

HOUSE OF ASSEMBLY

Wednesday 25 October 1978

The **SPEAKER** (Hon. G. R. Langley) took the Chair at 2 p.m. and read prayers.

PETITIONS: PORNOGRAPHY

Petitions signed by 582 electors of South Australia praying that the House would pass legislation to provide for Ministerial responsibility to adequately control pornographic material were presented by Messrs. Dunstan and Wright, Mrs. Adamson, Messrs. Hemmings, Eastick, and Blacker.

Petitions received.

PETITIONS: VIOLENT OFFENCES

Petitions signed by 658 residents of South Australia praying that the House would support proposed amendments to the Criminal Law Consolidation Act to increase maximum penalties for violent offences were presented by Messrs. Wright, Blacker, and Becker.

Petitions received.

PETITION: SUCCESSION AND GIFT DUTIES

A petition signed by 50 residents of South Australia praying that the House would urge the Government to adopt a programme for the phasing out of succession and gift duties in South Australia as soon as possible was presented by Mr. Gunn.

Petition received.

PETITION: SUCCESSION DUTIES

A petition signed by 34 residents of South Australia praying that the House would urge the Government to amend the Succession Duties Act so that the position of blood relations sharing a family property enjoys at least the same benefits as those available to other recognised relationships was presented by Mr. Harrison.

Petition received.

QUESTIONS

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

HOUSING TRUST DEBTORS

In reply to Mr. **EVANS** (20 September).

The Hon. **HUGH HUDSON**: The Housing Trust carries out normal debt recovery and collection procedures, and currently expects to collect the majority of the debts outstanding to it. However, it is not possible to collect every outstanding debt, and in following accepted business practice, the trust's Finance Section makes provision for doubtful debts each financial year. (An amount of \$110 000 has been provided for in 1978-79. This compares with amounts of \$90 000 set aside in 1976-77 and \$72 000 in 1975-76.)

Turning now to the specific items mentioned in the Auditor-General's Report, the following information is provided:

(a) Tenants and ex-tenants debts—\$348 000 (up \$100 000)

The Housing Trust considers there are two main reasons for the increase in the abovementioned area. First, in recent years there have been increases in the costs of both labour and materials necessary for the normal day-to-day maintenance of the trust's rental estates, which, in total, now comprise approximately 40 000 houses and flats throughout the State, together with various groups of shops and other commercial premises. Expenditure by the trust on its maintenance operations during 1977-78 totalled \$18 696 000—an increase of \$7 085 000 over the previous year. Secondly, increases in the cost of water have resulted in more tenant charges for excess water. Accounts for additional water are raised in the period March to June, and can therefore have a significant effect on the level of the outstanding tenant charges at the close of a financial year.

(b) Arrears on advances under agreements and mortgages—\$310 000 (up \$129 000)

The situation with regard to the trust's mortgage ledgers is one of growth both in the number of accounts, and in the amount of money in individual accounts. Fairly obviously, circumstances beyond the trust's control (e.g. employment or medical difficulties) can affect a purchaser's ability to meet mortgage payments but, significantly, arrears in this area are all on secured loans.

(c) Arrears of rent—\$259 000 (up \$102 000)

The number of tenants is constantly growing as is the actual level of rents, and tenants can fall into arrears for a variety of reasons. However, prompt action by the trust's Revenue and Rent Recovery Sections sees the majority of rental arrears cleared within a four-week period.

(d) Interest receivable accrued—\$127 000 (down \$21 000)

This particular item is geared to short-term investments, which bear interest payments on maturity.

(e) Teacher Housing Authority—\$283 000

Teacher Housing Authority debts are recouped monthly in full by the trust on a monthly statement basis.

(f) Department of Community Welfare—\$66 000

This account was in respect of the operational aspect of the Aboriginal Funded Housing Scheme, and has subsequently been cleared in full.

ARGUS IMPORTS AUSTRALIA PTY. LTD.

In reply to Mr. **OLSON** (20 September).

The Hon. **PETER DUNCAN**: The honourable member recently asked a question about the activities of Argus Imports Australia Pty. Ltd., a company which has been advertising for casual sellers.

I have had the Department for Corporate Affairs examine the operations of this company and of several associate companies. However, although the methods that this company employs in obtaining recruits is in my view immoral, its operations seem to be within the law, both as regards fraud and unfair advertising.

This company preys on people who are unfortunate enough to be out of work and in distressed financial situations by advertising that it has remunerative casual work available, when in fact all that is being offered is an opportunity to try to sell over-priced linen, cutlery and

cook-ware to friends and relations.

All that I can do is to issue a warning to people who are looking for employment to avoid this company and similar ones. In the meantime I shall arrange for the operations of Argus Imports Australia Pty. Ltd., in particular, and similar operators, to be examined more closely and also to examine the law to see if it can be tightened in some way to prevent this type of operation.

SPEECH THERAPISTS

In reply to **Mr. ALLISON** (10 October).

The Hon. D. J. HOPGOOD: The honourable member has probably been confused by an answer given to Question 598, as he has failed to appreciate the difference between scholarship holders and the number of students attending the speech pathology course. While only seven scholarship holders will graduate, it is expected that the following figures will apply to the course as a whole:

1. The initial intake to the speech pathology course at Sturt CAE in 1975 was 20.
2. Of that group, 16 graduated in 1978.
3. It may be expected that a further 18 or 19 students will graduate in 1979.
4. Present arrival intake is 22 and an annual graduation rate of between 18 and 20 may be expected.

CRAFERS PRIMARY SCHOOL

The SPEAKER laid on the table the report of the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Crafers Primary School Replacement.

Ordered that report be printed.

QUESTION TIME

ENVIRONMENTAL STUDY

Mr. TONKIN: Can the Minister of Transport say whether the Government has received a revised version of the Adelaide City Council's Clarke-Casey Report on the north-east tramway proposals, and what major criticisms does it contain? Will the Government ensure that that report is made available for public examination as soon as possible?

It has been reported that the Adelaide City Council's Clarke-Casey Study was highly critical of the environmental impact of the proposed tramline, particularly as it affects the park lands and the City of Adelaide. Public statements by Councillor Curtis and the Lord Mayor indicate that the reason for the suppression of the original report was an undertaking given by the Lord Mayor agreeing that discussions between the council and the Government would remain confidential. The Minister of Transport has denied that any such agreement exists preventing the release of the report. Will he, therefore, in the best interests of the community as a whole, encourage the Adelaide City Council to release the revised report so that the Government's environmental impact study may be examined in conjunction with the council's study?

The Hon. G. T. VIRGO: I hope that I can answer the several questions that the Leader has asked. If I fail to do that, it is not an attempt to duck the issue but rather not being able to clearly recall all of the questions. The Government has not received the revised report of the consultants that the City Council employed. However, the

Right Hon. the Lord Mayor has forwarded to me a copy as an act of courtesy: I believe it was forwarded on that basis and not as a Government document. Whatever construction anyone wants to put on that they can, but that is the situation.

The second point is that the release or otherwise of that document is a matter for the City Council alone. What it does with that report is its business. I would not be a part, nor would I be prepared to accept the advice of the Leader, to using my best endeavours or influence to obtain the release of that report. The councillors are big, grown-up people who are quite capable of making their own decisions in the future, as indeed they have in the past. Whether the report is released or not is a decision that the City Council must make.

Concerning the first report, this is a matter that should be directed to the Adelaide City Council. It is its decision; it employed the consultants, and what it does with the report is its business, not ours. Any comments made by anybody (and when I use the word "body" I mean both people and organisations) associated with the proposed NEAPTR proposals will, at this stage, be treated as submissions, provided they are suitable as submissions, to the draft environmental impact statement, which is now open to public comment. That comment may come from individuals, the Adelaide City Council, Walkerville council, St. Peter's Residents Association, or even the Liberal Party, if it so chooses. Those submissions will be evaluated and included in the final e.i.s., which will be produced and which will be the basis on which the Government will make a decision.

