the two factors to which I have referred reduces the ability of the primary producer to carry on, while the other factor assists him, by way of cheap money for farm build-up. Something needs to be done to alleviate this anomalous situation.

A person who is fortunate enough to live his three score years and ten will want to do something about handing on his property to his successors; in many cases the farmer hands his property on to his sons, who have been working on the property during the farmer's lifetime, and not on the basis of a 35-hour week. The sons receive only a reasonable living wage, in comparison with present levels of wages. It is only when a property is sold that there is any money of any consequence.

It was pointed out to me this week by a solicitor that, where a deceased person had assets in another State, it is necessary that succession duties be paid on the assets in this State plus the assets in the other State, and then they are required also to pay the duties related to the assets. If a deceased person had assets in both South Australia and Victoria, he is assessed on the total assets in this State. He has to pay on those assets in Victoria and, having produced the evidence that he has paid succession duty on the Victorian assets, he then applies to the State for a rebate. So, although the rate of succession may be much less in Victoria, he still pays the full tote odds in this State and gets a rebate of the amount only, and not of the taxing of the Victorian assets in South Australia. This anomaly needs correcting, because the estate has to provide the money to pay the succession duties on the combined assets before any rebate is made available on the interstate assets. It has been pointed out to me that the estate needs to sell assets to pay this duty, and having paid the duty on the assets, it then gets a refund. The member for Playford this evening painted a picturesque scene regarding this Bill. Metaphorically speaking, he talked about the promised land in the distance. Of course, the problem is that, although people can see the promised land, it will not do anything for those who drop by the wayside before reaching it. That is still the problem regarding this Bill: it does not go as far as members would have liked it to go.

As the member for Mitcham said, the Bill does not go as far as his Party's policy would have it go; nor does it do so in relation to the Liberal Party's policy. Certainly, it is an improvement on the present Act and, if people have planned their estates in accordance with this Bill, they will receive much benefit from it. However, it will mean that people may have to readjust their situations to fit in with the legislation that will be on the Statute Book.

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

That the time for moving the adjournment of the House be extended beyond 10 p.m.

Motion carried.

Mr. VENNING: The member for Mallee, when speaking on behalf of the Party of which I, too, am a member, made several good points. I was interested to see that the Premier listened with much interest, and intelligently, I thought, to the points made by the member for Mallee. Clause 14 of the Bill refers to a matrimonial home valued at up to $35 000. Considering present-day values, that figure should have been considerably higher. In this respect, I am not sure what the amendments that have been prepared provide. Since the member for Mallee spoke yesterday, he has consulted the Parliamentary Counsel and the Premier. I hope this aspect will be provided for in amendments to be moved in Committee. In his second reading explanation, the Premier said:

An important aspect of the Bill is that these statutory exemptions are in future to be indexed and will be adjusted annually to accord with movements in the consumer price index and with movements in the average value of residential properties in this State.

That is all very well, but I believe that the rates should also be indexed according to the rate of inflation. It is all very well to index one aspect of the situation. However, the rates charged must also be indexed, according to the valuation. I hope that some of the points referred to by the member for Mallee will bear fruit and that the Bill will be improved considerably. I support the Bill and look forward to improving it when the amendments are moved in Committee.

Mr. BOUNDY (Goyder): I intend to speak only briefly on this Bill, which I support. I am pleased that it has been introduced, as it is in line with a private member's motion which I moved in this House and which has been disposed of today. I was also pleased to hear my colleague, the member for Mitcham, and the member for Playford say that they did not understand all the aspects and implications of the Bill. I am sure I do not understand them, either, and it is comforting for one to know that members astute in the law are equally mystified by its provisions. I trust that we will be further enlightened in Committee.

I am particularly pleased that the Bill at least removes the anomaly that prevailed with the former Act regarding the matrimonial home and the surviving widower. This could cause such a person, including a pensioner, great hardship. Representations have been made to me regarding this matter. Surviving spouses have had to call on their families to pay $1 000 succession duties on only a moderate succession to enable the remaining parent to remain in the matrimonial home until his death. This Bill removes that anomaly. As a member representing a rural community, I am pleased to see the rural rebate being extended in the way that it is being extended.

