HOUSE OF ASSEMBLY

Thursday, October 14, 1976

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

QUESTIONS

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

PARLIAMENT HOUSE

In reply to Mr. RODDA (September 23).

The Hon. D. A. DUNSTAN: There are no plans to provide a non-members bar at Parliament House.

In reply to Mr. DEAN BROWN (September 23).

The Hon. D. A. DUNSTAN: There will be no increase in staff as a result of the completion of the renovations to the kitchen or when the car park is completed at Parliament House.

KLEMZIG BUS SERVICE

In reply to Mr. SLATER (September 15).

The Hon. G. T. VIRGO: Evening and weekend bus services were tried out on the Klemzig route by the former private operator of the service, but patronage was very poor, with no passengers at all being carried on most buses. In view of this experience, the State Transport Authority has no plans at present to extend the hours of operation on this service.

LOWER NORTH-EAST ROAD

In reply to Mrs. BYRNE (September 21).

The Hon. G. T. VIRGO: The position with respect to the proposed reconstruction and widening of the Lower North-East Road between the Torrens River and Anstey Hill is as advised to the honourable member in July. These works are not affected by the 1976-77 Federal Budget, as they are programmed beyond that period. The present Federal Government roads legislation expires on June 30, 1977. The availability of funds after that date cannot be predicted, as details are not yet known of the ensuing roads legislation.

ST. AGNES PRIMARY SCHOOL

In reply to Mrs. BYRNE (September 22).

The Hon. D. J. HOPGOOD: The provision of a school on land now held by the Land Commission that faces Smart Road, St. Agnes, is under consideration for 1980. This is consistent with Land Commission planning in the area.

AYERS HOUSE

In reply to Mr. BECKER (October 5).

The Hon. D. W. SIMMONS: The statement by the Auditor-General in his Annual Report in connection with the item "other receipts from Ayers House totalling $39 000", was a rounded figure and comprised:

	$
Rental—restaurant	31 000
Rental—caretaker	545·10
Loan and interest payments from restaurateur for the purchase of furniture and fittings	7 353
Total	$38 898·10

The description "sale of fittings from Ayers House", as used by the Auditor-General in his report, refers to the repayments made by the restaurateur for the purchase of furniture and fittings that became his property on the signing of the existing lease agreement with the Government, effective April 2, 1973.

STUDENT ACTIVITIES

Dr. TONKIN: Is the Minister of Education aware of any activity in State schools by the group known as the Worker Student Alliance or Students for Australian Independence and, if so, what action is he taking? Reports today state that about 40 members of the group are controlling student activities on campuses in South Australia, even though they do not have the support of most tertiary students. It is stated that members of the Worker Student Alliance control the activities of the Australian Union of Students, and this is borne out by the activities of that minority group on several campuses, including, it is reported, those of colleges of advanced education. There is serious concern, not only among the student bodies but also in the general community, and further concern has been voiced that the group could be moving into secondary schools. If this is correct, the situation is even more disturbing.

The Hon. D. J. HOPGOOD: I know of no evidence of the activities of this group in our schools. I invite members of the public, wherever they have evidence of the activities of any political or *quasi* political groups in schools (except at the express invitation of a school), to make information available to me so that it can be properly investigated and proper action taken. I read with much interest Mr. O'Brien's comments about the activities of this group on the campuses: I assume that the statement was made in order to alert students themselves about the activities of the group, and that it was not an invitation for governmental authorities or people outside the campuses to become involved in any way. I believe that the students are in a good position to be able to control their own destinies in these things.

Dr. Tonkin: What about secondary schools?

The Hon. D. J. HOPGOOD: I know of no evidence of any activity of this type in our secondary schools by this group or any other group, and would be anxious to hear of any evidence that anyone had.

HAWKER CAVES

Mr. KENEALLY: Can the Minister for the Environment say whether any action has been taken to safeguard visitors descending from the Yourambulla Caves near Hawker? These caves have been declared a historic reserve. I am aware that the caves are not in my district; in fact, they are in the district of the member for Frome, but it is an area that I visit frequently. I am asking this question on behalf of the member for Henley Beach, who was

Minister for the Environment in 1971 when the caves were declared a historic reserve, and who is currently absent on Parliamentary business. The honourable member visited the area some months ago and reported to the department that the area was precipitous and quite dangerous and suggested that some action might be taken. Can the Minister say whether any action has been taken?

The Hon. D. W. SIMMONS: I am able to supply some information, which I would be glad if the honourable member would pass on to our colleague with my best regards if he is writing to him. The Curator of Relics at the Museum informed me last week that a protective railing has been installed at the Yourambulla Caves. I think that that railing, although not elaborate, will add to the safety of people climbing those rocks (which are quite steep) to see the caves. Having visited the caves several times over the past 20 years, I think they are a very valuable area to be preserved, and I shall be pleased to make it possible for more people to inspect them safely. When I first went there about 20 years ago, the caves were open to public access, but in the 1960's it was found necessary to place a protective screen in front of them to preserve them from vandals. Now that that has been done, I think that the relics are quite safe to be viewed by members of the public. Further, with the aid of this protective railing, I think it will be quite safe for people to visit the caves. I will be visiting those caves next week, and I will check to see how suitable the protective railing is, bearing in mind that we do not wish to spoil the environment.

EDUCATIONAL STANDARDS

Mr. GOLDSWORTHY: Does the Minister of Education foresee any major changes to South Australia's education system as a result of the inquiry instituted by the Federal Government? The Federal Government has instituted an inquiry into the present system because many people feel that young people leaving school are not equipped to enter the work force. The inquiry is expected to examine the feasibility of restructuring school courses to better equip school leavers to find a job. There are many in South Australia, including parents and some academics, who believe there has been some retrogression in educational standards in South Australia in recent years, especially in developing reading, writing and numerical skills. I think the Minister is well aware of this concern, which is often expressed in the press by parents, students and academics. Does the Minister foresee any changes in the South Australian system, and does he consider that improvements can be effected?

The Hon. D. J. HOPGOOD: While the citizens of South Australia at large were disporting themselves in the hills and on the beaches on the Labor Day holiday last Monday, the hard working Ministers of Education from the States were meeting with the Commonwealth Minister for Education (Senator Carrick) in Sydney to discuss this very question. It was a special meeting of the Australian Education Council, which was called, I think largely at the behest of Mr. Lindsay Thompson, the Minister of Education from Victoria, in order that the States would have an opportunity to discuss more closely with Senator Carrick the way in which they thought the inquiry should proceed, and in particular so that the two States which currently have inquiries into the post-secondary field (the States of Victoria and South Australia) would have an opportunity to discuss with the Senator how their inquiries should best dovetail with the Commonwealth inquiry. I think people associated with the education system around Australia have two or three general points of concern.

First, is this inquiry to look purely at the vocational area, and to what extent therefore do the terms of reference incarnate a belief, which some people have attributed to the present Federal Government, that education basically is simply training people for employment, and nothing more than that? If that is the case, to what extent will there be large-scale changes in the structure of secondary education? The terms of reference make clear (they have been made public) that the inquiry is to look at secondary education as well as the post-secondary field in general. Some minor changes have been recommended to Senator Carrick which he has undertaken to convey to the Prime Minister and would have the effect of ensuring that the more wide-open aspects of the terms of reference largely related to the post-secondary field. However, no-one is suggesting that the secondary field should be completely ignored.

It is not possible at this stage to say what changes, if any, will occur. The Ministers were told the membership of the committee of inquiry, but we were asked to keep it to ourselves because it has not yet been announced publicly; it is for the Federal Government to make the announcement. There was also the beginning of a dialogue that will enable an exchange of information to be made between the States, particularly those holding inquiries, and the Commonwealth. For example, the Chairman-elect of the inquiry will be invited to attend the Australian Education Council meeting in Hobart next February. I reject any suggestion that a decline in standards of literacy and numeracy has occurred. However, having said that, I am only too happy to allow anyone who wants to examine the field to do so, because I believe we have nothing to hide. I believe it will be a thorough investigation which, according to the Commonwealth authorities, will take about 18 months to complete, and the States have been told that they will be consulted before any implementation is made of recommendations.

COORONG NATIONAL PARK

Mr. RODDA: Can the Minister for the Environment say what will be the effect on fishermen of the regulation proclaimed on about August 18 relating to the waterways of the Murray River and the Coorong which have now been included in the national park? Representations have been made to me from people living in shacks in the area at weekends and from fishermen who have only recently learned of this regulation. They are worried about the effects the regulation will have on their livelihood. The effect of the regulation will extend to the middle of the waterway. I shall be grateful if the Minister can supply information about the effects of this regulation.

The Hon. D. W. SIMMONS: I shall be happy to bring down a report for the honourable member. As I understand it, the purpose of the regulation was to transfer from the Minister of Marine to the Minister for the Environment the control of the waters of the Coorong to make it formally part of the Coorong National Park. I believe the Coorong was designated previously as a harbor. It is merely a matter of transferring the control of those waters to the Minister for the Environment. It will not affect the ordinary operations of fishermen. There is no prohibition that I know of on the taking of fish from national parks, although in relation to some aquatic reserves under the

control of the Minister of Fisheries certain restrictions apply concerning marine life. I do not think the change in the control of the Coorong will affect the taking of fish from it.

Mr. Rodda: Is the river included?

The Hon. D. W. SIMMONS: The part of the river is included.

BUILDERS LICENSING

Mr. VANDEPEER: In the absence of the Attorney-General, will the Minister of Works ask the Attorney-General to review the builders licensing legislation and/or regulations with the intention of making present builders' licences tenable for a longer period (I suggest not less than five years)? Builders' licences now operate for only 12 months. Although many builders are skilled in their trade, they are not highly skilled academically, and it is a traumatic experience for them should they forget or not worry to fill in or reapply for their licence at the end of the 12 months. As this would mean that they no longer had a licence, they would have to go through the whole process of being examined a second or third time. I see no reason why the licence should not operate for a longer period, so that builders could get on with the job of building rather than being too concerned with the business of licensing.

The Hon. J. D. CORCORAN: I shall be pleased to pass on to the Attorney-General, who is responsible for the Builders Licensing Board, the points the honourable member has raised. I know that the Attorney is currently engaged in a review of the whole operations of the board, and this problem could be one of those that he is examining.

PRE-SCHOOL EDUCATION

Mrs. BYRNE: Has the Minister of Education any information on the Commonwealth Government's attitude towards pre-school funding? Members will be aware that, on August 18, I moved a motion expressing concern over statements from the Commonwealth Government about renegotiating the present funding formula. I know the concern that many people associated with kindergartens have about the present uncertainties, which I trust will be speedily resolved.

The Hon. D. J. HOPGOOD: The short answer is that I wish I knew. It was of interest to me, when present at the Australian Education Council meeting to which I referred in response to a question asked by the Deputy Leader, that most of the States wanted (although it was not on the agenda) to raise this very issue, because of their concern. The position is that we do not know what arrangements are to be made for funding in the childhood services area next year (I do not mean next financial year—I mean after Christmas). It is most important that this matter be dealt with as quickly as possible. A Federal Budget has been and gone and we still know nothing. If the lack of any announcement on the part of the Commonwealth authorities simply means that the *status quo* is to be adhered to and that therefore it is not necessary for rearrangements to take place, well and good, and I shall be as happy as Larry, but I wish that they would tell us. Briefly, the position as I understand it is that some time ago Senator Guilfoyle, who now has responsibility for this area, as Minister for Social Security, announced that it was the Commonwealth Government's intention that the present 75 per cent funding formula for the salaries of pre-school teachers should be renegotiated so that more money would be available for the area that we vaguely call day care, that term covering a variety of activities. The States have reacted strongly to the effect that this priority does not really reflect the needs as the States see them. I assume that that is the reason why there has yet to be a public announcement from Canberra. People over there are still scratching their heads about the matter.

The Hon. Hugh Hudson: Do you think they're as active as that?

The Hon. D. J. HOPGOOD: I am not sure; I just wish I knew. Perhaps people believe that they have been faced with a problem that will be painful to resolve, so they are putting off the evil day. It is necessary that our Kindergarten Union, for example, knows whether three-quarters of its budget for the second half of this financial year will be forthcoming and, if it is forthcoming, on what basis. Those matters must be dealt with quickly. To be fair to Senator Carrick, I point out that he is not the responsible Minister, and that he advised us to ask our Premiers to write to the Prime Minister. South Australia has already done so. The Minister of Community Welfare, the Minister of Health and I have lobbied Senator Guilfoyle on this matter. The Chairman of the Childhood Services Council has been to and from Canberra several times. I take this opportunity to voice my concern about the matter knowing that, irrespective of Party, all other Ministers of Education in Australia have the same concern.

BOVINE TUBERCULOSIS

Mr. RUSSACK: Will the Minister of Works ascertain from the Minister of Agriculture who meets the cost of testing cattle for tuberculosis and the testing and vaccination for brucellosis; and who pays compensation for any reactors used? As I understand that a fund for this purpose exists, I ask what is the present financial position of that fund.

The Hon. J. D. CORCORAN: I will obtain from my colleague that information for the honourable member and bring it down as soon as possible.

ADVERTISING AGENCY

Mr. GUNN: Does the Premier intend to continue his present policy of directing most of the Government's advertising to the advertising agency of Hansen Rubensohn-McCann Erickson Proprietary Limited, which has been the Australian Labor Party's advertising agency for many years and, if he does, why? The Premier has twice refused recently to provide detailed information on Government advertising contracts. However, it is well known that most Government advertising is conducted by Hansen Rubensohn-McCann Erickson Proprietary Limited. This firm, originally known as Monahan Huntley Advertising, then as Hansen Rubensohn and, finally, as Hansen Rubensohn-McCann Erickson has been the A.L.P.'s advertising agency for over three decades. The resident Director of the firm in South Australia, Mr. G. Huntley, has in the past contested preselection for the A.L.P. in South Australia. The Premier has revealed that this agency is doing the bulk of the work for the Premier's Department and Tourism, Recreation and Sport Department, and also

the Attorney-General's Department proposed a $30 000 consumer affairs campaign. In November, 1972, it was revealed that this agency had been appointed for advertising purposes to departments under the control of the Premier, Minister of Works, Minister of Education, Attorney-General, Minister of Environment and Conservation, Minister of Labour and Industry, and the Minister of Roads and Transport. It is highly likely that that is still the case. As the total spent on Government advertising would be well in excess of $1 000 000 (it was about $500 000 in 1972-73), it is obvious that any advertising agency that managed to obtain most Government advertising contracts would be an extremely successful concern.