I do not know what the relationship is today between the Leader and the Adelaide City Council, but it would seem from the tenor of the question asked (which is in keeping with the tenor of previous questions asked) that relations certainly must be strained and that council and the Leader are no longer talking to each other. That is their problem, not mine. I suggest that they should repair whatever damage has been done between them. The Liberal Party should talk to the City Council and, if the council wants to provide either the Leader or the public with a copy of the report that it commissioned and paid for, that is a decision it will properly make.

MINERALS

Mr. McRAE: Has the Minister of Mines and Energy noted the major policy change with respect to the export of minerals from Australia and Commonwealth control thereof, announced by Mr. Anthony yesterday and reported in this morning's *Advertiser*? Has the Minister noted the complaints of Sir Charles Court regarding this matter, and can he say what is the attitude of the South Australian Government, and which of the two gentlemen does it support?

The Hon. HUGH HUDSON: I also noted in A.M. this morning the comments of the Premier of Queensland, (Mr. Bjelke-Petersen) who was horrified at the announcement made yesterday by Mr. Anthony. I believe that his position would be exactly the same as that of Sir Charles Court. If one takes out the politics from the question and examines the significance of mineral exports to Australia's balance of payments and what happens to Australia's balance of payments as a fundamental influence on the internal economy, I do not believe that there can be any quibble whatsoever at the decision of the Commonwealth Government that it will exercise an approval mechanism over exports and over the terms and conditions of exports where appropriate.

After all, the recent Budget, which has caused so much adverse comment throughout Australia, is largely a consequence of the adverse balance of payments. We have not experienced any reduction in interest rates since the Budget, because of the \$900 000 000 deficit on current account that Australia had in the September quarter. The Commonwealth Government, which is a national Government and is responsible for the balance of payments position and for the economy, has every right to take action on earnings that represent such a large part of our total export earnings.

Particular matters that may be important for the Commonwealth Government are, first, uranium exports. Because the Federal Government is going ahead with the export of uranium, it is absolutely clear-cut that the South Australian Government, if that is to take place, supports complete control of such exports. However, we would prefer a moratorium on the whole question. Secondly, situations occur in which an exporter of a mineral can be put into an adverse bargaining position and could well need additional support from the Commonwealth Government to ensure that the price obtained is adequate and, therefore, the favourable effect on our balance of payments is maximised. Thirdly, another vital matter with respect to our balance of payments cannot be ignored; A multi-national company always has open to it, where it is selling goods produced in Australia to an overseas branch of the same company, the opportunity to sell those goods at a price that allows the profit to be taken overseas and not in Australia. That situation has an adverse effect on Australia's export earnings and, of course, an adverse effect on the Commonwealth's Budget. The Commonwealth simply cannot ignore its responsibility in this matter. It must be sure that the price obtained by major exporters for minerals is a proper price and that there are not schemes operating designed to minimise Australian taxation, or that have a further consequential effect of not producing the maximum favourable impact on Australia's balance of payments.

Whilst this matter has not been discussed in Cabinet, I am absolutely confident that my colleagues and the Government as a whole would fully support the stand taken by the Deputy Prime Minister (Mr. Anthony).

ADELAIDE CITY COUNCIL

Mr. WILSON: Did the Minister of Local Government, in answering previous questions asked by the member for Fisher and me, mislead the House when he said that no agreement exists between any Government Minister and the Adelaide City Council concerning suppression of the Clarke-Casey Report? In answer to the question asked today by the Leader of the Opposition, the Minister said that, if any agreement existed, it was the business of the Adelaide City Council alone. But a report in yesterday's *Advertiser* dealing with last Monday's meeting of the Adelaide City Council, and referring to the Lord Mayor (Mr. Joseph), stated:

He agreed he had been embarrassed over the matter—that refers to the question of the leaking of the Clarke-Casey Report to the *Advertiser*—

as he had given an undertaking to the Premier, Mr. Dunstan, that discussions between the council and the Government over the matter would remain confidential. "The Premier left me in no doubt as to his feelings about this report being leaked," he said.

In a question I asked recently, I explained that Councillor Curtis said on the media that such an agreement existed. I also understand that the Minister would have received

departmental correspondence that actually stated that such an agreement existed. In answers to questions by the member for Fisher and me, the Minister categorically denied that any such agreement existed.

The Hon. G. T. VIRGO: I am amazed that the member for Torrens is so adamant in his knowledge of departmental correspondence. He apparently has knowledge of what occurs in my department beyond that which I have. He is certainly, like his Leader, attempting to scrape the bottom of the barrel to try to make a point, and I am not even too sure of the point he is trying to make.

Mr. Tonkin: The point is—

The SPEAKER: Order! I call the honourable Leader of the Opposition to order.

The Hon. G. T. VIRGO: I am not in the least concerned about what a newspaper reporter may have interpreted to happen. It is significant that the honourable member did not refer to the fact that, before the City Council had deep discussions on this matter, it went into committee. Apparently the honourable member has some "in" there on what happens.

Mr. Wilson: That was—

The SPEAKER: Order! The honourable member has asked his question.

The Hon. G. T. VIRGO: The persistence of both the honourable member and his Leader, and previously the member for Fisher, simply confirms the point that I made a short while ago, that relations are now at such a strained position between the Opposition and the City Council that the City Council no longer trusts the Opposition to tell it anything at all.

Mr. Chapman: That's not correct, and you know it.

The SPEAKER: Order!

The Hon. G. T. VIRGO: If the member for Alexandra has got a viable link where communications still exist between him and the City Council, I would have expected that he would use it and inform his Leader and his colleague, the member for Torrens, on the outcome of those discussions. Obviously, that has not occurred, or there would not be this rather puerile questioning going on now on matters that are properly those of the City Council. That is the point that the honourable member and his Leader completely fail to acknowledge.

Mr. Chapman: You don't want—

The SPEAKER: Order! I call the honourable member for Alexandra to order.

The Hon. G. T. VIRGO: The reports that were prepared for the Adelaide City Council were done on the basis of the city council employing consultants, and those consultants reported to their employers. The honourable member, like his Leader, now wants me to use my offices to try to breach the agreement. The answer is that I will not do it.

Mr. Wilson: You didn't answer the question.

The SPEAKER: Order! I call the honourable member for Torrens to order.

SCHOOL DENTAL CLINICS

Mr. MAX BROWN: Will the Minister of Community Welfare ascertain from the Minister of Health whether the Government intends to extend school dental clinic services from primary to secondary school level? School dental clinics have carried out a major function in relation to the dental health of young people. These clinics, to my knowledge, have always been considerably overburdened; so much so, that the need for additional clinics, especially at secondary school level, is great.

The Hon. R. G. PAYNE: I shall take up the matter with

my colleague in another place and obtain what information I can for the honourable member.

TELEVISION COMMERCIAL

Mr. GOLDSWORTHY: Will the Attorney-General say whether he still persists in his charge that John Martin and Company brought pressure to bear on the television channels in South Australia to reject a commercial which he believed was in the interests of consumer protection in South Australia, and on what evidence he based that charge? The Attorney-General made these charges in his usual intemperate fashion, and claimed that the John Martin organization was one of the largest shareholders in channel 10, which enabled the company to bring pressure to bear quickly on all the channels so that they would suppress the advertisement. In reply to a question from the member for Coles, the Attorney-General said (*Hansard*, 19 October, page 1549):

John Martins, which has spent a lot of money on its advertising campaign, is one of the largest shareholders in channel 10, and has considerable influence over the amount of money it spends on commercial television stations in this State. Accordingly, it was able to bring sufficient pressure to bear to ensure that the television channels concerned cracked under the pressure and did not run that commercial.