Mr. Becker: Is it enough?

Mr. BOUNDY: No, it is not enough, and I would like it to go further. I cite the case of a friend of mine who came to see me recently. He was worked up because he had been to his executor company to ascertain what would be the situation on his death. At that stage his son wanted to get married and take over the farm. This gentleman discovered that it would cost his estate $35 000 if he dropped dead tomorrow. He said that he had been farming for only about 20 years since he had paid duty on his father's estate. This means that he was being levied, as he called it, a rental of about $1 500 a year in order to retain the asset. He claimed that under the present Act he would be better off renting land rather than owning it. The Bill somewhat covers that situation.

It reinstates the rebate that used to apply to joint ownership and tenancy in common. This will be of material assistance to those rural holdings that have made provision in the past for their ownerships to be held jointly in order to avoid duty. By having remained in joint ownership or ownership in common, those concerned will now be eligible for the rebate. Also, the rural rebate, which has no limit, will be of some help to primary producers in meeting the inflationary effect that the present cost structure is having on land values.

I should also like to see the rates reduced so that escalating inflation does not again become savage in respect of this matter. I make those few minor points regarding the Bill, and will listen with much interest to what transpires in Committee. I support the Bill. My criticism is that it does not go far enough.

Mr. BLACKER (Flinders): I, too, support the Bill and, like the honourable member who has just resumed his seat, I do not think it goes far enough. I should have liked, if it was possible, to try to do something about extended facilities. However, being an Opposition member, that is out of the question. I think I can summarise the matter by saying that little fish are sweet. In this respect, the member for Playford said that we are half-way there and that, hopefully, we can see the end of this form of taxation.

I compliment the member for Mallee on his remarks. It was one of the most comprehensive contributions made to a debate in the short time that I have been a member of this place. This type of tax affects anyone with any ambition or any idea of thrift. If a person sets about trying to acquire land to build up an asset, such tax discourages such thrift. It is a thrift destroyer, as the member for Light has said.

Because of the number of clauses in the Bill and the many matters dealt with by it, it will become a lawyer's paradise in relation to devising ways of getting around the clauses. It will depend on the quality of one's lawyer as to how much one can evade this tax.

Mr. Millhouse: Not evade: avoid.

Mr. BLACKER: I thank the honourable member for that correction, because tax avoidance is legal, whereas tax evasion is illegal, and I certainly draw the distinction between these two positions. The situation is wrong when any citizen of a community can avoid a State tax because of the calibre of his legal adviser. Once again, the situation highlights a discrepancy between citizens of the same community, and this is wrong.

I am concerned that, whilst we are looking upon this matter as being one providing much relief to many people, it does not go so far as does similar interstate legislation. The term "*bona fide* primary producer" has aroused much discussion about what is meant by this term. I believe that a *bona fide* primary producer provision should provide for the area required to obtain a family income. I am not against taxation on large expanses of land that have been built up to form one asset over and above the land required to obtain a family income. Such large properties could be taxed in a different category from the taxation applying to land required to obtain income for a family unit. The family unit should be looked on as being a farmer's tools of trade. Certainly, it is that part of an asset which is necessary for him to derive an adequate income.

Clause 6 closes a loophole, and clause 7 gives the Commissioner power to make exemptions in special circumstances. The Bill provides for rebate indexation, and I believe that provision has value. The indexation is related to the cost-price index and the movement in prices of residental properties. However, whilst we have progressive rates of taxation applying, the value of the rebate scheme is minimised because it does not accrue necessarily at the appropriate rate. For this reason I question the Bill's effectiveness in the long term, as I believe it could cut out its effectiveness in this way. Nevertheless, in the immediate future, it will assist those people in most need, that is, the surviving spouse.

The Bill acknowledges the fact that succession duties are undesirable. Hopefully, this Bill is merely a stepping stone towards the complete abolition of this tax. The point has been made that a primary producer under the definition of primary producer must own land. What is the position in respect of share farmers, who undertake long-term contracts and who, because of family arrangements, are able to complete their contract? Are they prevented from taking advantage of the concession for primary producers merely because they do not own land?