The Hon. D. A. DUNSTAN: I do not know who wrote the question for the honourable member, but it contains much misinformation. If Mr. Huntley has even been a candidate for preselection for the Labor Party, it is news to me. Perhaps the honourable member will tell me what it was that Mr. Huntley contested preselection for. I am certainly not aware of that happening and, having been a member of the Labor Party for a long time now, I would have thought that I knew more about the Labor Party than the honourable member knows.

The Hon. J. D. Corcoran: He's not a member of the Labor Party.

The Hon. D. A. DUNSTAN: I do not think that Mr. Huntley is a member of the Labor Party. The honourable member apparently is not aware that Hansen Rubensohn-McCann Erickson is not the advertising agency of the A.L.P. in this State. It was at one time, but it is not now. The reason for engaging one advertising agency for a good deal of Government service was explained to the House at that time: we get a certain amount of free service from a large contract, and there are advantages to the Government in doing this. However, Hansen Rubensohn-McCann Erickson has been told that, in relation to each one of its contracts, there will be an examination on tender on merit, and it will be up to the departments concerned whether they accept a continuation of work with Hansen Rubensohn-McCann Erickson or make a recommendation for some other advertising agency.

Mr. Chapman: Whether they be South Australian or otherwise?

The Hon. D. A. DUNSTAN: It is difficult to get a wholly South Australian agency and get a complete range of service. I do not know whether the honourable member knows anything about the advertising industry in South Australia. He shakes his head, and I appreciate that he does not. It is necessary for us, in relation to numbers of contracts, to get service which can be provided only from the resources of agencies which have international contacts, and a great many of the agencies in South Australia, including those engaged for Government by pevious Liberal Governments, have been involved with international associations. Hansen Rubensohn-McCann Erickson in this State has, however, almost wholly South Australian employment. It does have association, both in service and financially, with an American agency, as well as with Hansen Rubensohn in Sydney. It was originally a South Australian agency which, as was the case with many other agencies in South Australia, developed, first, interstate and then international associations. It has undertaken work internationally, just as has the agency which is presently the agency for the South Australian Labor Party. The Liberal Party itself has some knowledge of the advertising industry in this regard, even if the honourable member does not

FURNITURE

Mr. CHAPMAN: Can the Minister of Works assure the House that the supply order for the whole of the furniture for the new Motor Registration Division building in Wakefield Street, Adelaide, has been or will be granted to a South Australian manufacturing company or companies? It is understood that the tender submitted by Moderntone Furniture Limited, of Melbourne, for the supply of goods for the Education Department building, Flinders Street, Adelaide, was previously favoured over numerous tenders submitted by South Australian-based companies. That report appeared in the *News* on August 22, 1970, under the heading, "Victoria wins $500 000 deal over South Australian firms". I do not intend to enlarge on the fiasco that followed that Government decision, except to say that the apparent embarrassment caused to the Government has been well read by the community at large and that it is hoped by the Opposition that a serious Government blunder has been recognised. I respectfully draw the attention of the Minister to his Premier's policy, announced before the last election, regarding South Australian company preference in such matters, as has been confirmed many times in *Hansard*, the most recent of the items in *Hansard* being the reply to a valid and challenging statement by the member for Light in *Hansard* on October 6, 1976, at page 1324.

The Hon. J. D. CORCORAN: I am at a loss to know what the honourable member is talking about. I cannot remember any fiasco that followed an announcement about the letting of a contract to a Victorian firm for the supply of furniture for the Education Department building. I think the honourable member quoted 1970 as the date.

Mr. Chapman: It was 1975.

The Hon. J. D. CORCORAN: I am sure the honourable member said 1970.

Mr. Chapman: For that I apologise; it was August, 1975.

The Hon. J. D. CORCORAN: It was in 1975. However, I am still at a loss to know what fiasco occurred following that announcement. I can assure the honourable member that the advantage that South Australian firms had in tendering for work for the Government was fully taken into account. I was so concerned about this that some members of Cabinet actually viewed the furniture put up for display by the various people who tendered. In fact, it was selective tendering; we did not ask everyone to supply samples. We selected only after a call for registration for tenders.

Mr. Chapman: Come on, now. Tenders were called in every State.

The Hon. J. D. CORCORAN: Of course they were. What is wrong with that? Where is the crime? If they were called in other States, so what? The honourable member is saying that the Government should not be seeking the best possible deal and should be limited to advertising in this State. That is ridiculous and utterly wrong.

Mr. Chapman: I didn't say that, and you know it.

The Hon. J. D. CORCORAN: I am saying that we called for registration for tenders and then selected from those people who registered a number of people to submit samples of furniture for the building. From memory, I think there were five or six, a number of them being South Australian firms. The Victorian firm, Moderntone (I think that is the name he used, and that is the firm), in this case was far and away ahead of the South Australian firms in price and quality of furniture and in the presentation

of their product, having regard to the needs of this building. The decision was based on that and made by the Supply and Tender Board, supported by the Cabinet because of the importance of the matter.

I do not know that we have even called tenders yet for the furniture for the Motor Registration Division building or for the Forensic Science building, which is alongside it. The same conditions will obtain as obtained in the case of the Education Department building. Part of the conditions of the contract with the Victorian firm was that a large proportion of the actual work involved in the furniture would be carried out in South Australia. Did the honourable member know that? Of course, he did not know, and he did not bother to find out. I think up to 70 per cent of the activity in the construction of the furniture actually occurred in this State. That was part of the undertaking given by the firm. I had reason, halfway through the term of the contract, to check on the firm to see that this was being done, because a complaint was made to me that the undertaking was not being carried out. The inquiry was made, and it was shown quite clearly that the firm was doing what it had undertaken to do in terms of the contract. The Government was perfectly proper in its course in this matter, and it got a good deal for the State. It was not that we were taking action without regard to the people who produce furniture in this State; they just could not possibly compete, even with the preference we give them because they are South Australian firms.

ABORIGINES

Mr. LANGLEY: Will the Minister for Planning say in which areas increased funds would be helpful to Aborigines in this State? Recently, the Federal Minister said that increased funding for these people would be available, but he was a little vague about what sections it would help and what amounts would be provided.

The Hon. HUGH HUDSON: As members would be aware, I had taken up previously with the Commonwealth Minister, Mr. Viner, the question of Commonwealth funding for Aboriginal housing. Subsequently, Mr. Viner has made a statement in the Federal House that an additional $25 000 000 will be made available this financial year for Aboriginal purposes, and that would take the amount this year to a few million dollars below what was provided last year. I have received a letter from Mr. Viner confirming that fact but, unfortunately, he has not provided any break-down of the money among the States and for what purposes it is to be used, so at this stage we do not know how much money is available for Aboriginal housing. I have pointed out to Mr. Viner that we need to have this information urgently and that, if it is not available soon, we will be in the position that the provision of this money will be something of a confidence trick, because it may not be possible for any money made available for Aboriginal housing to be spent during this year. He runs a grave risk of an accusation of delaying the announcement until no-one can spend the money.

Mr. Millhouse: Don't you regret having given away administrative authority over Aborigines?

The Hon. HUGH HUDSON: Whether we had this authority or not, the question of funding for Aboriginal housing would still reside with Canberra, as the honourable member would appreciate, and the present position would be completely unchanged. The future of Aborigines in terms of the provision of effective services depends fundamentally on the action of the Federal Government. That situation was demonstrated by the previous Government. I agree with the honourable member that the attitude of the present Federal Government to this question is unsatisfactory, so long as he will agree with me that the previous Government made substantial advances in this regard.

SOLAR HEATING

Mr. MILLHOUSE: I would like to ask a question of the energetic Minister (if that is not a misnomer) of Mines and Energy. Can he say whether the Government will consider giving, perhaps through the Electricity Trust, positive financial inducement to consumers to install solar hot water heating units? If my memory serves me correctly, after a long struggle the Electricity Trust was finally persuaded (though grudgingly) to take off the financial impost on those who used solar heating appliances and, as I understand the present position, there is no penalty on people for doing so. We are rapidly reaching the position (and in my opinion we have reached it) in which some positive inducement should be given to persons who use solar energy rather than electric energy, not only for hot water heating but also for all other purposes for which it is yet appropriate. I was prompted to ask the question by a complaint by the Minister that peak energy electricity usage would in future be in summer, because of air-conditioning units and so on, and also by seeing in the evidence given to the Ranger uranium environmental inquiry by Mr. Scriven in his capacity as Chairman of the State Energy Committee that by the end of this century each person in this State is expected to have an electricity demand 2·8 times the present demand. Anything we can do to reduce that demand we should do, and it is for that reason that I suggest there should be some very strong and positive inducement (probably through the trust at this stage) to get people to use solar heating units.

The Hon. HUGH HUDSON: In reply to the peregrinating and somewhat haphazard member for Mitcham (haphazard particularly concerning his attendance in this House), if he had been more regular and assiduous as a member of Parliament he would be aware that a special rate applies to solar heaters as it does to ordinary water heaters. That is a concessional rate, and it is lower than the rate applying for normal usage of electricity.

Mr. Millhouse: Don't evade the point.

The Hon. HUGH HUDSON: I am not evading the point. It is a positive encouragement for the introduction of solar heaters.

Mr. Millhouse: I don't think you want to see solar heaters.

The Hon. HUGH HUDSON: The honourable member is showing his pique. He realises that he has not been as assiduous in his attendance as he should have been, and he is annoyed about that and therefore making an unjust accusation. We want to see the adoption of solar heaters, which now have a special rate which was introduced as a result of previous discussions in this House, so that matter has been taken in hand. May I point out to the honourable member that energy conservation can be of two categories: there can be energy conservation that reduces peak demand and thereby reduces the generating capacity required, and that is of great significance financially to the State. Also, there is energy conservation that reduces the demand for fuel. Solar hot water heating

systems do nothing to limit the requirements for generating capacity, because they have an impact (to the extent that they can be adopted and be effective) on the demand for fuel, and that is where they are significant. Recently, the Government (and no doubt the honourable member would be aware of this) established a committee on the recommendation of the State Energy Committee to inquire into the question of solar rights and what kind of legislation is or may be necessary to ensure that individual householders can have access to sunlight so that, if they install various appliances, they will not be adversely affected by actions of their neighbours. That committee has recently been established by Cabinet.

Mr. Millhouse: Who is on it?

The Hon. HUGH HUDSON: It is a legal committee under His Honour Mr. Justice Zelling, and I am sure that even the honourable member would agree that that was a worthwhile step. I am glad to have his support in that respect. We could save energy in this House if the honourable member would also agree not to have repetitious debates that go on until late in the evenings.

ARTS

Mr. WHITTEN: Can the Minister of Education say what action his department is taking to ensure that children in our schools are given the chance to participate in the arts, especially music and drama? In the past few days there has been much public comment about the role of the arts in our community, largely as a reaction to the Industries Assistance Commission's report. There seems to be widespread support for the arts, but this can be sustained only where a proper foundation is laid in the schools. The largest school in my electoral district, Port Adelaide High School, has ensured that the children attending receive the opportunity to participate in drama and music, and I would hate to see anything happen to curtail this. I would appreciate any information the Minister may be able to provide about this matter.

The Hon. D. J. HOPGOOD: The Government and Education Department have attempted to make a major thrust in this area. I think the most interesting piece of information I have for the honourable member is that we hope it will not be long before Woodville High School joins Marryatville and Brighton High Schools as one of the special music schools, which of course will enable children, particularly from the north-western suburbs, who show particular aptitude in music to go out of zone to Woodville so that they can continue their studies in this discipline. The same will also occur at one of the high schools at Elizabeth, which was one of the four places originally announced as special music schools. Similarly, in drama, an attempt is being made to ensure that children, as they move through our schools, realise the importance of participation rather than simply being part of a passive audience. Generally, the attitude we have taken has been not to put specialist teachers directly into schools but to have them in a roving capacity as consultants to the teachers and groups within schools. The honourable member will also be interested to know that the Music Branch has now settled into the Goodwood Orphanage, which is proving to be an excellent location from which they can carry the message.

Dr. Tonkin: Can't we call it something else?

The Hon. D. J. HOPGOOD: That is a matter for the Minister of Works, who officially owns the building on behalf of the people of South Australia.

The Hon. Hugh Hudson: You could give him an instruction.

The Hon. D. J. HOPGOOD: I could consider an instruction to my colleague, I suppose, and I wonder in what spirit it will be received. I think I should get more specific information for the honourable member to enable him to see what has been done in the whole field of the arts in schools in South Australia.

ROAD TRAFFIC LAWS

Mr. ALLISON: In the absence of the Minister of Transport, will the Minister of Mines and Energy ask his colleague to inform me whether the regulation under the Road Traffic Act that provides that one should drive as near as practicable to the left-hand side of the road is applicable on the South-Eastern Freeway? My attention was drawn to a letter in the *Advertiser* newspaper yesterday from a P. J. Denny, of Bridgewater, who said that he wished to point out one issue vital to driving on two-lane highways. The report states:

How often does one see someone travelling on the outside lane at say 70 kilometres an hour right next to another car on the inside lane travelling at 69 km/h and a dozen or so cars jammed in behind, each one looking for the break and getting hotter and hotter under the collar. Everywhere else in the world the car hogging the outside lane would be "honked at" and "flashed" by the cars behind and immediately move over to the slow lane.

I raise this matter because it has been my experience when travelling to the South-East some 30 or more times during the past year that this situation has been evident on almost every trip, with two slow drivers ahead banking up the cars behind on the freeway. The freeways were constructed for the purpose of getting people safely and swiftly to and from Adelaide, and, if this practice of driving slowly in the centre lane is permitted to continue, obviously the whole purpose of freeways and safe driving is defeated. I should like the Minister to look into the matter and to publicise the fact that moving and keeping to the left is mandatory on South Australian roads, including this freeway.

The Hon. HUGH HUDSON: I am sure that that is the case and that there are provisions under which a person driving in a manner the honourable member describes could be prosecuted. I have little doubt that the honourable member meant that drivers were keeping not to the centre lane but to the outside lane, because on that freeway there are only two lanes going in each direction. I will certainly refer the matter to my colleague, and I have no doubt that he will answer the question with his usual earnestness and assiduity.

LAND OWNERSHIP

Mr. WARDLE: Can the Minister for Planning furnish me with a plan of the corporate town of Murray Bridge, the near vicinity of Murray Bridge and the District Council of Mobilong, probably within a three-mile radius of the town hall, showing the land owned by the Housing Trust (*a*) for housing and (*b*) for industrial development, and with that information the areas purchased and the price a hectare paid over the past 25 years?