Subsequent to that charge being made, the General Manager of channel 10, Mr. Campbell, appeared before the tribunal inquiring into the granting of television licences, where he said:

I wish to have it placed on record that neither at the time that the advertisement was submitted to channel 10 for telecast, nor at any subsequent time has John Martin and Co. held any shares in South Australian Telecasters Ltd., which you will note is a wholly-owned subsidiary of TVW Enterprises Ltd. Moreover, that company did not have any shareholding in our parent company. John Martin and Co. did not have any contact with us concerning the advertisement and did not bring any pressure to bear on my station in relation to the televising of the commercial.

That makes nonsense of the charge laid by the Attorney-General in this place when he was replying to the member for Coles.

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

Mr. GOLDSWORTHY: Does the Attorney-General persist in the charge and on what evidence does he make it?

The Hon. PETER DUNCAN: I will obtain some documents, and I will answer the question in a few moments.

Later:

The Hon. PETER DUNCAN: I wish to take the opportunity to answer the question put by the Deputy Leader of the Opposition earlier this afternoon. I was quite surprised to find that the Opposition had again raised the matter of the consumer protection television commercials which were run late in 1976 on Adelaide television and radio stations, and the associated matter of the television commercial that was not run. I would have thought that, in pursuing this line, the Opposition was clearly illustrating to all concerned that they have little or no concern for consumer protection in South Australia.

Mr. GOLDSWORTHY: I rise on a point of order, Mr. Speaker. It is perfectly obvious that the Attorney-General has forgotten the question I asked some half an hour ago. What he is saying has no connection with the question whatsoever. I asked the Attorney-General whether he persisted in his criticism of television stations and John

Martin and Company in his allegations that John Martin and Company, being a large shareholder in channel 10, quickly brought influence to bear to see that a consumer protection advertisement was removed. The second part of the question was "On what evidence does the Attorney-General make that allegation?" I then went on to explain to the leader of the House that the General Manager of channel 10, Mr. Campbell—

The SPEAKER: Order! The honourable member is now debating the question. He has raised a point of order, and I do not want him to debate the question.

Mr. GOLDSWORTHY: I am repeating the question for the Attorney-General because he obviously has forgotten it. What he is saying bears no resemblance to the question whatsoever. I went on to quote the categorical denial—

Mr. SPEAKER: Order! The honourable member is still debating the question. I do not uphold his point of order. I have said in this House that I have no control over the way in which Ministers answer questions.

Mr. GOLDSWORTHY: I rise on the point of order, Mr. Speaker. Standing Order 125 states:

In answering any such question, a member [and Ministers are members] shall not debate the matter to which the same refers.

I submit, Mr. Speaker, that in not answering my question the Minister is debating the matter.

Mr. SPEAKER: As I have mentioned before, each and every member in this House whether they be in Opposition or Government, have not always been happy with the way Ministers answer questions, and the same has happened; I have no control over the Minister in answering the question.

Mr. GOLDSWORTHY: I rise on a further point of order, Mr. Speaker. Is it to be interpreted that Standing Order 125 has no reference to the operations of the House?

The Hon. G. T. Virgo: What are you trying to do? Pull a filibuster?

Mr. GOLDSWORTHY: I am trying to get a bit of commonsense into the place. Standing Order 125 says—

The SPEAKER: Order! I warn the honourable Deputy Leader of the Opposition.

Mr. GOLDSWORTHY: Mr. Speaker, I rise on a point of order. On what basis is a member of this House warned when he is taking a point of order? I was speaking to a point of order, I addressed the Chair, and I have been warned for taking a point of order. On what precedent is that done?

The SPEAKER: Order! The Chair controls the House. The honourable member had already sat down, and I was conferring with the Clerk when he rose again and started speaking.

The Hon. J. D. Wright: Without getting the leave of the House.

Mr. Goldsworthy: I took a point of order.

The SPEAKER: Order! I hope the House will contain itself. I ask the honourable Attorney-General to try to answer the question.

The Hon. PETER DUNCAN: I would be only too happy to do so, and that is what I was endeavouring to do when the honourable member took the point of order.

Mr. Chapman interjecting:

The SPEAKER: Order! I have already spoken to the honourable member for Alexandra, and that is the second occasion I have warned the honourable member.

The Hon. PETER DUNCAN: Contrary to the desires of the Deputy Leader of the Opposition, I am afraid the answer will not make him happy (that is the adjective he used).

The SPEAKER: Order! I hope the honourable Attorney-General will answer the question.

The Hon. PETER DUNCAN: Indeed, Sir. In attempting to re-ask the question a few moments ago, the Deputy Leader of the Opposition misquoted *Hansard*, so it is therefore important that in answering the question I should ensure it is properly placed on record exactly what I did say, as follows:

Accordingly, it [John Martin's] was able to bring sufficient pressure to bear to ensure that the television channels concerned cracked under the pressure and did not run that commercial.

Mr. Doherty's remarks to the tribunal, as reported in the *Advertiser* of 20 October 1978, were as follows:

It was considered that the commercial was unfair to the retailer and also that, had we shown it, the store may have had reasons to take legal proceedings against us".

If ever there was an indication, on the one hand, from one of the three television channels concerned that sufficient pressure had been brought to bear to force the television channel not to run it, then of course—

Mr. Becker: Oh!

The SPEAKER: Order! I call the honourable member for Hanson to order.

The Hon. PETER DUNCAN: I do not know what more honourable members want. Certainly I stand by what I have said. There is no doubt that, in raising this whole matter again, honourable members opposite appear to want to entertain further drubbings on this issue. If that is what they want, that is what they will get.

It is quite extraordinary that we now find that the television channels concerned are apparently saying that they did not run the advertisement because they thought the name of the departmental store might have been visible in the commercial concerned, yet in the *Advertiser* of 12 October 1976 a report, under the byline of Greg Kelton, indicated the following:

A spokesman for the television advertising board said yesterday the board had felt the commercial was not acceptable material. "We believe it could be offensive to some people whose businesses are heavily oriented towards credit buying," he said. "We have no quarrel with the other three commercials."

I also quote from the *Australian* of 9 October 1976, which states:

The decision was made yesterday at a meeting of senior executives from stations SAS 10, NWS 9, and ADS 7 at which the films were previewed. The executives met at the television advertising board of the Federation of Commercial Television Stations. A television industry spokesman said they had decided to ban the controversial film on the grounds that it "unfairly attacked the retail credit system."

In the film the Attorney-General had put an argument that would be "offensive to some of the people with whom we have large business dealings. The film has been banned", the spokesman said. "Under the rules of the game we have a right to reject any commercial and give no reason."

I believe that clearly indicates the reasons why this advertisement was originally banned. Whatever alternative reason, with the benefit of hindsight and of a consideration of their situation, the television channels have produced, nonetheless at the time the reasons that were printed under the heading "Spokesman for Facts" in the *Australian*, which is part of the group that owns channel 9, and in the *Advertiser* which is part of the group that owns channel 7, were very clearly the narrow commercial interests of the large retail stores, and in particular John Martin's. That was why pressure was brought to bear, for no other reason than to protect the interests of that particular retailer.

BUILDING CONTROLS

Mr. GROOM: Can the Minister for Planning say what action he will take on the report which was prepared by the Director of Planning and which relates to building controls in South Australia? A report of the inquiry that appeared in today's *Advertiser* contained proposals for a more comprehensive, simple, speedy and less costly system of building control in South Australia.

The Hon. HUGH HUDSON: The report has been generally issued this morning, and I hope that all members received a copy in their boxes this morning at the same time as the report was released publicly.

Mr. Millhouse: I haven't got one.

The SPEAKER: Order! the honourable member for Mitcham is out of order.