A primary-producing property comprises land, plant, stock and assets from which the landholder derives his income. A share farmer leases land or, by arrangement, is allowed to use land. However, he has the expense of obtaining all the plant, assets, stock and equipment necessary to work that land. I am concerned that share farmers, despite the fact that they spend their entire life in their profession, will be denied assistance from this provision.

I refer to the position applying to school teachers and stock agents. Such people, because of the nature of their vocation, are obliged to travel throughout the State and, as a result, they are unable to accrue an asset in one area. People in most professions develop an asset where they settle in a town or city but these people have not settled sufficiently long to qualify in respect of their place of residence. Regarding property valuations applying in the case of succession duties assets, reference has been made this evening to valuations of farming properties and the productive value of that unit being grossly affected because an adjacent property has been subdivided for real estate purposes.

In this way the value of the property has been artificially increased because adjacent land has been used for a different purpose from that for which it was originally used. The traditional landholder, the person maintaining his land for primary production, is affected adversely because of those circumstances. I have had direct experience in such a situation in my district. A complete farming property was sold for $331·50 a hectare, and that valuation, which was much more than prices paid in the area to my knowledge, was rejected by the Valuation Department; certainly, it was questioned because another person paid $250 a hectare for bare land, which was purchased to build up

another property. The productive value of bare land at $250 a hectare was not to be compared, according to the Valuation Department, with a complete farm unit at $331·50 a hectare.

Consequently, we have such an artificially supported valuation, because the owner of adjacent land has done something different with his land. Assessments should be made on the productive value of the property and the ability of the property to produce sufficient for a single-family unit. Such a unit should be kept in mind at all times. I now refer to the definition of rural property and its relationship to the residential house built on it. The member for Playford referred to this aspect but, although his comments were valid and could apply in some respects, they do not apply in other respects. If a farming property has a residential dwelling on it and is within 16 kilometres or even 48 km of, say, Port Lincoln, the value of that property is much more than if it were 80 km from Port Lincoln, merely because that house is of value to people in the country who can go into the town and live there.

A different set of valuations is used on the basis of locality and, in these circumstances, when an assessment is made for estate purposes, the house is always separately identified on the assessment sheet. I believe it should be on that basis that the house should be treated as a separate residential area over and above the farming property, because why should a farmer, who can live in a town and still get his remission by way of a residential property, still be eligible for a primary-producing rebate for the property on which he does not live? It is more appropriate and more logical to try to keep the farmers on the farm (for that is when they are more efficient, when they are living on the property) and to assist them to stay on the farms to get a more realistic valuation, appraisal, and recognition of the residential home on that place.

Another aspect I wish to raise is in relation to putative spouses, because I fear there is an anomaly here, which will come up and which has not yet been overcome. I pose a hypothetical question: in the case of a widower with a young son of, say, six years of age, the widower hires a housekeeper, they live together for some time and she becomes eligible to be regarded as a *de facto* spouse. When the son grows up, who has the right in a challenged estate? Who gets preference over the *de facto* wife, although she has qualified as a putative spouse over the blood son of the deceased? It becomes even more complicated if the *de facto* wife has had a child by the deceased, and the original son attains the age of 18 years. Once a child attains the age of 18 years, he is virtually excluded from any direct benefit from an estate; yet a child by a *de facto* wife could have a far greater claim to the estate than the blood son of the deceased. To me, this is a grave anomaly, to which I cannot so far find an answer, because in my opinion the blood son certainly has a preference over the son of a *de facto* wife and certainly has a preference over the *de facto* wife in rights to an estate. Where there is a blood son from the deceased and a *de facto* relationship has developed, very seldom do they ever get on well together. So probably there will be a challenge to the estate as to who has the legal right to it. I raise this question because I think most of us know that this set of circumstances will arise; most of us can probably think of circumstances developing in that way.

We should be looking for answers to that question. I question the rights of putative spouses to any benefits from an estate over relations and even, going a little further, over brothers and sisters of the deceased. I support the remarks of all previous speakers, inasmuch as this Bill goes part of the way towards achieving the ultimate. I thank the member for Playford and the member for Mitcham for acknowledging that this Bill is difficult to understand. I thought I was the only one who could not work it out. I have much pleasure in supporting the Bill.