The Hon. HUGH HUDSON: I think the honourable member's basic question is legitimate, and I shall certainly ask the Housing Trust to indicate its land ownership in

that vicinity. Whether or not it has a map which it can copy readily and give to the honourable member I do not know. It can certainly indicate where its holdings are. I do not see why the honourable member should not have that information. Would the honourable member prefer the trust's purchases since its inception 30 years ago rather than over the past 25 years?

Mr. Wardle: I would be quite happy if you agreed to that.

The Hon. HUGH HUDSON: One way or the other I am bound to point out to the honourable member that I will mention specifically to the trust that, if providing information for the past 25 years will involve a significant expenditure of time and money, the honourable member will need to provide further justification for his question before the trust will provide the information.

Mr. Wardle: The past 10 years, perhaps.

The Hon. HUGH HUDSON: Perhaps the honourable member would settle on the past five years.

KINGSTON ROAD

Mr. VENNING: Are there any special reasons, Mr. Speaker, why Kingston Road in your electorate is being left in its present state?

The SPEAKER: Order! I am not the responsible Minister: responsibility lies with the District Council of Pirie.

VICTORIA SQUARE HOTEL

Mr. COUMBE: Can the Premier say what is the latest development regarding the proposal for and recent negotiations on the Victoria Square project for a luxury, or international type hotel? Over the past four or five years the Premier, from time to time, has made announcements of consortia or project teams that have investigated this proposal, but to my knowledge nothing has yet come to pass. I regret that nothing has happened. I understand that, in the past few weeks, another group, I understand from South-East Asia, met with the Premier. That group is alleged to comprise reputable hoteliers or entrepreneurs, and it went into this matter with the Premier. That received much publicity, but to date I have not seen anything in the press about the outcome of it. I am interested, as I am sure are other members, in what was discussed and what has come or is likely to come of this project.

The Hon. D. A. DUNSTAN: The two entrepreneurs concerned came to Adelaide and spent some time here. They were impressed by the possibilities of the project, and in consequence of this a financial team from their organisation will come to Adelaide this month to investigate the project in much more detail. The visit by the two entrepreneurs was a preliminary one to establish their interest. They have indicated a real interest in the project, and as a consequence a team of their financial managers and experts will be here later this month.

Mr. Coumbe: Are you feeling hopeful?

The Hon. D. A. DUNSTAN: Hope springs eternal on an issue like this. South Australia is missing out on employment opportunities because we do not have a necessary ingredient of our total tourist package, and that is a first-class international hotel. We are constantly—

Mr. Becker: I'm glad you mentioned the airport.

The Hon. D. A. DUNSTAN: I did not say anything about an airport. There would be advantages to South Australia if we had an international airport, but the honourable member knows the problems relating to that. An international standard hotel is vitally necessary for us to get the full range of tourist trade, particularly the convention trade, which is vital to the South Australian tourist industry to ensure employment in the industry in the off season. The problem for us in developing an international standard hotel is that such hotels in central city areas in Australia have in recent years had a poor track record, and most of them have lost money. As a consequence, there was a reduction in investment in this area in recent years. To establish a first-class international hotel in these circumstances will, of course, require that people take a considerable risk, but the full nature of those risks and the supports the Government would give to minimise the risks have been discussed with those entrepreneurs (they have previously been publicly stated) and the entrepreneurs, who are experienced owners of hotel developments with extensive hotel interests in South-East Asia, have expressed much interest in the project here. After a preliminary investigation they believe it would be viable, so their team will be coming here later this month. That is all the information I can give the honourable member. Naturally enough, the hard sums will have to be done.

BUSH FIRES

Dr. EASTICK: Can the Minister for the Environment say whether any instructions have been issued to the persons responsible for national parks and similar parcels of land regarding special treatment in relation to bush fire control? Because of the late rains there will be a flush of growth, and it would be disastrous if, as a result of that flush of growth late in the season, early attempts to control the bush fire problem were wasted and the parks and associated grounds became a problem to surrounding landowners.

The Hon. D. W. SIMMONS: I must admit I am a little confused about the effect of spring rains on the fire hazard. Usually we are told when there have been good rains during the year and there is much growth of feed we will have an unusually high bush fire hazard. This seems logical to me. On the contrary, I have been told that this year, because it has been so dry, it is likely to be a bad year for bush fires. I regard every year as a bad year for bush fires, and, to that end, during the last six months (the last part of summer) I arranged for funds to be transferred to fire-fighting facilities within the department. About $100 000 has been spent on equipment for fire-fighting. Two new fire engines have been bought, many drop-on tanks have been purchased, and $40 000 has been spent on radio communication, so the contribution that the National Parks and Wildlife Division will make to the country fire-fighting service this year will be markedly improved. In August last year a fire-fighting officer was appointed. He has been doing much work during the winter establishing codes of procedure. I am quite sure that when the fire season is here he will make the most effective use possible of the new equipment acquired in the past few months. No specific instruction has been given about that. I am sure that the National Parks and Wildlife Division is aware of its responsibility and that in the coming year we will make a more effective contribution than has been possible in the past because of lack of manpower and resources.

ADOPTIONS

Mr. WOTTON: My question to the Premier, in the absence of the Attorney-General, is supplementary to the question I asked the Attorney-General last Tuesday. Will any purpose be served in making application before the court in regard to the court's power under the adoption legislation to dispense with the consent of the parent if no supporting evidence is available? In reply to my question last Tuesday the Attorney-General stated:

The question that must be placed before the court is whether it is prepared to exercise its power under the adoption legislation and to dispense with the consent of the parent . . . I suggest that solicitors acting for the people concerned should take the matters to court and have them dealt with on this preliminary question to have the matters tested.

I have been informed that to support such applications evidence is required, among others things, of (*a*) abandonment, (*b*) that the children are orphans legally put up for adoption, or (*c*) that the parents cannot be located. In the majority of cases this evidence is unobtainable. In those cases where it might be obtained, the people concerned are in oversea countries. I believe it would serve no useful purpose making such applications without evidence, as I have outlined, being available.

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

At 3.8 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

SALARIES ADJUSTMENT (PUBLIC OFFICES) BILL

Returned from the Legislative Council without amendment.

MENTAL HEALTH BILL

The Hon. R. G. PAYNE (Minister of Community Welfare) obtained leave and introduced a Bill for an Act to make provision for the treatment and protection of persons who are mentally ill; to make provision for the care, treatment and protection of persons who are mentally handicapped; to repeal the Mental Health Act, 1935-1974; and for other purposes. Read a first time.

The Hon. R. G. PAYNE: I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation incorporated in *Hansard* without my reading it. The Government intends that this Bill will proceed to a Select Committee.

Leave granted.

Explanation of Bill

Within the past decade significant changes and developments have occurred in the mental health services of this State. Different categories of patient have been provided with facilities and services most conducive to their well-being. New institutions have been built and extensive renovations and modern replacements of old and obsolete wards have been undertaken or are being actively planned. The Strathmont Centre for the intellectually retarded attracts visitors from all over Australia. The Security Hospital, Northfield, for mentally ill offenders, and Willis House, Enfield Hospital, for the treatment of adolescents, are unique in design and advanced in function. Within the large hospitals at Hillcrest and Glenside, a division has been made into smaller units which operate for the better care of psychiatric and psychogeriatric patients. The team system has led to more effective treatment and reduced the risk of institutionalisation which is one of the ill effects of long-term admission to a large hospital.

Training programs for psychiatric and mental deficiency nurses are of high standard. Educational programmes for trainee psychiatrists, clinical psychologists, social workers, mental health visitors and other professionals have been introduced. Consultant services are provided to hospitals in the larger country centres and to other departments and agencies. There is still a shortage of accommodation for intellectually retarded persons and for mentally deteriorated old people, but the Government is taking active steps to remedy this need.

This progress points to the need for an urgent review of the Mental Health Act, which continues to be based largely upon nineteenth century concepts. Not surprisingly, in recent years, criticisms have been advanced against some of the rather antiquated notions embodied in the existing Act. It has been attacked on the grounds that it is too easy to deprive a person of his civil liberties because of mental defect, that a person can be deprived of liberty for life on the opinion of a medical practitioner, that the provisions for appeal against detention are inadequate and that those that do exist are such that they have been rarely acted upon. The sections of the Act dealing with criminal mental defectives have been roundly condemned as making it possible for a mentally ill defendant to be incarcerated in a hospital for criminal mental defectives for an indefinite period without trial. The dangers of such powers of preventive detention have been frequently stressed. Though some of the critics have expressed extreme views which could not generally be supported, the Government has felt for some time that there is nevertheless a valid case for complete review of the existing Act. A committee was therefore established early in 1975 to review the Mental Health Act, 1935-1974, and to make recommendations which might form the basis upon which a new Act could be framed.

The object of mental health legislation should be to afford the mentally ill and mentally handicapped the maximum advantage that care and treatment can offer, and at the same time to guarantee the minimum interference with their rights, dignity and self respect. However, adequate protection must also be given to the safety and welfare of other members of society. The stress that may be placed upon family life by the mental illness of a member of the family is a further relevant consideration to which due weight must be given. In framing its recommendations, the Committee had to take into consideration a number of factors:

(*a*) It had to relate its recommendations to modern treatment in psychiatry and to the changing patterns of health services. One such fundamental change flows from acceptance in principle of proposals in the Report of the Committee of Inquiry into Health Services in South Australia (the Bright Report) that the mental health services should be integrated more closely with other health services in hospitals and community health centres, and that all future hospital psychiatric services should be developed not in separate institutions, as

formerly, but in conjunction with teaching or base hospitals. Psychiatric facilities are already planned for general hospitals in South Australia. For example, Modbury hospital will have a comprehensive psychiatric unit designed on the basis of 0·35 beds a 1 000 population with additional day patient and outpatient facilities.

(*b*) It had to consider widely opposing views concerning the rights of the individual, ranging from the demand that involuntary commitment should occur only after a trial by jury to the belief that an informal method must be available for ensuring a sick person is given the right to prompt and effective treatment.

(*c*) It had to give careful consideration to that small group of patients who, by reason of mental illness, are considered to be a significant danger to themselves or others. Most thinking people accept that a person who is clearly a danger to others should be under detention and control. Differences of opinion arise in regard to patients who are considered to be a danger only to themselves. Some have argued that individuals should have the right to commit suicide if they wish; others have pointed out that almost all human beings are subject at some time in their lives to psychological crises (for example, bereavement, a broken marriage) which carry with them danger of severe and perhaps suicidal depression. To allow such a person to take his own life when his mental illness would yield easily to treatment is to sanction a tragic and unnecessary waste of life.

(*d*) With the construction of the Security Hospital, Northfield, adjacent to the Yatala Labour Prison, the division of the present Act dealing with criminal mental defectives had become redundant. Patients are admitted to the Security Hospital under the provisions of the Prisons Act and the Criminal Law Consolidation Act.

(*e*) Because of the developments in the health services to which I have already referred, consideration had to be given to the provision of the appropriate legal machinery by which patients, under certain circumstances, can be admitted involuntarily to any hospital with adequate facilities to treat them.

To aid its deliberations, the committee held a seminar to which each of the following organisations and government departments was invited to send representatives:

Law Society of South Australia Incorporated,
Royal Australian College of General Practitioners,
Australian and New Zealand College of Psychiatrists,
Australian Psychological Society,
Australian Association of Social Workers,
South Australian Association for Mental Health,
South Australian Council for Civil Liberties,
Citizens Commission on Human Rights,
Consultative Council on Mental Retardation,
The Parliamentary Labor Party,
The Parliamentary Liberal Party,
The Parliamentary Liberal Movement,
Recovery/Grow,
Police Department, and
Public Trustee.

As a result of the seminar, a final report was submitted to me and work upon the drafting of the Bill was commenced.

Honourable members will notice that the Bill distinguishes between those patients who are acutely mentally ill and in urgent need of treatment in hospital, and those patients who, as a result of more chronic forms of mental illness, behave in such a way as to cause anxiety and distress to others. The impact on families and society of such chronically mentally ill persons is similar to that caused by some intellectually retarded persons or the person mentally infirm because of age or decay of his faculties or damage to the brain from whatever cause. This composite group comprises the "mentally handicapped" for the purposes of the Bill.

An important aspect is that the Bill recognises that, if the mentally ill are to be afforded the maximum advantage that care and treatment can offer and if the mentally handicapped are to be provided with the care and protection required for their welfare, with the minimum interference with their rights, dignity, and self respect, then a commitment had to be entered into by the Government to establish, promote, rationalise, and co-ordinate effective services and adequate facilities within the community for the prevention and treatment of mental illness and mental handicap and for the care and welfare of the mentally ill and mentally handicapped among children, young people and adults of all ages. The objectives of this commitment are clearly stated and should help to ensure that the mentally ill and the mentally handicapped will not be discriminated against or treated as second class citizens in the State of South Australia.

Nothing in the Bill precludes a patient from seeking treatment voluntarily from a doctor of his own choice or from being admitted informally to any hospital with the facilities for his treatment. Nothing in the Bill prevents any parent from making arrangements for the informal admission of an intellectually retarded child to an appropriate training centre or any relative from arranging the informal admission of a demented person to a hostel or nursing home.

The view that the presence of mental illness is not in itself a sufficient reason for the involuntary commitment of a person to hospital has been accepted. It is the behaviour of the patient, who is mentally ill, and his need for inpatient treatment that are significant. The criticism that it is too easy for a doctor to certify a patient under the existing Act is met in this Bill. For involuntary admission to be justified, all three of the following criteria will have to be met:

(1) The patient shall be suffering from a mental illness that requires treatment;
(2) such treatment can be obtained as a result of admission to and detention in a hospital; and
(3) the health and safety of the patient or the protection of other persons can best be secured by such admission and detention.

The Bill requires that the diagnosis and grounds on which involuntary admission has been recommended must be confirmed by the second opinion of a registered specialist in psychiatry within 24 hours; though it is recognised that, outside the metropolitan area, this requirement may not for the present be possible. Unless confirmed, the patient must be discharged from the order by which he was detained. The maximum period of detention possible on this first recommendation has been limited to three days.

However, when the psychiatric examination confirms that a patient lacks the insight to seek treatment for himself and that involuntary commitment is necessary for the patient's own welfare or the protection of others, a

registered psychiatrist may extend the order for a further 21 days making 24 days in all. A restriction imposed is that, if the initial order is signed by a psychiatrist, the extension of the order cannot be authorised by the same psychiatrist. This restriction is desirable because the initial order can be signed by a doctor, possibly a psychiatrist, working in the approved hospital to which the person is admitted. Many orders for admission will be made by general practitioners. However, with the extension of the mental health services into general hospitals, it is essential that a seriously mentally ill person can be brought by his relatives or the police to the casualty or outpatient department of an approved hospital and be admitted by the doctor he sees there.