The Hon. HUGH HUDSON: Perhaps the honourable member is forgettable, too.

The SPEAKER: Order! I hope the Minister will answer the question.

The Hon. HUGH HUDSON: The honourable member can hardly be described as non-forgettable. The next step in relation to this matter is that today copies of the report are being sent to all people and organisations that made submissions and to all councils. The various proposals in the report will be subject to submissions that are made from interested people, and the Government will consider what action will be taken. Certainly, without committing the Government in any way to a particular policy decision on the matter, I think the report highlights specific problems that lead to extra costs and delays in the planning approval process.

I think I should make clear that the report does not deal with the Building Act, which does not come under my jurisdiction but comes under the jurisdiction of the Minister of Local Government. The report deals with the reform of the Planning and Development Act, the need to ensure a more efficient appeal system, and overall a more efficient and effective planning approval process that ensures that desirable developments are able to go ahead with a minimum extra cost imposed as a consequence of the planning approval process itself. Recommendations that deal with land subdivision and land use control in rural areas also give rise to important policy matters that will have to be considered by the Government. The recommendations suggest a greater degree of involvement by local government. A greater power being exercised by local government will also give rise no doubt to submissions and to some degree of controversy on which the Government must make decisions. One of the recommendations of the report is that certain matters of planning decision ought to be reserved to the State or perhaps, if reserved to the State, arrangements should be made for delegation of authority to local government for control to be exercised on an agreed basis. The question of what are those appropriate areas where the State has an overriding interest is a matter of significant moment that will also have to be decided. The next stage in the whole process of considering this report will be the submissions to be received on it, the judging of the overall reaction to the report, and the initial action in the preparation of appropriate legislation. When the Government is able to make decisions firmly on what it proposes to put to the House, then appropriate statements will be made.

Mr. MILLHOUSE: Can the Minister say why there has been so long a delay in taking any action regarding revision of the Planning and Development Act? I have not had the benefit of a copy of the report yet, although perhaps it is waiting for me. When I saw the report in this morning's *Advertiser*, I immediately remembered that in

his 1975 policy speech delivered on 24 June the Premier said, in part, under the heading, "Law Reform—Town Planning Legislation":

After a period of eight years, it is evident that the administration of planning requires a substantial revision, together with new legislation to ensure a smooth working of the planning process. This will be undertaken in the coming session of Parliament—

Not even the next Parliament. So far as I can recollect there was no such revision of the Planning and Development Act. In his 1977 policy speech, the Premier said:

We will make a radical overhaul of the planning law. This will ensure proper control of private development, quicker and less costly planning decisions and processes and the regionalisation of planning with greater local participation. The first promise of a revision of the Act occurred over three years ago, and so far, judging by the Minister's answer a moment ago, we have got to a report which took Mr. Hart 12 months to prepare. Now there is to be a lengthy process of consideration by the Government and others as to what they should do, when in June 1975 a revision of the Act was promised "in the coming session of Parliament". There is no doubt that the present Act is hopelessly complex and must add greatly to the cost of development in this State. People do not realise how much—

The SPEAKER: Order! The honourable member is commenting.

Mr. MILLHOUSE: —the complexity—

The SPEAKER: Order! I hope the honourable member does not continue commenting.

Mr. MILLHOUSE: I therefore put this question to the Minister in the hope that he may give us some idea when we can expect a Bill relating to this matter to come into this place.

The Hon. HUGH HUDSON: In 1975 it was hoped that an overall revision of the Planning and Development Act, more or less within its existing framework, could be undertaken. Immediately after that election work proceeded on that basis, but it was clear, after further study, that the matters involved were controversial. Some of the questions being asked, both inside and outside the Government, challenged not just some of the details of the Planning and Development Act but its fundamental framework as well. That realisation led to the establishment of Mr. Hart's inquiry into the control of private development. The decision which resulted in the Premier's saying, before the 1977 election, that there would be not just a rewrite of the Planning and Development Act but a radical overhaul of it, was taken at the time of the establishment of the Hart inquiry.

I think members would appreciate that these matters are never quite as straightforward as we would like them to be. Where one is considering alteration in the basic framework of legislation, such as the Planning and Development Act, the process will take somewhat longer than would otherwise be the case. I find it difficult to understand the attitude of the honourable member with respect to the Government's decision to circulate the report to all councils and other interested parties to give them an opportunity to make submissions.

Mr. Millhouse interjecting.

The SPEAKER: Order! I call the honourable member for Mitcham to order.

The Hon. HUGH HUDSON: Until today no councils would have seen the recommendations that Mr. Hart has made. Together with the community in general, they have a right to see and make comments on them. No doubt, if legislation had been prepared and presented to Parliament

at the same time the report was released, we would have had a scream from the member for Mitcham saying there had been no consultation, that we did not have open government, and all the rest of it. I believe all members in this Chamber recognise that where the honourable member is concerned you cannot win. We need to tell the public at large that he will criticise whatever happens and, whatever way the Government moves, he will find some reason for saying what has been done is wrong, even though privately he might not agree with it.

PORT ADELAIDE BASKETBALL ASSOCIATION

Mr. OLSON: Will the Minister of Education investigate the possibility of the Port Adelaide Basketball Association using the Vickery Hall at LeFevre Technical High School? The association, which comprises 12 teams of junior and senior players and which represents over 100 players in the district, is without courts and is currently paying high costs to play at a stadium outside of the area. This circumstance will shortly prevent the association from functioning, because of a shortage of finance. As the Port Adelaide City Council has rescinded a decision not to proceed with the community centre at Taperoo and to reject a grant of \$300 000 made available by the Minister of Tourism, Recreation and Sport to facilitate this sport, can the Minister say whether the Vickery Hall could be made available to the association on Sunday afternoons?

The Hon. D. J. HOPGOOD: I will ask the Regional Director, Mr. Goldsworthy, to take up the matter with the school itself. I point out to the honourable member that this is a school-based decision; however, it would not involve any new initiative. Similar arrangements occur in other places at our high schools, so I will ask my department to take up the matter with the Principal of LeFevre High School.

HART REPORT

Dr. EASTICK: Can the Minister for Planning say whether the Report of the Inquiry into the Control of Private Development in South Australia by Stuart B. Hart of 19 July 1978 is the mark 1, mark 2, mark 3, or mark 4 report? I appreciate the value of the report, which is now available to the public and to this House, but I would be particularly interested to know whether it is the original report which was submitted by Mr. Hart or whether it has been back for revision.

The Hon. HUGH HUDSON: I am fairly appalled at this question, which assumes certain things about Mr. Hart. Mr. Hart has been on leave.

Mr. Wotton: It is not about Mr. Hart at all.

The Hon. HUGH HUDSON: It implies that Mr. Hart would be a party to revising his report.

Mr. Goldsworthy interjecting:

The SPEAKER: Order! The honourable Deputy Leader of the Opposition is out of order.

The Hon. HUGH HUDSON: Not only is there an implication as to what I would do in sending it back for revision time and time again, but it is also implied that Mr. Hart, as Director of Planning and Chairman of the State Planning Authority, would be a party to this process. For myself, I can deny it directly but, on behalf of Mr. Hart, I say here and now that the implication in the honourable member's question is wrong and is no doubt resented by Mr. Hart.

Mr. Mathwin: It's your policy.

The SPEAKER: Order! The honourable member for

Glenelg is out of order.

The Hon. HUGH HUDSON: I do not mind interjections, but we should not have to put up with stupid interjections that impute people's motives.

Mr. Mathwin interjecting:

The SPEAKER: Order! I call the honourable member for Glenelg to order.

The Hon. HUGH HUDSON: The position is quite plain. The report has been to Cabinet and has now been released. We are in the process of sending out copies today and yesterday to councils and all those that made submissions. We have the requisite number of reports printed to be able to do that.