Mr. RODDA (Victoria): I rise to support the Bill. Despite the lateness of the hour, I think members representing the rural community should not cast a silent vote on a measure of this kind. I concur in what the member for Playford said, that the Bill was going half-way. We can take some pleasure from that deduction. The Bill is complex and hard to understand. As laymen, perhaps we can take some solace from the fact that the member for Playford and the member for Mitcham, both lawyers, acknowledge the difficulty of the legislation. Succession duties have gravely concerned people in all walks of life for many years, and of course, with the recent higher valuations, we have seen them impinge on the family home in the cities and built-up areas, and some very sad consequences have ensued. The Bill sets out to correct the previous position by providing in some circumstances for no succession duty in an estate passing from spouse to spouse, and in the case of the daughter or son who stays at home. This is all progress. Putative spouses have been referred to by the member for Flinders. There is much difficulty, because sometimes one case compounds another. I am not opposed to putative spouses being included, but I have lived long enough to appreciate that this type of legislation is modern in its concept. I support it because I have seen much hardship come from present legislation. For instance, the Inheritance Act was one of the first Acts to be amended by this Government, which brought relief to a person in Penola, in my district, his case being seen to by the court. I commend the Government for introducing that type of legislation.

The difficult and troublesome cases arise in areas like mine where we have not very big farms or grazing properties but, for one or more reasons, we have a specific type of land with a high valuation. The member for Light touched on this last night. I want to take it a step further. Valuation is the component that raises the bogy and puts people into high brackets of duty. Notwithstanding that it may be used for open grazing ventures, the people who have this tongue of land of high value are vignerons. I know many cases where great hardship has been caused. In this type of legislation, it is incumbent on Governments (in discussions I have had with Ministers on these issues they have not been hard to get on with) to look deeply at this matter of valuation and land use.

The valuator must do his job. He is shot by the department if he comes up with something that is not in accordance with what the land is really worth. They look at comparable sales and, arising from that, the estate is declared for duty far in excess of what it would be if it were assessed on the income derived from the land. It becomes a real anomaly under this type of legislation which, after all, is revenue-raising legislation and it leads to hardship. We acknowledge that Governments must raise revenue, but there is a back-lash because, in meeting duties, poverty, can be caused, and it becomes a liability on the community, reducing productivity.

Clause 15, which is beneficial to rural property, relates to the statutory amount of one-half of the value of the interest in such property. The Bill is complex and difficult to

understand. Most people who own estates have to pay attention to this matter, soon enough, so perhaps an education programme could be introduced to make people aware of the complexities of this legislation, enabling them to put their estates in order. Many of the problems brought to the attention of other members and me are that provision for duty has not been made early enough. The Bill is a step in the right direction, and I support it.

Dr. TONKIN (Leader of the Opposition): I congratulate the member for Mallee on the work he has put into the Bill. I am sure the Premier will congratulate him, too, because of the help the member for Mallee has given him in drafting certain amendments. Much reference has been made not only to the complexities of the measure but also to the whole complicated area of succession duty. I do not intend dealing with all the matters that have been canvassed so thoroughly and well, but the problems that arise in the scope of this legislation are immense. Nevertheless, the Bill is an improvement on what we have had until now.

I agree with the member for Playford, and have much sympathy for the situation in Queensland where it has been foreshadowed that estates will become exempt from succession duty between spouses. We will still have to live with many areas of difficulty in relation to this matter, but other areas of difficulty will be cleared up by amendments to be moved. I do not like capital taxation in times of high inflation. In fact, I do not believe anyone likes it. Unless inflation is controlled to a significant level, many anomalies will result and the present system of succession duty will have to be closely considered to see whether or not it is the most appropriate way of raising finance in this sphere.