At any time during the continuance of either the initial three-day order or the subsequent 21-day extension of the order, the patient may be discharged from the order for detention and become either an informal patient or be permitted to leave hospital. It is believed that, with modern treatment, the majority of mentally ill people will respond sufficiently to treatment in three weeks to be competent to make decisions for themselves.

Provision is made that, in the event of a patient proving unmanageable in the psychiatric ward of the hospital to which he has been admitted, or if the treating psychiatrist believes that better facilities for the care and treatment of his patient exist at another approved hospital, he may take steps to authorise the transfer. However, the maximum period of detention remains at 24 days. Further detention of the patient beyond 24 days can be ordered by two psychiatrists, who have each made a separate examination of the patient, only if they are of the opinion that it is necessary for the protection of some other person. The decision to restrict the grounds for further detention of patients in hospital to the protection of some other person has been taken in the view that the great majority of persons suffering from a psychosis with suicidal tendencies will have responded sufficiently to treatment in 24 days as no longer to need protection from themselves. If suicidal impulses remain, it is unlikely the patient is suffering from a psychosis. He should be encouraged to remain in hospital informally, but if he insists on leaving, it is considered to be in the interests of the vast majority of patients that he should not be detained. This does not, of course, mean that steps cannot be taken to have a person, who is not strictly mentally ill but who threatens or attempts suicide, appear before the Guardianship Board.

This power to detain a person beyond 24 days for the protection of some other person recognises the need for special facilities for different types of patients, in this case for a closed, secure ward. Such a patient may be detained until discharged by the superintendent of that approved hospital, or by the Mental Health Review Tribunal, either as a result of one of its periodic reviews, the first of which must take place within two months of the person being first detained by order, or as the result of an appeal. Power is given to the superintendent to grant trial leave to such a patient, as in the existing Act, as this may be desirable as part of his rehabilitation or for a proper assessment of how well he is responding to treatment.

With the integration of mental health services into the general hospital system, the Bill recognises that facilities for certain types of cases are likely to be developed and concentrated in certain hospitals, just as the renal unit has been located at the Queen Elizabeth Hospital and cardithoracic surgery is associated with the Royal Adelaide Hospital. For this reason, the superintendent of an approved hospital is given the option to decline to admit a patient if he believes he has not the facilities needed for the effective treatment of the patient. However, he is obliged to arrange the admission of the patient to another approved hospial which has the proper facilities.

To obviate criticisms directed at the existing Act that a certified patient is not properly informed of his legal rights, the Bill requires that every patient detained in an approved hospital, and if possible a relative, shall be given a printed statement, wherever practicable in the language with which the patient is most familiar, informing him of his legal rights in relation to his involutary hospitalisation and giving details of the facilities provided in the psychiatric ward.

The provisions have referred so far to the person who is acutely mentally ill and in need of treatment in hospital. However, some patients may be in need of treatment at the expiry of 24 days detention but fail to appreciate the need for further treatment and refuse to remain in hospital informally, and the Bill gives no power for them to be further detained unless they are considered to be a danger to some other person.

The Government recognises that certain persons suffering from more chronic forms of mental illness may need care and control, may need to be detained if necessary in hospital against their will, and even be subjected to constructive coercion so that they will accept treatment; but it accepts the view that, in such cases, the deprivation of civil liberties should not rest solely on the opinion of a medical practitioner. The responsibility for examining the facts relevant to each case referred to it and for making appropriate orders has been given to an independent Guardianship Board, which shall consist of a legal practitioner as its chairman, a medical practitioner and three other members with appropriate qualifications. Such a board can require the attendance of any person and receive evidence to assist it to come to a decision. Though without doubt the medical opinion will be of great importance, it will be the board which will determine whether the person should be deprived of his civil liberties and not the medical practitioner. This is the significant difference in this Bill from the existing legislation.

In relation to persons with imperfect or retarded development (intellectual retardation) or deterioration of mental faculties from whatever cause (dementia), the board will assume a similar responsibility for assuring proper custody and care and protection from exploitation and harm.

An application may be made to the board by the patient himself, a relative of that person, the police or by any person who satisfies the board that he has a proper interest in the care and protection of the person in respect of whom the application is made. This would of course include a medical practitioner.

The board has a number of options open to it, from financial management of a person's estate to control over certain important life decisions, to delegation of caring responsibility to a responsible person or officer in charge of a hostel, foster home or large institution, and even to detention in an approved hospital. It is given power to direct that a protected person receive medical or psychiatric treatment. An innovative provision recognises that a person subject to a compulsory order should be able to obtain treatment from his own private medical practitioner or at outpatient level. Of course, if the protected person fails to undertake treatment as directed by the board, it may be necessary in a minority of cases to place him in some form of custodial care, so as to ensure that he will receive proper treatment.

In the existing legislation, the affairs of a patient can be placed in the hands of the Public Trustee only if he has been admitted to hospital. It is known that some patients are admitted to hospital under certificate for one night for this very reason. The provisions of this Bill makes this protection available to anyone suffering from mental illness or mental handicap. The board may appoint an administrator of the estate of any person, considered to be incapable of administering his own affairs. It should be noted also that the board has a discretion to appoint an administrator other than the Public Trustee under certain conditions.

The board shall as often as reasonably practicable review the circumstances of a protected person, and may vary or revoke any of its orders or vary any of its directions. Adequate safeguards against wrongful detention are a significant feature of the Bill before you. In those parts dealing with a medical recommendation, the action of a medical practitioner who makes an order for a person to be admitted to an approved hospital must be confirmed within 24 hours, if possible, and detention beyond three days can be authorised only by a psychiatrist who is not the medical practitioner who signed the initial order. For detention beyond 24 days, the authorisation of two psychiatrists, after separate examinations of a patient, is required. During this time, the patient will have been given a printed statement drawing attention to his legal rights, and he may appeal against his detention to an independent tribunal.

The Mental Health Review Tribunal consists of three members, with a legal practitioner as chairman and a medical practitioner as one of its members. Its purpose is to safeguard the civil liberties and rights of those persons detained in an approved hospital on the order of a medical practitioner or placed in the custody of another person on the order of the Guardianship Board. The functions of the tribunal are to conduct a periodic review of the circumstances of the detention or custody and to determine whether there is good cause for the continuing detention of the patient or custody of the mentally handicapped person and to hear appeals against the detention of a patient in an approved hospital or against an order of the Guardianship Board. Appeals may not be lodged more frequently than once in every 28 days. The appeal may be made not only by the patient himself, a relative or any other person who satisfies the tribunal that he has a proper interest in the care and protection of the patient or mentally handicapped person, but also by the Director of Mental Health Services who may wish to appeal against a decision of the tribunal itself or of the Guardianship Board. The tribunal has the right to obtain such information as is necessary for the exercise of its powers and functions.

A further safeguard to the civil liberties of a detained person is found in the provision that any person aggrieved by a decision or order of the tribunal, and this includes the patient himself, a relative or any other person who can show his interest and concern for the person's welfare, as well as the Director of Mental Health Services, shall be entitled under certain conditions to appeal to the Supreme Court against that decision or order. In every appeal to the tribunal or the court, the person in respect of whom the appeal is brought shall be entitled to be represented by counsel at no cost to himself.

Concern has been expressed at the lack of protection under existing legislation against involuntary patients being subjected to psychiatric treatment against their will. Psychosurgery and so-called "shock treatment" (electro-convulsive therapy) have been especially singled out. Though some of the attacks have been intemperate and misinformed, the Government has accepted the view that many members of the community would feel reassured if the right of the psychiatric patient to have a say in his treatment, when detained in hospital against his will, were properly safeguarded. The Bill therefore states categorically that psychosurgery cannot be performed on a patient detained in an approved hospital without the written consent of the patient or a guardian or a relative and unless the operation has been authorised by two psychiatrists (one of whom must have had at least five years experience as a practising registered specialist) and after each has made an independent examination of the patient. A similar restriction is placed on the administration of electro-convulsive therapy, except that the authorisation of only one psychiatrist is required, and, in an emergency, treatment may be given without the written consent of the patient or a guardian or relative. This exception recognises the fact that electro-convulsive therapy may occasionally need to be used urgently as a life-saving measure.

An aspect of the existing legislation which has been very favourably received is that dealing with the licensing of psychiatrist rehabilitation hostels. Under the system of licensing, the Director of Mental Health Services has certain powers of supervision to ensure an adequate standard of accommodation and care but in return the licensed manager may receive financial and professional support. Because it works so well, this Bill continues the system of licensing hostels, but extends the concept to that of psychiatric rehabilitation centres.

It may be that, in the future, certain private hospitals or nursing homes may also seek to be licensed with mutual benefit to both the mentally handicapped residents and to the manager of the establishment. A provision new to this Bill is that the holder of a licence may appeal against any proposed revocation of the licence to the Mental Health Review Tribunal.

Under the provisions of this Bill, a member of the police force will be required to act for the most part like any other caring person. He will be expected to arrange for a person to be seen by a medical practitioner when he believes that person is mentally ill or to initiate an application to the Guardianship Board when he believes the person to be mentally handicapped. Certainly, the police need power to apprehend, even to break in and enter premises in order to apprehend, a person who is considered to be mentally ill and a serious danger to himself or others. A member of the police force is given power without a warrant to apprehend a person who he has reasonable cause to believe is unlawfully at large, but the apprehension is in the person's interests and involves his return to the approved hospital in which he had been detained or to the person into whose custody he had been placed. In the regulations, provision will be made for the transport of patients or protected persons from one place to another and for a member of the police force to accompany and escort a patient or protected person in an ambulance when this is considered essential for that individual's welfare.

There may be cases where a patient escapes across State borders. On such occasion a special magistrate may issue a warrant directing that the person named therein be apprehended and conveyed to the place from which he escaped. The warrant is required in such cases by reason of the terms of Commonwealth legislation.

It is acknowledged that many mentally ill people, many intellectually retarded and many mentally impaired and deteriorated persons live freely in the community with the help of relatives and the treatment and support which the health services provide. This Bill is concerned with that small number of persons who, by their behaviour, cause concern to those about them. This group is composed of the acutely and seriously mentally ill, who need treatment in hospital in the interest of their own health or for the protection of others, and those mentally handicapped persons who require to be placed under guardianship for their own good or to protect the spouse, family or the community from undue stress and harassment.

Clause 1 is formal. Clause 2 provides for the commencement of the Bill. Clause 3 sets out the arrangement of the Act. Clause 4 repeals the present Mental Health Act and provides the necessary transitional provisions. Clause 5 contains the necessary definitions.

Part II of the Bill provides for the administration of mental health services. Clause 6 provides for the continuation of the office of Director of Mental Health Services. Clause 8 obliges the Director to report annually to both the Minister and the Health Commission. Clause 9 sets out the objectives the Director and the Health Commission must seek to attain in administering the Act. Clause 10 provides that the Minister may declare any place to be an approved hospital for the care and treatment of the mentally ill. Clause 11 obliges the superintendent of an approved hospital to keep certain records as to the treatment administered to any patient, etc. Clause 12 provides that the Director must in certain circumstances inform an inquirer whether a particular person has been admitted to, or detained in, an approved hospital. The superintendent of such a hospital must furnish a patient with copies of all orders, etc., in relation to his admission to the hospital and to his subsequent treatment.

Part III of the Bill relates to the admission and treatment of the mentally ill. Clause 13 allows for the voluntary admission of patients into approved hospitals. Such a patient may leave the hospital of his own free will. Clause 14 sets out all the steps to be taken in relation to a person involuntarily admitted into an approved hospital. Such a person must first be examined by a medical practitioner who may, if he is satisfied that the person is suffering from a mental illness that requires immediate treatment in a hospital and that the person is a danger to himself or others, make an order for the immediate admission and detention of that person in an approved hospital. This initial order is effective for only three days. During that period of three days, the patient must be examined by a psychiatrist (within the first twenty-four hours if possible). The psychiatrist may confirm the three-day order or he may thereupon discharge the patient. Before the expiration of a confirmed three-day order, a psychiatrist may make a further order that the patient be detained for a further period not exceeding twenty-one days. The psychiatrist who makes such an order must not be the medical practitioner who first admitted the patient to the hospital. If the condition of the patient improves during the period of twenty-one days, the order for detention may be discharged. If two psychiatrists are both of the opinion that a patient must be detained beyond the period of twenty-one days in order to protect some other person, then they may make an order accordingly. Such an order may be discharged at any time by the superintendent of the hospital if the patient's condition improves. Such an order may also be discharged by the Mental Health Review Tribunal. A patient who is detained beyond twenty-one days may be given trial leave by the superintendent of the hospital subject to such conditions as the superintendent thinks fit.

Clause 15 obliges the superintendent of an approved hospital to comply with orders under this Part. However, if the superintendent of a hospital believes that the proper facilities do not exist at his hospital for the care of the patient, he shall make arrangements for the admission of the patient into another approved hospital. Clause 16 places a duty on a superintendent to give each patient detained in his hospital a statement setting out the patient's legal rights and all other relevant information. A copy of the same statement must be given to a relative of the patient if possible. Such a statement must be in the language with which the patient is most familiar. Clause 17 empowers the superintendent of an approved hospital to make arrangements for the transfer of patients from his hospital to other hospitals. Clause 18 provides that a member of the police force must apprehend a person whom he believes is suffering from a mental illness that is causing or has caused danger to himself or to others. The police officer must bring such a person to a medical practitioner for examination as soon as possible. A police officer may break into and enter premises and use such force as may be reasonably necessary in the apprehension of a person whose behaviour is such that he may endanger life or property.

Clause 19 sets out certain restrictions on the provision of psychiatric treatment in relation to patients detained in approved hospitals. Psychosurgery may not be performed on a patient unless that patient has been separately examined by two psychiatrists, at least one of whom is a psychiatrist of five years' standing, and both of those psychiatrists have authorised such treatment. Furthermore, the consent in writing of the patient must be first obtained. If the patient does not have the ability to make a rational judgment on the question of his treatment then the consent of a guardian or relative of the patient must be obtained. Before a patient undergoes electro-convulsive therapy ("shock treatment") such treatment must have been authorised by a psychiatrist and the same consent must have been obtained. However, as this kind of treatment is sometimes given as a matter of urgency, provision has been made for the administration of such treatment without the necessary consent where the treatment is essential for the protection of the patient or some other person. Other forms of psychiatric treatment may be declared by regulation to fall within the same category as pyschosurgery or alternatively the same category as electro-convulsive therapy.