In a statement I issued I made quite clear that the Government does not necessarily accept all the recommendations that Mr. Hart has made. When people have looked at the report and made submissions on it to indicate their overall attitude, the final decisions as to the form of the legislation will be taken by the Government. In those circumstances, what possible point would there be in my, or in anyone else, approaching Mr. Hart and saying, "You had better change these sentences and do something else," when what is happening is that the report is put out for comment? Clearly, the ultimate form of legislation may or may not be in line with the kind of recommendations that Mr. Hart has made. If the member thinks for one moment about that, and the process that has now been started, he will see that the implication in his question, quite apart from being fairly unpleasant, is absolutely and completely wrong.

PEDESTRIAN LIGHTS

Mr. SLATER: Will the Minister of Transport obtain information on the conversion of the zebra crossing pedestrian lights on the North-East Road adjacent to Windsor Grove, Klemzig, to pedestrian activated lights? I previously asked the Minister a question on this matter, and the reply I received was that the lights were to be converted in the 1978-79 financial year. Previous to that, the member for Florey had raised the question, so it has become a bit of a hardy annual.

The SPEAKER: Order! The honourable member should stick to the question.

Mr. SLATER: I seek information about when the lights are likely to be converted.

The Hon. G. T. VIRGO: I have asked the department to give me an up-to-date report on that installation. It may be of interest to the House to know that traffic light installation and the conversion of traffic signals in this current year's programme is, according to the last report I had, going well in accordance with the schedule. The department is fairly confident that the programme budgeted for will be achieved. I will obtain details about the specific installation and let the honourable member have them.

MOTOR VEHICLE CONCESSIONS

Mr. EVANS: Will the Minister of Transport take up with the Registrar of Motor Vehicles the present practice and procedures carried out in relation to pensioner concessions for exemption from stamp duty, when people register and insure their motor vehicles? A constituent of mine brought me the papers she received. One was a note that explained that the Registrar of Motor Vehicles has branches in certain suburbs and pointed out that people should use them wherever possible and, if not, they

should go to the head office. That document was printed on both sides. Another document is the third party insurance premium schedule, with instructions to registered owners on compulsory third party insurance on the back, and a blank form for notice of change of insurance premium class. The actual registration form states:

I/we undertake that unless the balance of the full registration fee is first paid the vehicle will not be used or owned contrary to the provisions of section 38a of the Motor Vehicles Act. I/we hold current Commonwealth concession card numbers . . . which is produced herewith.

Personal Signature of Owner . . .

The constituent points out that a note states "See important warning overleaf", and that the warning is in relation to stating anything that is not accurate or using the concession when not entitled to do so. Nowhere does the document state what is in section 38a, even though there is a great deal of other documentation. It would be better if the Registrar could inform people what section 38a means and what is involved in contravening it.

It is difficult for a person who lives in the outer suburbs, where a branch of the Motor Vehicles Division is not located in the area (such as in the Stirling or Mitcham Hills area, for example, and there are other such areas) to produce a card. If it is posted, it is necessary to allow about eight days for the card to be sent to the division and returned. It is difficult also for people to come to the city to produce the card at the office. The saving effected as a result of the production of the card is about \$3. Will the Minister take up the matter with the Registrar to see whether the provisions of section 38a can be printed on the form and whether, if a person quotes the card number, the card need not be produced, thus making the position easier for some pensioners?

The Hon. G. T. VIRGO: I shall study the question raised. I have tried to follow it, but I am not certain that I have gathered the point raised, apart from the nuisance value of having to produce the card, and the lack of information about section 38a. It has been found necessary for cards to be produced to guard against claims by some people that they have a card when in fact they do not have one.

Mr. Evans: Why can't they give the number?

The Hon. G. T. VIRGO: If the honourable member filled in an application and put "678910" as the number, I think the Registrar would be entitled to satisfy himself that that number was a *bona fide* one and was the number on the card. The Registrar must have some means of obtaining that information. At the moment, as far as I am aware, he has no such means.

To my knowledge, the Commonwealth Social Security Department is not prepared to provide the cross-check information which obviously would be necessary, and I am sure the honourable member is not asking that the Registrar should just accept *carte blanche* the claim that a person has a card, without some verification of that claim. In some instances—and I appreciate the cases the honourable member has referred to—the production of the card may constitute an added burden, but I do not think it would be an extremely difficult one.

I am not sure why the honourable member said that the saving is only \$3. Assuming that he refers to the registration of a vehicle, the saving would be much more than that, if I remember correctly, because we have maintained registration fees for pensioners at the level that existed early in the life of this Government. We have progressively adjusted the percentage discount to compensate for increased registration fees. There is also a considerable saving on licence fees.

I shall look carefully at the question the honourable

member has raised, and I shall discuss it with the Registrar. The desirability of quoting section 38a can be looked at, but I think the honourable member is suggesting that there should be an explanation of it, rather than simply quoting it.

Mr. Evans: The quoting of it would help.

The Hon. G. T. VIRGO: The quoting of it probably could be added, but it is dangerous to give interpretations of sections which might not be accurate. I will study the question and bring down a considered reply for the honourable member.

ELIZABETH TRANSPORT

Mr. HEMMINGS: Can the Minister of Transport say whether the revised bus routes which will commence from 29 October 1978 in the Elizabeth and Salisbury area represent the final stage of bus route alterations by the State Transport Authority in these particular areas? Since the revised bus routes were published in the *News Review* on Friday 20 October, I have received many favourable comments from constituents, especially as the old unpopular circular routes have been replaced with a conventional two-way linear service with direct access to the Elizabeth town centre, and previously unserved areas in Elizabeth Downs now have a reasonable service. However, residents in areas north of Smithfield in the new subdivision of Munno Para and some areas in Craigmore are still unable to obtain a direct bus service to the Elizabeth city centre.

The Hon. G. T. VIRGO: The improvements and alterations to services that will operate from Sunday next are in keeping with the Bus Revision Committee's report on the type of services which were needed when that report was compiled, but that report is now three years old and, of course, needs for transport are constantly changing. The improvements being effected from next Sunday are all the improvements contained in that report. To the extent that changes are taking place and new areas are being developed, I certainly would not say that is the last of the improvements that will be effected. However, because of the tight financial position that we face this financial year, we will not be in a position during this financial year to effect any more substantial improvements in the area to which the honourable member refers, but certainly the whole question will be kept under review.

JUVENILE OFFENCES

Mr. MATHWIN: Can the Minister of Community Welfare say on whose advice it was that he misled the House in his reply during a debate on the lines of the Estimates relating to the Community Welfare Department on 18 October last in relation to drunken driving offences by juveniles, and why he made that statement? On 18 October, during the debate on the lines relating to the Minister's department (*Hansard*, page 1535), I raised the matter again in relation to the department's failure to keep statistics of offences of drunken driving by juveniles. In reply the Minister said:

The honourable member, as he has said, has raised the matter of driving offence statistics on several occasions. The statistics are not kept in the form desired by the honourable member. They have not been kept in that form for some years, because all State Ministers and the Commonwealth decided that figures for juveniles in Australia relating to drink-driving offences referred to a behavioural matter . . . it is done by joint agreement.

Last year a report from Western Australia stated in 1975-76 there had been 137 drunken driving offences by juveniles and in 1976-77 there had been 109 such offences. The report also contained a few paragraphs on the problems involved in drunken driving by juveniles. Why did the Minister give the wrong advice to the House?

The Hon. R. G. PAYNE: I did not mislead the House. If I remember correctly, it would have been excusable if I had misled the House, because members on both sides who were present at the time were staggered at the honourable member's rising to his feet and reading out a series of numbers of lines in the Estimates, saying that he was going to speak to them, and then ignoring them. It was necessary for the Chairman at the time to sort things out so that not only he but also I as Minister could understand the point being raised.