Rural estates have been referred to at length. I agree with everything that has been said about that matter, and I am pleased there will be relief in that region. With inflation eating away at the real value of money, people who depend on real estate, other forms of investment, and especially insurance, will be extremely disadvantaged by this measure. I am disappointed at the rate of duty; that matter must be considered. The Liberal Party has been examining this problem for some time; it has a working party considering the matter, working at some pressure. This Bill goes a little way towards solving the problems that exist, but it does not go far enough. When the Liberal Party enunciates its policy on this matter, I am confident that it will do better than the present Government is doing.

I agree with the member for Playford that there should be a remission of succession duty between spouses. If we can adopt a fair and reasonable system of finance and taxation-sharing between the Commonwealth and the States, so that the States again have a degree of autonomy for managing their own affairs and can budget for themselves, we will be much closer to being able to deal with the whole problem of succession duties and will be able to make concessions and perhaps progress to that Utopia where there are no succession duties at all.

Unless we adopt fair Commonwealth and State financial relationships, where the States have a guaranteed income from taxation, those days will never come. For that reason I support the Bill, but do so with reservations, because I believe certain amendments are necessary. Again I congratulate the member for Mallee on the work he has done not only in speaking to the Bill but also in preparing the amendments, which I understand are to be moved in the Premier's name. I look forward to the time when there will be a Liberal Government, not only in Canberra but also in South Australia, because at that time we will give the whole problem of succession duty the attention it deserves.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Property on which duty is payable."

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

In new subsection (1c) (*a*) to strike out "in equal shares".

This copes with the objection raised by the member for Mallee about the effect of a transfer into tenancies in common between spouses. The limitation in the original draft was that, as in the case of joint tenancies, the benefit applied only in the case where the tenancy in common was in equal shares. It is common for tenancies in common not to be in equal shares.

Amendment carried; clause as amended passed.

Clause 5 passed.

Clause 6—"Ascertainment of value of debt."

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

In new section 10d(1) to strike out "on the date of" and insert "immediately before the".

This is the case that the member for Mallee outlined in his second reading speech. In this case a doubt was raised as to whether we were effectively closing the loophole which we seek to close in this section by the use of the words "on the date of death of the deceased person". The matter had been raised with me at the time by the member for Playford and I, on the face of it, agreed with his contention. I had the matter checked out with the Crown Solicitor, who agreed that it would be better to amend the proposal. The amendment will put the matter beyond question.

Amendment carried; clause as amended passed.

Clause 7 passed.

Clause 8—"When too much duty paid."

Mr. NANKIVELL: I canvassed the idea during the second reading debate that possibly the rate gazetted would be in conformity with the bank overdraft interest rate. The Premier gave what I believed to be some indication that that would be correct. Could he confirm that?

The Hon. D. A. DUNSTAN: The Commissioner has told me that it was not intended to gazette the bank interest rate. The current overdraft interest rate was not the intention of the Commissioner. I make that clear.

Mr. NANKIVELL: As the Premier has had an indication that it would not be the bank interest rate, can he indicate what he believes the interest rate might be?

The Hon. D. A. DUNSTAN: No decision has been taken, although there was a recommendation previously for a figure of 7½ per cent.

Clause passed.

Clauses 9 and 10 passed.

Clause 11—"Interpretation."

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

To strike out paragraph (*b*) and insert the following new paragraph:

(*b*) by striking out from the definition of "land used for primary production" the passage "in relation to a deceased person means land which the Commissioner is satisfied has been during the whole period of three years immediately preceding the death of the deceased person used by that person or the wife or husband or any descendant or ancestor of that person" and inserting in lieu thereof the passage "means land that is used".

This is an amendment designed to cope with the situation outlined last night by the member for Mallee. It is the case of the difficulty of a family which changes its rural holding but has genuinely, for the requisite period, engaged effectively in rural production. We have devised a somewhat complicated amendment designed to cope with the situation and not to remove from the spouse the benefit of the rebate where people have been genuinely engaged in primary production for the requisite period. It is not confined to the case where a particular property was held for a period of the full three years before death. Where there has been some change in the property holding, as long as it was a genuine changeover, it is coped with. This form of words, I am instructed, meets the provision without creating an impossibly large loophole.