Part IV of the Bill relates to the placing of certain persons under the guardianship of the Guardianship Board. Clause 20 constitutes the Guardianship Board. Clause 21 sets out the terms and conditions upon which members of the board hold office and provides for the appointment of deputies. Clause 22 entitles the board members to certain allowances and expenses. Clause 23 provides for the validity of acts of the board notwithstanding vacancies in its membership. Clause 24 sets out sundry provisions relating to the proceedings of the board. Clause 25 gives the board power to require the attendance of any person before the board.

Clause 26 empowers the board to receive certain persons into its guardianship. Persons suffering from mental illness or mental handicap who are incapable of managing their own affairs may come under the guardianship of the board. Persons suffering from mental handicap who require some degree of oversight, care or control may also be received into the guardianship of the board. The sufferer

himself may make application for guardianship; alternatively a relative, a member of the police force or any other person who has a proper interest in the matter may make such application. Clause 27 sets out some of the powers that the board may exercise in relation to a person under its guardianship. Paragraphs (*a*) and (*b*) of subclause (1) provide for a kind of "detention" of a protected person. The board is under a general obligation to review the circumstances of all protected persons whose welfare is, of course, always the paramount consideration.

Clause 28 provides for the appointment of an administrator of the estate of a person who has been received into the guardianship of the board or any other person suffering from a mental illness or mental handicap who is incapable of administering his affairs. The Public Trustee will be appointed as the administrator of such an estate unless there is some special reason why some other person should be so appointed. (The powers and duties of such an administrator are contained in a proposed amendment to the Administration and Probate Act.)

Part V of the Bill relates to the establishment and functions of the Mental Health Review Tribunal. Clause 29 constitutes the tribunal. Clause 30 sets out the terms and conditions upon which members of the tribunal hold office and provides for the appointment of deputies. Clause 31 entitles members of the tribunal to certain allowances and expenses. Clause 32 provides for the validity of acts of the tribunal notwithstanding vacancies in its membership. Clause 33 deals with procedural matters. Clause 34 provides the tribunal with certain necessary powers. It may require the attendance of persons and the production of books and documents, etc. A person who fails to comply with such requirements of the tribunal is guilty of an offence. A person is not obliged to answer incriminating questions.

Clause 35 places a duty upon the tribunal to review the circumstances of the detention of patients in approved hospitals. An initial review must be made within the first two months of a person's detention or custody and thereafter at intervals not exceeding six months. However, the tribunal may extend this interval in the case of a severely mentally handicapped person. The tribunal is under an obligation to discharge an order for detention or custody unless it is satisfied that there is good cause for the continuation of that detention or custody. The tribunal need not make a review under this section if it has heard an appeal on the same matter within the last month. Clause 36 gives a patient, a relative of the patient, the Director and any other person who has a proper interest in the matter the right to appeal to the tribunal against the detention of a patient. Such an appeal may not be instituted during the initial three-day order period nor during the period of twenty-eight days following the determination of a previous appeal or a review by the tribunal.

Clause 37 gives a right of appeal to a protected person, a relative of a protected person, the Director or any other person who has a proper interest in the matter against an order of the Guardianship Board whereby a person is received into the guardianship of the board, by which an administrator is appointed in respect of the estate of a person, or by which a protected person is placed in the custody of another. Such an appeal may not be instituted during the period of twenty-eight days following the determination of a previous appeal or a review by the tribunal. Clause 38 gives any person aggrieved by a decision of the tribunal the right to appeal to the Supreme Court against that decision. Where the appeal is brought by the patient or protected person himself, no order for costs may be made against him. Clause 39 provides that the patient or protected person must be represented by counsel in every appeal to the tribunal or the Supreme Court unless that person desires otherwise. The patient or protected person may engage counsel at his own expense or alternatively may choose a person to represent him from a panel of legal practitioners compiled by the Law Society. The Law Society may choose counsel where the patient or protected person fails to do so. The Health Commission is responsible for counsel fees in accordance with a prescribed scale where the counsel is chosen from the Law Society panel.

Part VI of the Bill relates to the licensing of psychiatric rehabilitation centres (known as psychiatric rehabilitation hostels under the repealed Act). Clause 40 provides that a person who offers accommodation for fee or reward to a patient under an order for detention but out on trial leave must hold a licence under this Part. A defence is provided for the person who did not know and could not reasonably be expected to have known that the person in question was subject to an order for detention. Clause 41 empowers the Minister to grant licences for psychiatric rehabilitation centres. Such licences are renewable annually. A licence may be granted subject to certain specified conditions. The Treasurer is given the power to guarantee the repayment of certain loans made to the holders of licences under this Part. Clause 42 empowers the Minister to revoke licences that have been contravened. The holder of the licence is given a right of appeal to the tribunal.

Part VII of the Bill provides certain miscellaneous provisions. Clause 43 empowers a member of the police force to apprehend persons unlawfully at large, that is, a person who has been detained in an approved hospital or a protected person who has been placed in the custody of another. Officers and employees of an approved hospital are given a similar power in relation to persons detained in their hospitals. A person who is on trial leave from an approved hospital is deemed to be unlawfully at large if he does not return by the specified time or if he does not comply with a condition of his leave. Clause 44 provides that a person who ill-treats or wilfully neglects a person suffering from mental illness or mental handicap is guilty of an indictable offence. Clause 45 provides that a medical practitioner who signs any order, etc., under this Act without having personally examined the patient first, is liable to a penalty not exceeding one thousand dollars. A medical practitioner who falsely certifies that a person is suffering from a mental illness or mental handicap is guilty of an indictable offence. A person who signs any order, etc., under this Act falsely describing himself as a medical practitioner or psychiatrist is guilty of an indictable offence. Any person who fraudulently procures the admission of a person into on approved hospital or the reception of a person into the guardianship of the board is guilty of an indictable offence.

Clause 46 provides that a medical practitioner who is related to a person may not sign any order, etc., under this Act in respect of that person. Clause 47 provides that a person who without lawful excuse removes a person detained in an approved hospital from that approved hospital or removes a protected person from the custody of another is guilty of a misdemeanour. Clause 48 provides a penalty of a fine not exceeding $2 000 or imprisonment for a term not exceeding one year for an indictable offence under this Act. Clause 49 provides immunity for persons who act under this Act in good faith and with reasonable care. Clause 50 provides that all

offences under this Act other than indictable offences are to be disposed of summarily. Clause 51 sets out the various purposes for which regulations may be made under this Act.

Dr. TONKIN secured the adjournment of the debate.

URBAN LAND (PRICE CONTROL) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 9. Page 926.)

Mr. ARNOLD (Chaffey): This Bill proposes to extend the life of the Act, which expires on December 31 this year, for a further two years. I am not sure why it is necessary to extend the operation of the Act for that time. In his second reading explanation, the Minister did not indicate why that should be so. The Prices Act is extended for a year at a time. During the Committee stage, I will move to amend that provision to extend the operation of the Act for one year, instead of two.

The Bill also contains two new provisions designed to facilitate the enforcement of the principal Act. One will enable the commissioner to call for documents and to conduct investigations similar to the power that is provided in the Prices Act. I have no objection to that provision. The commissioner should have power to enable him effectively to enforce the Act.

The second provision enables prosecutions to be instituted at any time within two years of an alleged offence being committed. That is an extremely long time. Numerous transactions are made by people selling and buying land, and it is a long time for these people to know that a prosecution could be lodged at any time up to two years after a transaction had been completed. That period seems excessive. The Act now provides that that period is six months. The Minister, in his second reading explanation, gave the following reason for extending the time:

> At the moment, this period is limited to six months by the Justices Act. However, frequently evidence of an infringement of the Act does not appear until after documents have been lodged at the Lands Titles Office for registration. This may be many months after the date of the transaction that constitutes the offence.

Many of the transactions and the completion of documents at the Lands Titles Office are taking too long even now, and to extend the period for up to two years the Government is virtually giving that office approval to take that extra time to complete documents. I recognise what work must go into the search and rechecking of new titles before they can be prepared, but the two-year period is excessive and will only worsen the situation. As far as I am concerned, the Act has had only limited success, and there is no such thing in South Australia as a cheap building allotment. The Act is becoming less effective, as the private sector is providing few allotments because the Land Commission owns or controls most of the land that could be available for housing allotments.

The principal Act is affecting fewer blocks because commission-developed blocks have ties attached to them so that a block owner must build within two years or, if he wishes to sell the allotment, he can sell it only with the commission's approval. The commission is now the major controller and developer of all urban land in South Australia. Therefore, the principal Act is becoming less significant year by year. Because of the commission's activities and its powers, second-class freehold titles are virtually being created. The conditions attached to commission allotments do not apply to normal freehold titles, so we have a situation where commission allotments could be classified as second-class freehold titles. In fact, these allotments are almost in the category of perpetual lease land, which can be sold only with the Minister's approval after meeting certain requirements laid down by the Government of the day.

I said earlier that there is no such thing in South Australia as a cheap allotment. During the debate on the Loan Estimates, the Minister in charge of housing, told the member for Fisher that land prices vary in South Australia from $866 to $1 742 and that development costs range from $3 300 to $5 000. The Minister added that administration costs were about $400, but that he believed the sum of $400 would be reduced to about $200 as the commission increased the availability of allotments on to the market. However this matter is considered, it can be stated conservatively that, by June next year, allotments could cost about $8 000. If the Act was introduced to ensure an abundant supply of cheap housing allotments in South Australia, it has not achieved that aim.

Mr. Goldsworthy: Services cost too much to put on, don't they?

Mr. ARNOLD: That is a major problem that may cause allotments to cost $8 000 by the middle of next year. If the commission offers allotments at up to $8 000, no-one could claim that South Australia had cheap housing allotments. I have foreshadowed that I will move amendments to extend the operation of the principal Act for only one year, in keeping with the Prices Act, and to provide that the time for instigating prosecutions be extended from six months to one year, instead of two years, because to extend it beyond that time would only worsen the situation for the Lands Titles Office. For what the Act is worth today, in the light of the Land Commission, I believe it should be extended for a further 12 months.

Mr. EVANS (Fisher): I do not support the Bill in its present form, although I believe it could be amended to be made more acceptable. Some areas of concern remain in the creation of allotments within the private sector. The object of the Act was to attempt to stabilise land prices within the State, and the measure was brought into practice at a time when money was becoming tighter and and high interest rates were making developers cautious. The overall effect perhaps cannot, therefore, be attributed to the Act that was implemented at that time. At the moment, if a private developer buys an area containing 100 allotments, he is assessed for land tax at an aggregated rate. If he is not a spec builder or a builder who contracts to owners of the allotments (and so sells the allotment with the house, and a different value is placed on it), and if he simply sells the allotment as an individual allotment, he must pay the aggregated rate of land tax on the allotment. However, when he attempts to recoup his land tax at the point of sale he can claim only the individual allotment cost, which is at the minimum rate.

In the case of an allotment valued at about $10 000, before the recent land tax amendment came in the developer would have had to pay about $400 an allotment. Under the new proposals of 27c for every $10 above $150 000, he will have to pay about $250. That is an increased cost to the purchaser, because the developer adds it to the cost of the allotment. The Land Commission does not face the same burden, and that is a situation the Government should consider. I think the Minister would agree that a provision to remove that burden could be made.

It serves no good purpose. It simply bleeds the potential home owner who buys an allotment with the intention of building on it.

The situation has been brought home to me because of what has happened to one member of my family. Clearly, the Act does not work fairly. The person concerned bought an allotment for a little more than $7 000, doing the right thing by going to the officers and asking the maximum price at which the allotment could be sold. This came about not because the person wished to speculate but because the other partner in the marriage owned an allotment. The sale of the allotment resulted in a loss of $510. When the costs of transfer and the fees involved are considered, one does not expect a loss of more than $500. I can give the Minister the figures if he would like them.

We need to look more leniently at the situation. The object of the legislation was that people should not be able to speculate. I have no grouch about what has happened to the person in my family, but I believe the same thing could be happening to others. If that is so, that was not the intention of the legislation. The intention was to stop people from making a profit on allotments, not to put them in a position of showing a loss. I hope the Minister will look at the matter and that, following his reply, he will take it up with the department. He will see that real costs incurred are not covered by the legislation.

The Bill need not be extended for a period greater than 12 months. It is a matter that Parliament should look at every 12 months, and I see no reason why that cannot be done. I do not accept that we have a surplus of allotments on the market in the numbers in which they are needed. People must have a selection from which to choose. It is wrong to have only four or five major areas in which people can choose allotments. There must be a broader spectrum from which to make a choice. Deciding to build a house in which one hopes to spend the rest of one's life, as is often the case, is a most important decision. The choice should be as wide as possible: near the sea, in the hills, in the north, in the south. So many things come into it. I do not believe that situation obtains at the moment. The legislation is restrictive.

The shadow Minister for Planning made the point that basically Land Commission allotments are second-class titles. That may sound rough, but it is not. A person of 17 years of age who lives with the family, has started work, and does not pay board, may wish to buy an allotment. It is not likely that they will build at 19 years of age, but at 17 years of age they may wish to start paying off an allotment on which to build a house in the future. The legislation provides that the house must be built within two years, and that must be stated on application for an allotment. That young person is denied the opportunity to buy that allotment. A person could be 24 years old and not expect to build in two years time, but may have seen within the Land Commission development the allotment on which they would like eventually to build a house. It appeals to them; it is where they wish to live. The Land Commission has control of the allotment. The title is created. The State has paid the money to have the title created, but the person concerned cannot buy it because of the restriction that he must build within two years.

If a person signs such a commitment and finds later that he cannot build for a further 12 months, I understand that, even where construction companies are involved, the Land Commission will grant an extension of time. In the initial stages, however, if a person knows that he will not be able to build in two years time, he cannot take that allotment. The problem is serious. I do not disagree with the proposal as it relates to development companies or speculators, but the Land Commission will know whether a person wants to buy only one allotment from it. If a person bought one allotment, there should be no imposition, because I believe that a person should be able to buy one allotment if they do not already own a residence. There would be no harm in giving the individual the chance to buy such land.

The other imposition is that, if a person wishes to sell the land, he must give the commission the first right of purchase, and the commission decides whether to take it back or to allow him to sell the block to someone else. That is not so objectionable, because the commission has reduced its costs to bedrock in order to place the block on the market as cheaply as it can. Naturally, public money is used, and I see some merit in having that provision included. I believe that the suggested amendments are not unreasonable, but the second-class title for individuals deters many genuine young people from buying an allotment. Often they cannot get from a bank or building society a high enough rate of interest to keep pace with inflation, but, if they were able to buy an allotment, they would know they had land on which they could build a house at some time in the future. Money tends to lose its value, but land does not, and we should not deny the individual the chance of happiness in his future. I support the Bill.