Mr. Mathwin: That does not excuse you for giving wrong information.

The SPEAKER: Order! The member for Glenelg has already been spoken to once.

The Hon. R. G. PAYNE: If the honourable member is honest about this matter he will recall that occasion, when he apologised and pointed out that he had not noticed, although he was raising the matter, that there were four lines with the same number. I think the honourable member would be prepared to agree that at the time he was in some confusion.

Mr. Mathwin: That was your—

The SPEAKER: Order! I will warn the honourable member for Glenelg if he continues to interject.

The Hon. R. G. PAYNE: The question the honourable member has raised refers to whether statistics will be kept in a category which he refers to as "drunken driving", or whether they will be kept in a category which simply shows behavioural offences of juveniles. The information which I had to hand and which I gave to the House was that that was an agreement between the officers of all States and the Commonwealth some years ago. If the honourable member re-reads the passage in *Hansard* he will find that I almost misled the House, although not in the respect he is raising, because after I commenced my reply to that point I realised I had said "Ministers", not "officers". If the honourable member reads *Hansard* he will see that I subsequently altered that to read "officers". I have not checked that yet, but I have noted the page number given. There was no intention whatever on my part to mislead. I simply gave the information which I had had for about two to three weeks and which I had kept here so that when the honourable member raised the matter again I would be able to advise him about it. The honourable member has an incredible view of the people working in my department. They are public servants doing their best in handling these matters, and he imagines that there is some gigantic conspiracy to pervert—

Mr. Mathwin interjecting:

The SPEAKER: Order! I assure the honourable member that if he interjects during the rest of the day he will be named.

The Hon. R. G. PAYNE: I utterly refute the suggestion that the honourable member put forward. The officers of my department, to the best of my knowledge, do not attempt at any level in any way to pervert or prostitute the answers to questions, nor would I have been a party to that happening. When information is requested, whether by way of a Question on Notice or question without notice, to the best of my ability, I give a truthful answer and the facts that I have to hand. I am sure that many members on the other side would testify to that. I cannot understand the attitude of the honourable member about these matters. If an honest mistake has been made by me, I am perfectly

willing to look into it. I supplied to the honourable member the information that I had, and I suggest to him that, if any prostitution or perversion is going on, he has become a party to it, because I have heard him say in this House on another occasion that he knows about offenders in McNally and that he can give names if the House wants them.

The SPEAKER: Order! The honourable Leader of the Opposition.

Mr. TONKIN: I draw attention to the Standing Order which relates to Ministers answering questions. I believe that the Minister, in debating this answer to the extent he is doing, is deliberately trying to provoke the member for Glenelg.

The SPEAKER: There is no point of order. I have no control over Ministers when they are answering questions.

The Hon. R. G. PAYNE: I believe that, if members were asked about my general forbearance on this particular topic and with the member concerned, they would agree that my behaviour over a period of time has been such in providing an absolute plethora of answers to the honourable member that it has been one of co-operation and not provocation, so I will not accept that allegation.

The Hon. Peter Duncan interjecting:

The SPEAKER: Order! I call the honourable Attorney-General to order.

The Hon. R. G. PAYNE: I think I have made it quite clear that the answer I provided on that occasion was from information on hand. If, as the honourable member alleges, there has been an error and an apology is required, I will be the first to deliver it.

PERSONAL EXPLANATION: CLARKE-CASEY REPORT

Mr. WILSON (Torrens): I seek leave to make a personal explanation.

Leave granted.

Mr. WILSON: During Question Time today, the Minister of Transport, in answering my question, accused me of pursuing the matter of why the Government would not release the Clarke-Casey Report of the Adelaide City Council. I want to make clear to the House and the people of this State that I did not ask that question. My question was whether the Minister had misled the House about whether there was an agreement between and Minister of this Government and the Adelaide City Council for the suppression of the Clarke-Casey Report. I think that the South Australian public should realise that the Minister declined to answer that question.

PERSONAL EXPLANATION: TELEVISION COMMERCIAL

Mr. GOLDSWORTHY (Kavel): I seek leave to make a personal explanation.

Leave granted.

Mr. GOLDSWORTHY: During the course of his answer, the Attorney-General accused me of misquoting from the *Hansard* record what he said in answer to a question from the member for Coles, and he then proceeded to quote from that answer. The *Hansard* record of today's proceedings will show that I quoted correctly. I gave the page number 1549, and quoted from that answer directly, including the part that the Attorney-General quoted, but I also quoted rather more extensively where the Attorney-General accused John Martin's of being one

of the largest shareholders in channel 10. I will read that again so that there is no misunderstanding, because I believe that the *Hansard* record of my quote will precisely align with these words. That is the part of the Attorney's reply that I quoted.

John Martin's, which has spent a lot of money on its advertising campaign, is one of the largest shareholders in channel 10, and has considerable influence over the amount of money it spends on commercial television stations in this State. Accordingly, it was able to bring sufficient pressure to bear to ensure that the television channels concerned cracked under the pressure and did not run that commercial.

Mr. Wotton: Who said that?

The SPEAKER: Order! The honourable member for Murray is out of order.

Mr. GOLDSWORTHY: The Attorney-General said that in answer to a question from the member for Coles. They are the words I quoted in explaining my question today, and the Attorney-General quoted them in part. For the Attorney-General to accuse me of misquoting is complete nonsense.

The SPEAKER: Order! The honourable member is now debating the matter.

Mr. GOLDSWORTHY: I sought to make this personal explanation to get the record straight and to indicate that the Attorney-General obviously did not know what I quoted. In fact, he told a lie when he said that channel 10—

The SPEAKER: Order! I ask the honourable Deputy Leader of the Opposition to withdraw that remark.

Mr. GOLDSWORTHY: A deliberate untruth might be the appropriate expression, in saying that channel 10 was the largest shareholder—

The SPEAKER: Order! I want the honourable member to unequivocally withdraw that remark.

Mr. GOLDSWORTHY: I withdraw the remark. In concluding my personal explanation—

The SPEAKER: Order! The honourable member may not debate the matter any longer.

PERSONAL EXPLANATIONS: HART REPORT

Dr. EASTICK (Light): I seek leave to make a personal explanation.

Leave granted.

Dr. EASTICK: Earlier this afternoon the Minister for Planning imputed base motives to a question I asked in relation to the release of the Stuart Hart Report. On 3 August 1978 in this House the Premier outlined to members the Government's attitude relating to the release of reports. I will read briefly from *Hansard* of that date, at page 312.

The Hon. HUGH HUDSON: I rise on a point of order, Sir. Under Standing Order 137, a member can only explain matters of a personal nature, but such matters may not be debated. In trying to quote what the Premier said, in the honourable member is proposing to debate the matter. In those circumstances, it is not a personal explanation.

Mr. Dean Brown: Can't you take it?

The Hon. Hugh Hudson: No, not—

The SPEAKER: Order! The honourable member for Davenport and the honourable Minister are out of order. I uphold the point of order. I hope that the honourable member for Light will stick to the personal explanation.

Dr. EASTICK: I certainly will, Mr. Speaker. I will not refer to page 312 of *Hansard* of 3 August any further. The Premier indicated to all members that the Government accepted the responsibility of the reports.

The Hon. HUGH HUDSON: I take exactly the same

point of order and suggest that, if the honourable member is not imputing any motives, I would be happy to accept an apology and say that he is not doing that.

Mr. GOLDSWORTHY: I rise on a point of order, Sir.

The SPEAKER: I uphold the Minister's point of order. Does the Deputy Leader of the Opposition want to pursue his point of order?

Mr. GOLDSWORTHY: My point of order is that the member for Light is not debating the matter. He is seeking to indicate how he was misrepresented, but you, Sir, have already ruled on that.