Mr. McRAE: The member for Mallee has achieved an all-time record. It must not be thought that there is any way in which either of us can benefit from the other except the dubious distinction that we are both on the board of the Roseworthy Agricultural College. If any member can, at the one time, satisfy the Premier of the State, the Commissioner of State Taxes, the Parliamentary Counsel and his colleagues, together with his own colleagues, and still gain an incredible benefit for both the truly rural and the sub-rural areas of the State, that is a man of distinction. I can only congratulate him.

Amendment carried.

The Hon. D. A. DUNSTAN moved:

In new paragraph (*b*) to strike out "(other than an interest for the life of the beneficiary)".

Amendment carried; clause as amended passed.

Clauses 12 and 13 passed.

Clause 14—"General statutory amount for spouse or child."

Mr. COUMBE: I have been involved in many estates, although I am not a lawyer. I have come across the provision now to be amended by this clause, and I have thought that that provision is rather iniquitous. On the other hand, my grandfather and my father died as widowers, and I am a widower. I commend this amendment. I have always thought the provision to be a discrimination, and it is now to be removed. The Party to which I belong has espoused this amendment for a long time, and I am pleased to see that this is done for the benefit of the men of South Australia.

Dr. EASTICK: The provision to enable a son to have the same benefits as a daughter in respect of having been a housekeeper for the parent is an excellent one. However, I find some difficulty in determining how it will be interpreted. It is clear that the intention is that they shall occupy that position for at least a year. In the past, there has been a problem that, if the daughter took a part-time job even for as low as $2·50 a week, she could be denied the benefit of any consideration under the clause. If the person, being the parent, died in hospital, whether he had been there for a day, a week, or three months, immediately the problem arises that the child had not been "wholly engaged" throughout the preceding year in caring for the person in the home, and this problem is causing some concern to people who have examined the measure.

I had hoped that some comment would be made on this aspect, because it is important that we know before the passage of this measure what the Government's intentions are so that it may be used as a precedent in any argument that goes subsequently before the Commissioner. Can the Premier say what the Government's intentions are in the circumstances I have related, so that we may determine whether an attempt should be made to insert a qualification that takes away from the court the need for subsequent interpretation?

The Hon. D. A. DUNSTAN: Where the child is wholly engaged in keeping house and does not have another occupation, and the parent then goes into hospital and the child continues to keep house, and the house is kept open, in those circumstances the Commissioner has accepted that that was still being wholly engaged in keeping house for the deceased. As there has not been a dispute about that matter, I do not think it necessary for us to insert a special provision to cover this matter. The practice is as I have outlined.

Dr. EASTICK: Could such a situation apply for the whole 12-month period, because the Premier did not seek to introduce any qualification? A person could be wholly engaged in keeping house and could be totally responsible for the wellbeing of the parent, yet at the same time enjoy some respite from those duties by doing a part-time job to get away from it all. What interpretation has been placed on such a case?

The Hon. D. A. DUNSTAN: As far as I am aware, the meaning which the Commissioner has attached to this is the meaning of the Statute: they must be wholly engaged. The benefit was given for the purpose of coping with those people who give up any sort of outside income or occupation in order to look after the parent. It was for that purpose and, in the circumstances, we cannot go beyond that.

Mr. BECKER: Why has a period of 12 months been placed in this clause? In principle, I support the clause, because I have experienced the situation where widowers have been discriminated against and have suffered considerably. If the father has cancer, normally he does not last a year, and in such a case the daughter could give up a job and stay home to look after the parent. I believe that a lesser period of, say, six months should be considered.

The Hon. D. A. DUNSTAN: The concession given originally was considered to be a considerable concession. This has now been on the Statutes for some time, and no consideration has been given to reducing the period.

Mr. McRae: The person who is ill may make payments, but that is another case.

Dr. EASTICK: This is a sensitive area, and I believe that if a daughter was to bring a child into the house for the purpose of baby-sitting and received pay for that, I understand that that would constitute a payment that would deny the benefit of the concession. I do not believe that it was ever the intention of any Government to be so penny-pinching as to allow that situation to occur. Before the measure goes to another place, I hope to substantiate the evidence that has been given to me, so that certain action may be taken in the other place to define more clearly what is the Government's intention, so that humanity may win the day.