Dr. EASTICK (Light): At this stage I support the Bill, because I believe that the points that have already been made and will be made are important. This is not a cut-and-dried issue. We need only refer to the Minister's reply yesterday to a question about a balanced approach to the amount of land prepared as building blocks and the use of the State's resources for housing. The issue goes beyond the activities of the Land Commission, and requires a balanced approach not only toward blocks that are being prepared by the commission but also to blocks that are in an advanced stage of preparation by private enterprise. Those organisations took up some of the slack before the Land Commission was fully operating, and provided blocks close to those of the commission, but, because of a massive package of commission blocks coming on the market, they could find their resources being tied up indefinitely, so that funds that could be available for housing were not available.

Parcels of land in the advanced stage of development are located in the Gawler area and the commission's Blair Estate development could have an effect on them. It is inevitable that there will be difficulties from time to time, because this matter is in a state of flux and must be constantly watched. There must be continual opportunity for members to consider these matters and to exercise their influence on legislation concerning them. As reported on page 348 of *Hansard* of August 3, 1976, I asked what number of transactions were approved and, of those not approved or given only conditional approval, what were the reasons for non-approval and what was the nature of the conditions applied. The Minister's lengthy reply referred to various aspects, and I commend it to members to study. On October 5, 1976, as reported at page 1223 of *Hansard*, I asked the following question:

In the determination of "capital value", "site value" and "unimproved value" under the Valuation of Land Act, 1971-1975, what regard, if any, is paid to the fact that the relevant land is subject to the Urban Land (Price Control) Act, 1973?

In his reply the Premier said that the relevant material was forwarded to the Valuer-General. There is some doubt whether that information is related to the unimproved value placed on some blocks. I cite the instance, to which I have previously referred, of a young man who purchased land in the Gawler area because he intended to build a house. Subsequently, he was promoted in his employment but had to live some distance away and could not use the land. On the details given to him, the maximum amount that he would have been allowed to obtain for that land was $4 250, but two blocks immediately adjacent to his block were sold by auction at almost the same time, one for $5 550 and one for $5 750. The higher price would reflect the value for all blocks of unimproved land within a reasonable distance of his land.

These matters need constant attention, and they will get such attention if they are constantly placed before the House. To ensure that that situation applies, the legislation should be brought before the House annually. I do not suggest that this is an easy area in which the Minister and his advisers have all the answers by doing simple mathematical calculations. The requirements, demands, and other factors that must be considered are constantly changing. I believe it is an Act that has a significant purpose on the Statute Book of this State, even though I questioned its validity at the time. I would like to believe that, for whatever further length of time it remains on the Statute Book, it will provide the type of controls or answers which are in the best interests of the whole and not only one part of the community. For that reason I will support the amendments in due course.

Mr. MATHWIN (Glenelg): I support the Bill with the hope that it can be amended in the Committee stage to make it a better Bill. The Minister, in his explanation of the Bill, took full advantage of the "success", as he termed it, of the Act. At page 296 of *Hansard* he said:

> The Government believes that the success of the Act to the present time, and the present indications that real estate values may be poised for a further bout of inflation justify the extension of this Act for a further two years.

I think the time is too long, and I would be pleased if the Bill was reviewed annually in this place. My feelings about the Land Commission, which I expressed when the original Bill was brought into this House, is that I do not favour it, because it is against my principles. One reason for this is that it ties up the land too much. This has been explained to the House by other members. The cost of the land, as far as the commission is concerned, I suppose is low, and I refer to the areas with which I am more familiar, those south of Adelaide. People buying land from the commission are obliged to build within two years. The cost of housing is another area in which this Government has failed, as costs in this State are higher than those in any other State. This has caused great hardship, particularly to the younger generation. The people who wish to have housing are paying dearly for it. Added to that is the difficulty of procuring a loan from a bank particularly the State Bank, which I understand has a waiting time of about 36 months.

It is difficult if one has to build within two years but cannot obtain a loan for 36 months. This legislation leaves no area open to people who wish to provide for themselves, or to older people who might think it an advantage to help their sons and daughters to buy land. There would be no way of doing this through the Land Commission. This means that these people can deal only with developers, who are now finding some difficulty because the Government is, more or less squeezing them out of existence. It is obvious that the Government has all the advantages, because it does not have to pay land tax or, as pointed out by the member for Fisher, pay exorbitant land tax if the land is sold.

Mr. Evans: He has to pay council rates.

Mr. MATHWIN: Yes, council rates are another payment for which the Land Commission is not responsible.

The Hon. Hugh Hudson: That is nonsense; it is only during a certain period.

Mr. MATHWIN: It means a large sum of money—

The Hon. Hugh Hudson: I would suggest that the honourable member should get his facts right.

Mr. MATHWIN: I have the facts right.

The Hon. Hugh Hudson: You rarely have your facts right.

Mr. MATHWIN: It has been proved to the Minister that all the advantages are in his basket. As in the case cited by the member for Light, someone sells a block of land, and then the whole of the land in that area is valued on the highest value. Add to the other advantages the Government has, I believe it receives special attention from the Engineering and Water Supply Department and the Electricty Trust, and this enables the Land Commission to have a colossal advantage over the private developer. I believe the Act is becoming less effective because the private sector is providing very few allotments, as the Land Commission owns or controls the vast majority of land which could be made available for housing allotments. That is the situation, particularly south of Adelaide. I believe that, from the point of view of developers, South Australia is fast becoming the stagnant State in this matter, and investors are looking to other States to invest their money. This situation will become more serious. I object to the way that the commission ties up buyers to build within two years, as this gives no encouragement to young people to provide for themselves or their families. In figures that were released, it was stated that the cost of a block of land was between $866 and $1 742. Where one would be able to procure a block of land for $866 in this day and age anywhere near the metropolitan area I do not know. Development costs are from $3 300 to $5 000 a block. This is a gigantic increase that has come about in the past few years. We see the sorry part of the story: the cost of houses—

The DEPUTY SPEAKER: Order! There is nothing in this Bill concerning houses; it concerns land.

Mr. MATHWIN: That is quite true, but it is quite a ridiculous situation, when one can produce a block of land and be given an option to build in two years or less to say that that does not relate to housing. One would not buy the land to graze a couple of sheep or a goat. In respect to you, Sir, I will not mention housing again. I reiterate that I support the Bill in the hope that it will be amended in Committee to provide for one year instead of two.

The Hon. HUGH HUDSON (Minister for Planning): I do not propose to canvass things that will come up at the Committee stage. I will refer only to one matter, the restriction that applies on the owner of land that is purchased from the Land Commission. This community has paid heavily for the fact that development has taken place in a scattered manner and that blocks of land have been held unoccupied for long periods of time. Wherever that situation applies the degree of utilisation of public services is much reduced and, consequently, the

rates that everyone must pay throughout the entire community are higher. I ask honourable members to consider that point.

If we have to develop a larger area of land in subdivisional form because people want to hold land and not build on it quickly, and this land is fully serviced land, to that extent the Government has expended a greater amount of capital in providing those services than would otherwise be the case, and that capital has to be recovered.

Mr. Mathwin: You derive income from it, though.

The Hon. HUGH HUDSON: You derive the same amount of income; more people will not live there.

Mr. Mathwin: They still pay the water and sewerage rates.

The Hon. HUGH HUDSON: If the honourable member cannot see the point, I will not try to explain it further because it would take too long. More scattered development will lead to higher water and sewerage rates generally because the capital cost of the water and sewerage provision that must be made is so much greater. That is not spread amongst a larger number of people, but amongst the same number of people as before, and consequently everyone pays higher rates. The scattered development that has taken place in Adelaide in the post-war years has meant that everyone in the community pays higher rates. The tenure condition imposed by the Land Commission is generally in the interests of the community at large.

In circumstances where subdivisional land is in short supply, if all sorts of people are holding land for long periods of time and not building on it, those people who require land for building are putting a greater demand pressure on limited available land, and the demand pressure and the possible development of speculation is so much greater.

Dr. Eastick: Do you accept any leeway at all so that eventually you have a better mix in the community?

The Hon. HUGH HUDSON: I do not think that where there are private builders there is all the same architecture. Where the Housing Trust is involved—

Mr. Evans: It's the same era of architecture.

The Hon. HUGH HUDSON: All the things the honourable member wants will cost the rest of the community more. If the honourable member puts the argument that you should be able to hold land without building on it for long periods of time you need also to say to everyone else in the community that the cost of doing this will have to be paid for by higher rates. It is not a question of there being no cost to the community generally from allowing development to take place in a more scattered manner—there are costs to the community generally, because the provision of public services has to be greater than would otherwise be the case and those costs have to be borne.

Mr. Mathwin: It comes out when you get the development.

The Hon. HUGH HUDSON: I am sorry, it does not. The headworks that must be provided are not covered by the development. There is not a headworks charge on the development of land in South Australia as there is in Victoria and New South Wales.

Mr. Mathwin: It's never cheaper than today.

The Hon. HUGH HUDSON: It is dearer still in the Eastern States.

Mr. Mathwin: It's never cheaper than today.

The Hon. HUGH HUDSON: I am sorry. I request members opposite to give some instructions to the member for Glenelg.

Mr. Mathwin: You've never been on a building site in your life. What's the matter with you?

The SPEAKER: Order! The honourable member for Glenelg has had his opportunity to contribute to the debate. The honourable Minister is now closing the debate.

Mr. Mathwin: He's being rude.

The SPEAKER: Order!

The Hon. HUGH HUDSON: The only thing that ever got in the head of the honourable member on a building site was sawdust.

Mr. Mathwin: It wasn't from your saw because you haven't got the ability to use one.

The Hon. HUGH HUDSON: In making any comparison of land prices over a period of time one should also take into account the fact that land made available today is fully serviced, whereas even 12 years ago that was not the case. The raw land costs given in the previous answer referred to are raw land costs without any provision of services. I am sure members are aware of that situation.

Regarding development costs, even 12 years ago road costs were substantial. In Melbourne 12 years ago, when the council put the full cost of a road on to the house owner when the house was built, the average road cost per allotment was about $1 500. The cost is even higher now. Even forgetting about the cost of providing sewerage facilities, electricity, and so on, road costs are substantial. I thank members for their support. I am sorry they see some necessity to debate this matter every year.

Mr. Millhouse: It is their right to do so—why shouldn't they?

The Hon. HUGH HUDSON: I am sorry they see it that way.

Mr. Millhouse: Why are you sorry?

The Hon. HUGH HUDSON: I am always sorry for the member for Mitcham. I will not explain why I am sorry for him in any greater detail, because I would offend against Standing Orders. These matters will come up in Committee.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3 —"Summary disposal of proceedings."

Mr. ARNOLD: I move:

Page 2, line 5—Leave out "two years" and insert "one year".

I foreshadowed the reason for this amendment in the second reading debate. To provide two years in which proceedings for action under the Act may be commenced could cause to worsen the long drawn out procedure in the Lands Titles Office in relation to finalising documents. For that reason I believe it is necessary to reduce this time to one year. I recognise the problems the Lands Titles Office has in preparing documents and so on but I believe one year is an adequate time in which to do so, and to extend the time to two years would only worsen the situation.

The Hon. HUGH HUDSON (Minister for Planning): The amendment is not acceptable. I do not think it is a valid argument to say that to make it two years would encourage the Lands Titles Office to be worse in registering documents than it would otherwise be. That is not a valid argument, because it presumes that it will be slower than would otherwise be the case, but that is simply not correct.

Mr. Arnold: You're encouraging it to be slower.

The Hon. HUGH HUDSON: I am not; it would not be slower. The time taken is entirely independent of the Act. It has nothing to do with the Act, as the area of administration is different. All the honourable member will do is ensure that, in those cases where there has been an infringement and the land titles have not been registered within 12 months, people get off scotfree. I am sure that he really does not want that, but that is the effect of the amendment, which I oppose.

Dr. TONKIN (Leader of the Opposition): I see no logic in the Minister's argument. The present time limit was set at six months, and the Minister now wants to extend it to two years. That would keep the whole situation wide open for four times the length of time now applying.

The Hon. Hugh Hudson: Only in relation to infringements.

Dr. TONKIN: Exactly, but I still see no reason for increasing the time from the present six months. If we have to increase it at all, I think the terms of the amendment are adequate.

The Hon. Hugh Hudson: You would allow people who infringe to get off scotfree?

Dr. TONKIN: If the office cannot handle the situation within a year there is something wrong, and the Minister does not have confidence in his officers. The amendment is reasonable, because infringements should be able to be dealt with within a year.

The Hon. HUGH HUDSON: If there is any delay in the lodging of documents, the fact of an infringement may not come to attention until after a year has elapsed. All the amendment does is ensure that where an infringement has taken place there can be no prosecution. If we pass a law, we want it to be observed. This is not a matter affecting the administration of the Act, which is in my area of responsibility; it relates to problems in the Lands Titles Office that are often difficult to solve in a short time. They may relate not to problems in that office particularly, but to the way in which others conduct their business in relation to that office. One way or another these delays occur, and it seems to me a valid proposition that someone who has been involved in an infringement should not get off scotfree simply because it has taken more than a year to lodge the documents.

Mr. Arnold: All these delays cost someone something.

The Hon. HUGH HUDSON: It is not the Act that causes the delay.

Mr. EVANS: How many people have escaped scotfree because of the present provisions? To double the time to a year, which is longer than the time normally allowed under the Justices Act, makes it a long time. If the Minister is saying that we cannot overcome some of the delays involved in the transfer of titles (and I am not placing all the blame on the Lands Titles Office), there is something seriously wrong with the system. We should not be lengthening the period during which prosecutions may be launched; we should be looking at what is wrong with the system. It is wrong for the Minister to say that, because of problems in areas of public and private administration, we should extend the time. No-one would deliberately set out to avoid the provisions of the Act; under the system it would be difficult for anyone to do so if a year were allowed.

A person may enter into the sale of a piece of land, adding on all the costs incurred, and find that the price he is allowed to charge is lower than the price charged. I know of a person who was embarrassed in those circumstances. People do not always understand what is required of them, although ignorance is no excuse at law. I ask the Minister to accept the amendment and to examine the area of administration in which the problem lies.

Mr. MILLHOUSE: I do not suppose for a moment that the Minister will heed the request of the member for Fisher and change the period. Undoubtedly, the clause will be passed, but I hope to goodness that the Liberals in another place will oppose it. All that the provision does is to make it easier for the Government, at the expense of the ordinary citizen. Apparently, work in the Lands Titles Office has got behind; it cannot catch up and, therefore, to ensure that people do not get away with infringements, the Government will quadruple the time in which proceedings may be taken for an offence against this provision. This will make it easier for the Government not to clean up the backlog of work in the Lands Titles Office, if that is the problem, and catch people in the Government's own time.