The SPEAKER: There is no point of order. The honourable member for Light must speak to his personal explanation.

Dr. EASTICK: The question that I framed to the Minister this afternoon was based on the very clear indication given to this House by the Premier of the attitude that his Government takes to the release of reports, and the question referred specifically to the release of a report. Therefore, I claim that the attitude presented by the Minister was a base reflection on the motive that I had in framing that question.

The Hon. HUGH HUDSON (Minister of Mines and Energy): I seek leave to make a personal explanation. Leave granted.

The Hon. HUGH HUDSON: I explain that the honourable member was reflecting, in particular, on my motives in relation to this matter and on Mr. Stuart Hart's motives, and no reference to any statement by anyone else concerning a report by a committee has anything to do with a situation in which an individual is inquiring into and debating the issue.

The SPEAKER: Order! The honourable Minister is out of order. I think that honourable members are going too far in personal explanations, and I assure them that in future the Chair will make sure that that does not happen.

At 3.19 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

ROAD TRAFFIC ACT REGULATIONS

Mr. EVANS (Fisher): I move:

That regulations under the Road Traffic Act, 1961-1976, relating to traffic prohibition (Mitcham), made on 17 August 1978 and laid on the table of this House on 22 August 1978, be disallowed.

The purpose of this regulation was to close Penno Parade South at Belair. The closure was well on its way to taking place before notice appeared in Parliament. Such a closure would inconvenience many people. The history of this matter is that because of the State Government's failure to get on with the job of widening the main Blackwood-Belair Road, many people found that through its narrowness, particularly adjacent to the Belair Hotel, there was a build-up of traffic on the road. This occurred when trains approached the Glenalta crossing, and motorists had to wait until the trains unloaded passengers and moved. In addition, long goods trains pulling through a steep incline in the Hills travel slowly, and take a long time to pass that crossing. The result was that motorists decided to leave the main Blackwood-Belair Road at that point and go down Penno Parade South into Downer Avenue and back on to the main road, thus avoiding the crossing. This seriously disadvantaged the quality of life for people living in Penno Parade South and Downer Avenue.

Now that Penno Parade South has been closed as a

result of the regulation, some people, although perhaps not as many as were travelling down Penno Parade South, are travelling through Eric Street and into the other streets north of Penno Parade South. The streets are narrow, and children walk to school along roads with many sharp bends and without footpath facilities, with all the attendant risks. Some children ride bicycles on the narrow, steep roads.

The residents to the north of Eric Street believe that something, other than the closing of Penno Parade South, should be done. I have brought this motion forward, knowing that the department and the Minister are not likely to accept it, but as a way in which I can raise the matter and ask the Minister whether some thought should be given to closing Eric Street if Penno Parade South is to remain closed. If Penno Parade South does not remain closed, there is a dangerous junction at the corner of Penno Parade South and Southern Avenue which must be considered by the Minister, the department and its advisers. The Minister may have details of traffic counts made in the few weeks since the closure of Penno Parade South, giving a clear indication of either an increased traffic flow into Eric Street and adjacent streets, or a decrease in traffic off the main Blackwood-Belair road at the junction of Southern Avenue and what used to be Penno Parade.

When the main Blackwood-Belair road was to be upgraded, I raised the matter of an over-pass at the railway crossing at Glenalta. The level crossing there is causing problems. The department is working at present on the final installation of boom bars and lights, but there is every indication that people avoid that crossing at peak hours in the morning and to a lesser extent at night, because of the trains, but also to some extent because of the school, which is a little further north in the district of the member for Davenport. There is a slowing down of traffic at that point, where people observe the law for restricted speeds adjacent to schools when children are going to and from school.

Has the Minister some details in this matter? The motion has been on the Notice Paper for some time, giving him an opportunity to have some information available. What does the department see as a solution to the problem? If there is no solution other than to open Penno Parade to distribute traffic more evenly, we would have to accept that, but I hope the Minister sees another solution and that the traffic count does not show substantially increased traffic in the streets north of Penno Parade South.

The Hon. G. T. VIRGO (Minister of Transport): The honourable member was quite accurate in predicting that the Government would not accept the motion. These regulations, like all other traffic regulations, are not promulgated lightly. They are, first, the subject of much consideration and discussion, plotting takes place to try to determine what effect will occur as a result of traffic rearrangement schemes, and only when all these matters have been satisfactorily resolved are the decisions taken. That is what happened in the case of the closure of Penno Parade.

The former geometry of the road, with Penno Parade and Southern Avenue both joining the main Blackwood-Belair road about 150ft to 200ft from a rather nasty level crossing (which is about the only way to describe the Glenalta crossing), called for some form of treatment. I gathered from his comments that the honourable member was not complaining about the treatment of the road geometry but rather that the closure of Penno Parade might not have been the best solution to the problem. If that is the case, certainly we can ask the Road Traffic Board and the Highways Department to review the

position, particularly in the light of experience.

I do not have any traffic counts and I doubt very much whether the department would have them yet, although it may have them. Although I doubt that it would have enough figures to be meaningful, I shall be pleased to discuss the matter with the Chairman of the Road Traffic Board and the Highways Commissioner to see what the effect has been and to see whether the problem can be treated in some other way. It would seem that Penno Parade should have been closed there; I do not think that point is debated. Whether Penno Parade should have been straightened by knocking down houses and making the junction farther from the main road is something I do not know, but it would have been a costly exercise.

The suggestion about the over-pass is admirable. I wish we could put them in all locations where they are needed. Regrettably, we are not able to do that, but I am sure the honourable member would not want me to give the reasons, as he has heard me give them so many times, and they have not changed.

I suggest that the traffic regulations should remain, but I will ask the Highways Commissioner and the Chairman of the Road Traffic Board to look again at the effects of the closure of Penno Parade, to see whether any other treatment is necessary in the light of the changed traffic pattern brought about by that closure.

Motion negatived.

MEDICAL PRACTITIONERS ACT AMENDMENT BILL

Mr. DEAN BROWN (Davenport) obtained leave and introduced a Bill for an Act to amend the Medical Practitioners Act, 1919-1976. Read a first time.

Mr. DEAN BROWN: I move:

That this Bill be now read a second time.

This Bill is introduced into Parliament to establish a scale of penalties for the Medical Practitioners Board when considering penalties for the persons who have misappropriated funds in the course of carrying out their professional duties. The Bill will amend the Medical Practitioners Act so that a medical practitioner who is guilty of grossly dishonest or grossly dishonourable misconduct, or is guilty of misappropriating in excess of \$50 000, shall be deregistered for at least three years. The case would be dealt with before the Supreme Court.

The need for this Bill has arisen because of the significant number of recent cases where funds have been misappropriated by medical practitioners from Medibank. The actual penalty for this offence is a Commonwealth Government responsibility, but that Government has no control over the deregistration of practitioners. Registration and/or deregistration of a medical practitioner from practising is a State Government responsibility. This Bill now takes up this State Government responsibility. If a professional person is placed in a position of public trust and responsibility as a consequence of his profession, then a serious breach of that trust and responsibility must result in that person being prevented from carrying on that profession.

I view the misappropriation of funds from Medibank as a very serious offence—similar in nature to any other form of major theft. The penalties handed down should reflect its serious nature. It is not sufficient just to take action through the Commonwealth Act, which has no power to discipline practitioners for breaches of professional ethics. This is a matter for the Medical Practitioners Board and the South Australian Parliament. In my view, the penalty should also prevent that medical practitioner from continuing to practise in the professional position of trust

that he has abused; that is, the person should be deregistered for at least a certain prescribed period.