Clause passed.

Clauses 15 to 17 passed.

Clause 18—"Further provision as to rural property."

The Hon. D. A. DUNSTAN moved:

After "amended" to insert "—(*a*)"; and to insert the following new paragraph:

and

(*b*) by inserting after subsection (2) the following subsection:

(3) No rebate shall be allowed under this Part in respect of land used for primary production unless the Commissioner is satisfied that—

(*a*) the deceased person, or a spouse descendant or ancestor of the deceased person was using the land for the business of primary production immediately before the death of the deceased person;

and

(*b*) that person—

(i) has used the land for the business of primary production;

or

(ii) has been solely or principally engaged in the business of primary production,

throughout the period of three years immediately preceding the date of death of the deceased person.

Amendments carried; clause as amended passed.

Clause 19 passed.

Clause 20—"Prohibition of dealing with shares, etc."

Mr. GUNN: If there is a partnership with two partners and if one partner dies, the Australian Wheat Board will pay 50 per cent of an entitlement to the surviving partner, but the Australian Barley Board will not do that. Two constituents recently approached me about this matter. They are owed a considerable sum, but they cannot collect it from the board. Will such sums now be paid out?

The Hon. D. A. DUNSTAN: I have tried to get some line on the case to which the honourable member has referred. Personally, I cannot see a need for a succession duty certificate in the case of a partnership business where one partner dies and where there is money owing to the partnership. I cannot see a difficulty in this matter. If the honourable member will give me details of the case brought to his notice, I will have it investigated for him.

Mr. GUNN: I personally took up this matter with the management of the Australian Barley Board, and its reasons were related to objections by the Commissioner for Succession Duties in South Australia. I shall be happy to supply the information to the Premier.

Clause passed.

Clause 21 and title passed.

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

That this Bill be now read a third time.

I express my appreciation to members opposite for their co-operation in connection with this measure. The Government has endeavoured to introduce a Bill that gives effect to its policies announced publicly. We have not only done that but also gone a substantial distance further. We were willing to look at cases that members raised. I am particularly grateful to the member for Mallee for his assistance in the matter and also to the member for Playford. With the help of the Parliamentary Counsel, we have reached reasonable accord on this measure. It is a good Bill.

Mr. NANKIVELL (Mallee): I am pleased that we have reached some sort of finality in connection with this Bill. There were times when I was concerned whether the Opposition would achieve some of its objectives. I thank the Parliamentary Counsel, Mr. Hackett-Jones, for the assistance he has given me in drafting amendments, and I thank the member for Playford for his assistance. Whilst the Premier was prepared to be satisfied, my colleague the member for Kavel was far more difficult to satisfy than the Premier was. I have also been able to meet the objections of the Premier's officers, Mr. Tucker and Mr. Hockridge, whom I also thank for their assistance and co-operation. My colleagues and I have achieved something. As the Premier said, whilst the Bill may not go as far as some of us would like it to go, it will bring about a great improvement on the previous legislation. I again thank the Premier for his co-operation. I would be uncharitable if I did not say that he has been most co-operative in meeting wishes expressed from this side of the House. My colleagues and other people have said very nice things about me, and I thank them for that. I doubt whether those comments are merited, but I am pleased to be thanked for what I may have done. I support the third reading of the Bill.

Mr. GOLDSWORTHY (Kavel): I support the third reading and, as the member for Mallee gave me an honourable mention, I must say that I am pleased that the Bill has come out of Committee with amendments. Some difficulty was experienced with the proposed amendments, as some people who currently attract the rural rebate would, I believe, have been denied that benefit under some of the provisions of the Bill. However, that matter has been overcome. One of the major benefits is the inclusion in the Bill of the provision relating to those who hold joint tenancies or tenancies in common. When he said that the Bill sought to implement an election promise, I take it that the Premier was referring to the provision relating to spouses, which is in line with Government policy. The Opposition is grateful for small mercies and is pleased to support the third reading.

Bill read a third time and passed.

ADJOURNMENT

At 11 p.m. the House adjourned until Thursday, October 30, at 2 p.m.