The time limit for summary offences under the Justices Act is six months. The whole point of that is so that people will know where they stand, and will not have hanging over them the possibility of prosecution under a Statute for some wrongdoing. It has always been accepted as desirable that there be that time limit, although that does not apply to indictable offences. For statutory offences which are triable summarily (as these are), it has always been regarded as desirable to have a time limit. Bit by bit, with separate Acts, this Government particularly (and there have been others) is making it easier for itself by extending that time limit.

The Minister could well say next year, "We have found that two years is not long enough; we'll make it three years." There would be as much so-called logic behind that change as there is behind this provision. The Minister could justify any longer time on the arguments that he has put forward. The Government will use its numbers to pass the provision, and the Minister will not accept the amendment. I point out that the Minister is not doubling but is quadrupling the time during which proceedings can be taken, and that is completely unfair to people who are involved in these sorts of transaction. I support the amendment.

Dr. EASTICK: I ask the Minister to refer to the occasion on which the Act was first introduced. It was passed as a result of a conference, at which the length of time during which the legislation should apply was discussed. A compromise was reached because this aspect was not totally acceptable to all managers. It was at least agreed that the expiry date should be December 31, 1976.

The Hon. HUGH HUDSON: I rise on a point of order, Mr. Chairman. The honourable member is dealing with the wrong clause and the wrong amendment.

Mr. Keneally: Is it the right Bill?

The Hon. HUGH HUDSON: Yes.

Dr. EASTICK: The compromise that was reached foresaw some of the difficulties that have arisen in the administration of this measure. It was recognised that it was necessary that this legislation be considered by the Chamber from time to time, and gave the Government until December 31, 1976, for matters to be put into perspective. That attitude should now prevail. It has become traditional to review the Prices Act each year, and an annual review should apply to this measure.

The Committee divided on the amendment:

Ayes (19)—Messrs. Allison, Arnold (teller), Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick,

Evans, Goldsworthy, Mathwin, Millhouse, Rodda, Russack, Tonkin, Vandepeer, Venning, Wardle, and Wotton.

Noes (19)—Messrs. Abbott and Max Brown, Mrs. Byrne, Messrs. Connelly, Corcoran, Dunstan, Groth, Harrison, Hopgood, Hudson (teller), Keneally, McRae, Olson, Payne, Simmons, Slater, Wells, Whitten, and Wright.

Pairs—Ayes—Messrs. Allen, Becker, Gunn, and Nankivell. Noes—Messrs. Broomhill, Duncan, Jennings, and Virgo.

The CHAIRMAN: There are 19 Ayes and 19 Noes. There being an equality of votes, I give my casting vote in favour of the Noes.

Amendment thus negatived; clause passed.

Clause 4—"Expiry of Act."

Mr. ARNOLD: I move:

Page 2, line 9—Leave out "1978" and insert "1977".

The amendment extends the life of the Act by one year instead of two and brings it into line with the Prices Act. This measure should be brought before Parliament every 12 months so that it can be considered whether or not it should remain on the Statute Book.

The Hon. HUGH HUDSON: The amendment is unacceptable. The legislation having worked very well, I can see no reason why it should not be extended for two years. Originally it was not intended to be a yearly review. This measure is not in the same category as the Prices Act, which is reviewed annually only because it became a tradition to do so when Sir Thomas Playford was Premier, as he had difficulties with members of his own Party on philosophical grounds.

Members interjecting:

The CHAIRMAN: Order!

The Hon. HUGH HUDSON: Philosophically, I think the Prices Act should be permanent legislation and not subject to review each year. The present legislation should not be renewed annually, nor is it necessary to do so. The two-year period is suggested because the Government believes that, over that time, there will be an adequate supply of blocks on the market that will ensure that the legislation can be removed. Until an adequate supply of blocks is available, the legislation should remain in force. All honourable members recognise that. They do not want to induce speculation towards the end of next year in the expectation that the price control will come off. Surely they appreciate the need to ensure that the situation is well and truly under control before the legislation is removed. There is in this case no analogy with the Prices Act. The yearly situation with the Prices Act was entirely a consequence of Sir Thomas Playford's having difficulty in satisfying the members of his own Party of the need for price control.

Mr. MATHWIN: I support the amendment. The Minister did not tell us much in his explanation except that he believes it is wrong to have the opportunity to revise the legislation every year. He did not say what was wrong with revising it. It is merely a review. If, when the legislation comes before the House, the situation has deteriorated, Parliament has the opportunity to do something about it. That is a democratic system, giving everyone a chance to see whether the legislation is working. If it was working to great advantage, there would be no reason to do anything more than give it our blessing for a further 12 months, probably involving a delay of an hour in this House. I see no reason why the Minister opposes the amendment. I am most disappointed that he cannot see its wisdom.

Mr. MILLHOUSE: I am much less enthusiastic about this amendment than about the first one. When the Act was first passed in November, 1973, it was for a three-year period. Now the Government is proposing to make it a two-year period. Whilst I must say that, on general principles, I have some reservations about the legislation, I do not believe that this is an Act which needs to be looked at every 12 months. I think in this case that a two-year extension is justified. The second argument used by the Minister, that speculation might be encouraged at the end of the 12-month period, does not get him far, because that could be said at the end of the two-year period or whenever the legislation will come to an end.

The Hon. Hugh Hudson: We have to be quite sure that the situation is sufficiently under control in terms of the supply of blocks that such speculation would not pay off.

Mr. MILLHOUSE: Perhaps that is right; I do not know. If any limitation is to be imposed on the life of the Act which then may be extended before that life ends, there will be uncertainty when that time is reached. Whether it will not be necessary to extend this legislation again (and personally, that is what I hope), we do not know. I do not think this amendment is justified. I think that a 12-month extension is a bit short, bearing in mind that we passed the Act, with some misgivings, for a period of three years. I cannot support the amendment.

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

METROPOLITAN ADELAIDE ROAD WIDENING PLAN ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 5. Page 457.)

Mr. COUMBE (Torrens): The Bill is important in relation to the metropolitan area. I am sure I can speak on behalf of metropolitan members on both sides of the House on their experiences in relation to problems in road widening undertaken by the Highways Department. My own area is a near-city and built-up area in which many problems have arisen regarding compensation under the Metropolitan Adelaide Road Widening Plan Act and, before that, under the Highways Act.

The main purpose of the Bill is to update and improve the definitions in the principal Act. I indicate my support for all except one provision of the Bill. The 1972 Act deals with claims for compensation where road widening occurs or is likely to occur. Members who travel on the Main North Road or the North-East Road would be aware that a great deal of road widening is going on along those roads and that many problems have been experienced in the past with compensation claims legitimately put forward by landowners or occupiers who have been affected by the necessary road widening activities carried out by the Highways Department.

In effect, where the plan referred to in the 1972 Act is in operation, the approval of the Commissioner of Highways is required for any building adjacent to the road alignment of that plan lodged according to the Act. That is in addition to the permission of the local council, which co-operates with the Highways Department in the

administration of the Act. If a building is erected, however, without the approval of the Commissioner, compensation when widening does occur in future will not be granted in full; in fact, it is barred under fairly stringent provisions.

The whole purpose of the original Act was to deter people from building without permission on land required for road widening purposes in a legitimate manner, so that people are not sufficiently foolhardy as to erect a building for which they do not get approval and then try to get compensation for it. The Bill contains a definition of "building works" which is brought up to date and more into line with the definition recently inserted in the Building Act. We avoid duplication, and have a greater degree of uniformity. The present definition covers earthworks that could form part of new roadworks, and some earthworks extend a considerable distance beyond the pavement area of the road. To date, there has been much confusion between new building works, repairs, and alterations, and that is why this definition of building work has been updated. Generally, the powers in the principal Act and in this amending Bill are necessary, and I believe they are designed not to prevent building work on abutting land but to control indiscriminate building adjacent to future road widening projects, and so avoid ultimate hardship to owners.

Having said that, I am most unhappy about clause 4, and foreshadow an amendment to it. It amends section 4 of the principal Act by striking out words and inserting others, and my principal objection is to the word "possibly" in subclause (1). It is unusual to have such a vague and waffly term used in legislation. Before continuing, I must refer to the state of the Government benches: there is not one Minister in the House. I knew the Government was disintegrating, but this is the first time in 20 years as a member that I have not seen a Minister present during a debate. We have four Government back-bench supporters only, and I draw your attention Mr. Speaker, to this lamentable state of affairs. It seems that the Government could not care less about the affairs of the State. I see that the Deputy Premier has now returned to the House.

The Hon. J. D. Corcoran: You knew where I was: I was in the House.

Mr. COUMBE: I know why the word "possibly" has been used, but to the best of my knowledge, after studying the Statutes for many years, I have never seen it used before. It is vague, waffly, not definitive, and could mean anything. I believe that the remainder of the Bill is necessary, but at this stage I am unhappy with the wording of clause 4 (1), and will later seek to amend it.

Mr. MATHWIN (Glenelg): I, too, support the Bill in its present form to enable an amendment to be discussed in Committee. The definition of building work will relate to the Building Act, and will make it much easier for people who are concerned with this matter. A recent question in another place elicited the information that from June 1, 1970, to August 31, 1976, a total of $14 875 929 had been spent by this Government on acquiring properties on the proposed routes of freeways and expressways as defined in the Metropolitan Adelaide Transport Study plan, yet this Government has often said that it will have nothing to do with that plan. I also dislike the use of the word "possibly" in clause 4, and in his second reading explanation the Minister did not say why it was used. Perhaps in his reply the Minister will explain why it has been included in this legislation.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Progress reported; Committee to sit again.

GOLD BUYERS ACT REPEAL BILL

Adjourned debate on second reading.

(Continued from October 12. Page 1444.)

Mr. BECKER (Hanson): A worse person could not have been chosen to speak on this Bill, Mr. Speaker: I have never found gold in South Australia. The history of mining gold in this State is very colourful. Regrettably, very little gold is found and produced in South Australia. The latest figure I can find is for 1974, when the value of production was $5 000. The Act is being repealed because of alterations made in Jamaica last year, by the International Monetary Fund Commission, which declared that gold was no longer a necessary means of currency. The gold sellers of Australia were then entitled to place their gold on the world market. We have seen in the press of late many advertisements offering ingots of gold for sale and quoting current prices. It would be fair to say that a person can buy gold and silver on the open market and trade in it as one can in shares, stamps, or any other type of investment. Over the years, gold has been known as one of the safest forms of investment, particularly by people of European descent, who have always placed their wealth in gold and gemstones.

Whilst the repeal of this Act will mean that one can freely trade in gold, I still wonder whether it is a wise thing to do. I think that anyone with money to invest would be well advised to use the normal lending institutions. There is a risk when investing in gold, because the price can fluctuate quite considerably. Until now it has not been easy to trade in gold. There is very little gold mining in South Australia. I believe some mining is still done at Yunta, and that the State has a battery at Peterborough which showed a considerable loss last financial year. Very little prospecting is being done, however. I was informed that in 1895 about half the members of the House of Assembly formed a syndicate to seek gold in Western Australia, in a place called Angipena, but the venture was not successful, so gold has always been of great interest to members of this House.

Mr. Venning: In those days.

Mr. BECKER: Many members in this Chamber have probably sought riches other than gold. This Bill points out the effect of the Gold Buyers and Dealers Act, and we are informed by the Minister of Health that the Government intends to amend the Second-hand Dealers Act, which will control the buying and selling by dealers of wrought gold, wrought silver and precious stones. As the other States have amended rather than repealed their Acts whereas we are repealing ours, and although we are to amend the Second-hand Dealers Act, there is little anyone can say except to support the Bill and hope that gold will be discovered in South Australia. The State Treasury would benefit if there was such a new industry, and it would be a means of encouraging future prospecting for gold, but I doubt that there are deposits of gold of any note in South Australia. As the member for Heysen has just commented to me, I know as much about gold as he knows about coursing. A little gold has been found in his electorate in years gone by.

Mr. Mathwin: Haven't you any gold teeth?

Mr. BECKER: I could not afford them; I am not like the member for Mitcham, who moonlights most of the time. This is one of the most progressive moves of the Fraser Federal Government in recognising the International Monetary Fund's decision, and in view of that I support the Bill.

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

SITTINGS AND BUSINESS

The Hon. J. D. CORCORAN (Minister of Works) moved:

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

POLICE OFFENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 12. Page 1444.)

Mr. GOLDSWORTHY (Kavel): This Bill, which is quite simple, does two things: it enables the court to confiscate pornographic material and defines what is meant by "nearest police station" in relation to where facilities are needed for the incarceration or holding of suspects. I support the Bill.

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

FRUIT AND PLANT PROTECTION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 12. Page 1445.)

Mr. ARNOLD (Chaffey): I support this short Bill because it is in the interests of the fruit and vegetable growers of this State. It simplifies the procedure of controlling outbreaks of pests and disease and the requirement for orchardists to take specific measures to prevent the spread of pests and disease within their own properties. The other provision covers regulations enabling the Minister to set out a schedule of fees. In the old Act (the Vine, Fruit and Vegetable Protection Act), which this Act has superseded, provision was made for charges largely for the inspection of fruit and vegetables coming into South Australia. It is still necessary for this inspection to be made, and consequently there is a need for similar provisions to be included in this Bill. I see no objection to this Bill.

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

INDUSTRIAL COMMISSION JURISDICTION (TEMPORARY PROVISIONS) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 12. Page 1442.)

Dr. TONKIN (Leader of the Opposition): I support this Bill, and normally I would have supported it with a minimum of debate. I note that the form in which it was presented to the House indicated that there was to be a minimal explanation, but the Minister then gave a longer second reading explanation. He took some pleasure in introducing the Bill, and I take some pleasure in supporting it. I do deprecate the fact that he was not able to get through that short second reading explanation without taking a sideswipe at the Fraser Government yet again. It amazes me how many things in this State at present are the fault of the Fraser Government, if one is to believe the Government of this State. One could almost blame the Fraser Government for the weather. We heard the other day the Fraser Government was to blame for vandalism. The list is almost endless. The Minister said:

From the first occasion at the beginning of this year when the Fraser Government backed away from its election promise of supporting wage indexation and asked the Australian Conciliation and Arbitration Commission to apply half the percentage rise in the Consumer Price Index, the system has been under strain.

Two points must be refuted. One is that the Fraser Government did not back away from its election promise to support wage indexation by the action it took before the Australian Conciliation and Arbitration Commission. The second point is that the system has been under strain ever since the system was introduced, not simply because of the Arbitration Commission's decision or because of the Fraser Government's application. I remind members, as I did yesterday when the member for Semaphore was speaking on the subject, that the first term of reference involved was as follows:

The commission will adjust its award wages and salaries each quarter in relation to the most recent movement of the six-capitals c.p.i. unless it is persuaded to the contrary by those seeking to oppose the adjustment.

That was an invitation built into the guidelines for other bodies to oppose the adjustment, or at least to put in submissions recommending a variation in the adjustment. It was not suggested that no-one should appeal, that the commission should act of its own volition and stick to a completely set percentage guideline. It is clear in the first guideline that the commission expected, and indeed almost demanded, that other organisations would make submissions to it to vary that six-capitals c.p.i. determining percentage. Let us get that quite clear and put it on record. Even the Minister is not able to refute that argument.

In the most recent decision in the Arbitration Commission Sir John Moore, when handing down the wage case judgment, noted first of all that the statistics record only stoppages of 10 man-days or more and therefore were, to say the least, misleading because many of the stoppages, as we know, are relatively short ones. He said:

We wonder whether the trade union movement really wants the indexation package or, if it does, whether there is sufficient realisation of the behaviour necessary to make it work effectively. In the March quarter there were 592 stoppages which meant 506 500 working days lost, compared with 577 stoppages and 322 700 working days lost for the corresponding quarter of 1975.

On each occasion since April, 1975, on which the commission has granted an indexation increase, it has emphasised the fragility of the package and we now repeat and underline that warning. The commission's attempt to provide an equitable, rational and orderly method of wage fixation must fail if significant industrial disputation continues. The cumulative effect of such disputation must be to worsen inflation and to further endanger employment.

The remarks of Sir John Moore were pertinent and a clear warning to the Australian people (the trade union movement in particular) that the package was fragile, that wage indexation was making a significant contribution to the control of inflation, and that it must be adhered to for as long as possible.

Members interjecting:

Dr. TONKIN: What an inane interjection! What a ridiculous thing to say.

The Hon. J. D. Wright: You're an inane speaker.

Dr. TONKIN: Of course we agree with it; I am promoting the idea. However, it is obviously something that the Minister has not done. I would refer the Minister to his explanation, where he stated:

Fortunately, the union movement has so far shown great restraint in accepting less than full indexation (amounting to a cut in real wages for many members of the work force) and generally confining wage increases to those allowed under the guidelines.

Of course the unions have shown great constraint: it is good that they have. The Minister, having made a backhanded swipe at the Fraser Government, cannot get off scot free from his responsibility to the trade union movement to abide by the guidelines for indexation. Both the Federal Government and the trade union movement have abided by the guidelines laid down by the commission, which is what I am saying. In the *Australian* of August 13, 1976, Malcolm Colless wrote:

The Arbitration Commission yesterday gave the unions the biggest caning over industrial disputes since the wage indexation system began operating 15 months ago. The Full Bench under the commission president Sir John Moore bluntly told the unions they deserved what they got out of yesterday's national wage judgment—substantially less than full percentage indexation. Only last month the A.C.T.U. President, Mr. Hawke, emphasised the need for unions to show responsibility because of the high and still climbing rate of unemployment—a plea which won him unanimous support at the special national unions' conference.

Apparently that support is not forthcoming from our Minister. The report continued:

The bench recounted a "dismal picture of industrial disputation" which it said led the commission to wonder whether the union movement really wanted the indexation package to survive. Putting it even more plainly, the commission said industrial action in support of campaigns to beat the indexation guidelines had lent weight to economic arguments for less than full indexation. The commission has told the unions that they are threatening not only the future of indexation but also hopes of economic recovery and lower unemployment. . . .

The frustration of the bench and particularly of Sir John in their attempts to keep the indexation package alive is apparent in the judgment: "All in all we are prepared to accept that there has been substantial compliance with the principles but we do this with the apprehension that if industrial unrest does not diminish the package may have to be abandoned," the judges said.

I believe that the indexation of wages has been a significant factor, together with the indexation of personal income tax, in controlling inflation in this country. Various pictures have been painted, but there is no question in my mind that inflation is being brought under control and that the economic situation is showing definite signs of recovery. That recovery will only continue so long as indexation is maintained as a principle applying to personal income tax and to wages.

The danger I see as the inflation rate falls and the economic situation improves is that the temptation will be too great for more radical union leaders to resist, and they will attempt to make unreasonable demands for wage increases. When that is done they will not accept indexation or the commission's findings, based on the indexation guidelines, that will be handed down in future. I desperately hope that I am wrong, but the Minister's attitude is not particularly encouraging. I do not intend to discuss the minimum wage nor the actions that were taken by this Minister after the last wage determination, because it would not be competent for me to do so.

Nevertheless, I am not convinced that the Minister (and I do not know whether he represents the views of the Government) wishes indexation to last for any time. I totally support the Bill. It is essential that we carry on with the fragile package of wage indexation. I hope wage indexation will survive and will be of benefit to the work force and the Australian community generally, as the Minister has stated in his speech.

Mr. COUMBE (Torrens): I support the Bill. It is absolutely essential that this provision be continued and the Bill passed. We should forget the guff with which the Minister carried on in his second reading explanation and should get down to the nitty gritty of the measure. The original Bill was supported by all members of the House. The same thing will happen again, because members are concerned to see indexation take place under the South Australian Industrial Commission as it does in the Federal sphere. I rather regret the Minister's intemperate language when explaining the Bill: that was unnecessary. I agree with the Minister when he stated that restraint has been exercised.

The Hon. J. D. Wright: What intemperate language did I use?

Mr. COUMBE: The Minister would have sufficient intelligence to know what I am talking about. It is absolutely essential that the indexation system should continue to operate and that our Industrial Commission should have the necessary power. The Bill has a time limit on it. The original Bill was introduced for 12 months, and this measure extends that period. I look forward to the continuation in South Australia of indexation. The Bill gives authority to the South Australian Industrial Commission to adopt the wage indexation guidelines that were laid down. If the Bill is not passed, considerable trouble could be caused among the work force and the people of South Australia. Having supported the original Bill, I now indicate my strong support for this Bill.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I thank members opposite for their support. From the start I imagined that they would support it. I was somewhat surprised to hear the Leader's speech. I was also surprised that the Leader took the matter out of the hands of the shadow Minister of Labour and Industry. It is apparent that the Leader did not have sufficient confidence in the shadow Minister to enable him to handle it.

The SPEAKER: Order! I must point out that there is no mention of anything like that in the Bill.

The Hon. J. D. WRIGHT: I am just getting square, Sir, because I am told that I am incompetent and unable to do things when the Premier takes things out of my hands. If you are not willing to let me continue in that vein, Sir, I will not do so. The Leader well knows, if he knows anything about the industrial scene in South Australia, or in any way pretends to have his finger on the pulse of that scene, or speaks to working-class people in this country, or has contact with trade union officials or unionists, that he is not following the arguments put forward by those people. He said that I had a backhand slap at the Fraser Government. If he thought that was a backhand slap, I will now make a forehand slap and say that, if the Fraser Government continues its attitude to wage indexation, my prediction will be correct.

Dr. Tonkin: What is your prediction?

The Hon. J. D. WRIGHT: My prediction is that, if the Fraser Government continues to argue to prevent the

full consumer price index being allocated, or at least some reasonable plateau to operate (I am not foolish enough to say that everyone in the country should get it)—

Dr. Tonkin: You can't have it both ways.

The Hon. J. D. WRIGHT: We can. We can have a plateau and the full c.p.i. up to that limit.

Dr. Tonkin: You say we should abide by the guideline No. 1?

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

Dr. Tonkin: That is what the Fraser Government is doing.

The Hon. J. D. WRIGHT: Not at all. The Fraser Government has gone back on what it said before the 1975 election. The important thing that has happened is that the real value of wages for the working man in this country has been depreciated since the Fraser Government took office. Not only has it successfully determined the actions of the court regarding the full c.p.i., but it has introduced the Medibank levy. I suggest that about $17 has been lost to the working people of the country since December, 1975. The point I made in the second reading explanation is valid. If that pattern is to continue, I confidently predict that wage indexation will not last. The Leader made the point that I was not a supporter of wage indexation. I do not know of anyone in South Australia, or in Australia, who took more criticism than I in trying to sell to the trade union movement, not only the policy of my Government, but what I personally believed.

Members interjecting:

The SPEAKER: Order!

The Hon. J. D. WRIGHT: I am a full supporter of wage indexation, because I believe it does two things: it gives the working-class people an adequate and proper wage, and at the same time it protects the economy. I am not a supporter of fractional c.p.i. increases. I support either a reasonable plateau or a full c.p.i. increase. We cannot have it both ways. This Bill has been explained as a simple one, and it should be that. It is a continuation of what we did last year. It is essential to carry that on. I conclude on this note: I warn members opposite that, if they are to support the policy to which reference has been made, I can see that wage indexation will be concluded before this Bill expires.

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

DISTRICT COUNCIL OF LACEPEDE (VESTING OF LAND) BILL

Adjourned debate on second reading.

(Continued from October 12. Page 1445.)

Mr. VANDEPEER (Millicent): The Bill vests certain land within the District Council of Lacepede in that council. The problem the Bill is designed to overcome commenced in 1924, when the residents of Kingston town gathered together to raise money to purchase a residence for a doctor. A sum of money was raised, some money was borrowed, and a block of land and a residence were purchased to enable the people to encourage a doctor to come to the town. A caveat was placed on the property, but the books of the trust formed and the receipts for money received were poorly kept, and today no trace can be found of the receipts or any of the trust books.

The people who supplied money to the trust have died or their descendants cannot be traced. This has left a block of land with a caveat, and the trust, which cannot be traced, and the situation is what might be crudely described as something of a mess. The district council has decided that the only way to solve the problem is to have the land vested in the council so that it can take control and use it for the benefit of the district. At present, the residence is being used as a doctor's consulting rooms, and it will continue to be used as such until more modern consulting rooms can be erected.

The council has spent some money on the residence. This is virtually illegal, as the council has not the power to spend money on land it does not own. The Bill overcomes the problem and places the land and the house in the hands of the council. I am pleased to see the Bill before the House. It is several years since the council first decided that this was the only avenue open to it, and it has taken some time for the legislation to reach the House. It has been the subject of a Select Committee, thus giving anyone who wished a chance to come before the Select Committee and lay claim to any money their parents or forebears may have had in the trust. That committee has recommended some amendments, which were included in the Bill now before the House, and which I commend to honourable members.

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

FIRE AND ACCIDENT UNDERWRITERS' ASSOCIATION OF SOUTH AUSTRALIA (CHANGE OF NAME) BILL

Adjourned debate on second reading.

(Continued from October 12. Page 1446.)

Mr. COUMBE (Torrens): This straight-forward Bill, of a formal nature, has been introduced because of a change in the domestic affairs of the insurance industry. For many years the organisation was known as the Fire and Accident Underwriters' Association of South Australia, a title that appears in several pieces of legislation attached to the schedule of this Bill. The insurance industry has reorganised its affairs under what is now called the Insurance Council of Australia, and in this State we have the Insurance Council of Australia (South Australian Branch). Therefore, the association having adopted a new name and constitution, which took effect from August 26, 1975, it is necessary for this legislation to be passed to give effect to the change of name. It is similar to what I would call a consolidation Bill.

The Hon. J. D. Corcoran: It's one of Edward Ludovici's.

Mr. COUMBE: I thought it might be. I have met Mr. Ludovici since he has been engaged on his exercise, and he is doing an excellent job despite some staffing difficulties. We are fortunate that we have a man of his calibre to carry out the consolidation of Statutes. Concerning this Bill, it is necessary to amend some of our legislation, and the clauses set out references to the Acts that are so affected. I indicate my Party's support for this measure. Perhaps the Minister could explain whether the Fire Brigades Act should also be included in this legislation, as I have not had time to do the necessary research on this matter.

The Hon. J. D. Corcoran: I will check that.

Mr. COUMBE: I support the Bill.

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

STOCK DISEASES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 13. Page 1518.)

Dr. EASTICK (Light): The importance of this measure, and that of the Brands Act Amendment Bill and the Cattle Compensation Act Amendment Bill, relates to the fact that in Australia we require access to export markets if our important beef industry is to be maintained. At present we are subject to what could only be called a buyers' market: they determine the type of meat and certification that goes with it that they will accept, and as producers, unless we are able to guarantee these specifications, we will not be able to place our meat on the market.

For many years, especially since the late 1960's a programme has been undertaken of testing for and eradication of tuberculosis and brucellosis. It has been necessary to integrate the activities of this control programme on an Australia-wide basis. The activities in relation to these two diseases and their control have been constantly before the Australian Agricultural Council. Programmes have been determined with assistance from the Animal Industry Branch of the Commonwealth Scientific and Industrial Research Organisation, which has played an important part in the testing techniques to be undertaken, and from the State Agriculture Departments working very closely with veterinarians in practice in the field, who have undertaken those programmes towards the one end of ultimate elimination. The programme has been criticised by members of Parliament of all political persuasions over a period of time as having been an expensive programme that should have been stood aside so that other (in their opinion) more important programmes could be instituted.

When one recognises the sum of money which, prior to more recent times, was brought into Australia from beef exports, one recognises that, to maintain portion of our export market and to increase it, we had to undertake these procedures or otherwise suffer the problem of a glut of meat at home which would have no possible use other than for fertiliser. We would also be placed in a position of having tens of thousands of hectares of agricultural production land associated with the beef industry going out of production. The provisions in this measure give effect to necessary alteration so that members of the Agriculture and Fisheries Department and all those persons employed or under contract to that department in relation to this eradication programme may function properly.

It has been indicated that compensation will be payable. The Minister made this comment, which relates more particularly to another Bill I have already mentioned. I believe that, because of the scrutiny it has had in another place, and because it is introduced at the request of the State Agriculture Department's Veterinary Division in consultation with officers elsewhere around Australia, it is a measure worthy of supporting, and I support it.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Destruction of stock."

Dr. EASTICK: I seek from the Minister a clear understanding that the provisions of new section 18 will be interpreted to mean that the owner will be given compensation according to the scale for any animal found to be diseased, and that full market value, or the maximum amount permissible under the Act (that is, not being a discounted amount), will be paid for an animal that is subsequently shown not to be diseased.

The Hon. J. D. CORCORAN (Minister of Works): That is my understanding of the situation.

Clause passed.

Clause 8 and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 5.36 p.m. the House adjourned until Tuesday, October 19, at 2 p.m.