Parliament, as the democratic governing body of this State, has a responsibility to set guidelines or scales for the extent and nature of the penalties that it thinks are necessary to match the breach of the law. But on this matter of deregistration for the misappropriation of funds, Parliament has not done so; it has left the matter entirely up to the judgment of the board to determine both the general scale of penalties and the actual penalty for each case. Such a transfer of responsibility from Parliament to the board can be justified only where medical judgment is required, but I do not believe it is either necessary or desirable where the offence is simply theft or misappropriation. Therefore, this Parliament has a responsibility to give a guide to the board as to the scale of penalties that should apply for gross misappropriation.

Recent experience has been that medical practitioners who have been found guilty of defrauding Medibank have been deregistered by the board for a period of at least 12 months. All offenders are eligible to apply for re-registration after only one year. That does not necessarily indicate that they will be accepted for re-registration. Therefore, the severity of the deregistration is still not fully known. Incidentally, it is an unusual procedure not to inform the offender at the time of passing judgment as to the full extent of the period of deregistration. I stress that the penalty of deregistration for a period of at least three years for misappropriating more than \$50 000, or for grossly dishonest misconduct, is simply set as a scale or bench-mark to be applied by the board when determining the period of deregistration.

This Bill has received strong and enthusiastic support from some medical practitioners, and hostile opposition from others. The South Australian Branch of the Australian Medical Association opposes the Bill and has asked me not to introduce it into Parliament. I first proposed the Bill because of a strong personal belief I have that people who abuse a position of professional trust should not be allowed to continue to practise in that profession. Despite the strong opposition that has been expressed by some people to me regarding the Bill, I have today decided to proceed with it. A member of Parliament has an obligation to stand firm on matters of principle, even though such a stand may be bitterly attacked by some.

It being the last day of private member's business, there is no chance that this Bill will reach finality. However, I have proceeded with it so that it is available for public scrutiny and comment. It can be proceeded with when other proposed amendments to the Medical Practitioners Act come before Parliament later this session. The recent major changes made to Medibank by the Commonwealth Government may greatly reduce the possibility of misappropriating funds. Whilst the principle will not change, the practical need for it may. Only time will reveal the effects of these changes.

Some medical practitioners have criticised the Bill because deregistration for a period of three years is too severe. Originally I proposed 10 years, but I concede that such a penalty may have been too severe. A comparison with other professions shows that a three-year deregistration is certainly not too severe. In a recent case of misappropriation of less than \$200 000 by a lawyer from a trust fund, despite the fact that most of the money had been paid back, the person was gaoled for two years and struck off the roll without qualification. A bank officer who misappropriates bank funds is dismissed and faces normal charges. Once there has been a breach of trust by a bank officer that person would never be reinstated by any

bank, and no reference would be given. I am sure the member for Hanson would confirm that. I think it is fair to say that, in any other profession where there has been a breach of professional trust through misappropriation of funds, that person normally would not be allowed to continue to practise in that profession for at least a fixed period.

Clause 1 is formal. Clause 2 indicates that, where a medical practitioner has been found guilty by the Supreme Court of misappropriating funds of more than \$50 000 or that that medical practitioner is guilty of misconduct that is grossly dishonest or grossly dishonourable, the Supreme Court, through the board, shall deregister the person for a period of at least three years. I ask all members to support the Bill.

The Hon. D. W. SIMMONS secured the adjournment of the debate.

BUILDERS LICENSING COMMITTEE

Mr. EVANS (Fisher): I move:

That regulations under the Builders Licensing Act, 1967-1976, relating to the composition of the Builders Licensing Advisory Committee, made on 25 May 1978 and laid on the table of this House on 13 July 1978 be disallowed.

I have moved the disallowance of these regulations because I am concerned that we are not allowing for contract builders, who are really the backbone of the building industry, to be represented in a proper way, but we are over-emphasising the importance of the trade union movement in the building industry. I know that there is no way in the world that the Government with its present philosophy will allow a decrease in the number of trade union representatives, and I doubt whether it would see its way clear to allowing the reduction in the number of academic or professional groups represented.

The advisory committee is to advise the board and the Government to some degree, and I suppose Parliament, on the type of person who should be licensed and perhaps the qualifications that should be considered in making decisions relating to the building industry and what the industry really needs. Surely that is what an advisory committee would do. The Chairman and some members of the committee are entitled to receive some remuneration and allowances that are fixed by the Governor, which means by the Government. The advisory committee has eight members, one of whom is an academic representative from the School of Architecture and Building of the South Australian Institute of Technology. It is accepted by those in this institute that most of the tutors are theorists, some of whom have tried to run their own businesses and have failed. When those persons try to apply their particular expertise, they do not find it as easy as conducting a tutorial at a place such as the Institute of Technology. That is hardly the sort of person who knows an industry from the operational point of view.

One person is to be a member of the South Australian Chapter of the Royal Australian Institute of Architects. It is fair to say that more than half of the homes built in this State are built without architectural supervision. Some might say that that is bad and some that it is good. If a person is paying for a home, the building of which was not supervised by an architect but which is a good job, he saves money and that is good. I say that even though my home was designed and supervised by an architect when built. There is a high standard of home building in this State.

It has been the case throughout the State's history that

the quality of houses has been good compared to those in other States and other countries. Most of these houses were built without architectural supervision. We do have local government supervision by inspectors who take an interest in the building of homes (not as much as we would like them to take, but time is the problem for these inspectors because if there is a heavy building programme in an area the building inspector has a heavy work load).

Mr. Mathwin: So do bank inspectors.

Mr. EVANS: I accept that. The third person is to be a member of the Australian Institute of Building. That does not necessarily mean that the person will be a builder with practical experience in home building. He may be a person who does only a small amount of work in that field. He may not be the person with the greatest expertise. I know that committee can make a recommendation, but that does not guarantee that the person for whom we should be looking will be a member of that committee.

One member is to be a member of the Institute of Engineers. Until recent years, engineers had little say in home building, except concerning footing designs for soils where expansion and contraction was a problem and caused cracking of a foundation. Until about 1960, soil consultants and engineers were virtually non-existent in the house building industry. Suddenly, because of a striving for better standards (and we may have achieved better standards, because engineers have improved the types of foundations used), engineers were called upon to design foundations. At times this has saved people money because some people used to set out to pour foundations for their homes that went to extremes and wasted materials and labour. Those people spent more than they needed to spend to put down a foundation for their home. Even though that may be the case, engineers are not necessarily close to the home building field today, except in the designing of foundations in conjunction with soil consultants. Those are four people who are to be members of the committee and who have some connection with the home building industry, but who are not involved with it all the time.

Four members are to be representatives of trade unions, the members of which are employed in the building industry. The person elected could be a person who has not worked in the industry in a practical sense for a long time. He could be a union secretary who had expertise and knowledge in the building industry 20 years ago, but technology, know-how and systems used for building homes have changed dramatically in that time. This committee advises in the main on home building, and I believe it should be called "The Home Building Advisory Committee", because it does not take in commercial and industrial building, even though licences have to be held for that type of work. The main aim of this committee was to licence people so that it can keep watch over house construction. If we are really seeking to solve the problem, the persons we have left off that committee are those who are building homes on a regular basis in the community and know what is required by way of administrative skill, what goes on in the market place, and what clients want—the contractor.

There are four members from trade unions and four from professions or semi-professional areas on this committee, yet the actual contractor is virtually excluded, except for that one member who is elected through the building institute. I hope that the Attorney-General can see the merit of appointing people from the sector that the Minister in charge of housing thinks is important. I hope he will say that he wishes to co-operate with those people to achieve better goals for housing so that we will have a more stable industry which can overcome some of the

difficulties it has had in the past. How can that happen when the only advisory committee we will have in this State in that area will exclude contractors from reasonable representation?

I ask the Attorney to note this problem, because this advisory committee has an imbalance in the type of person who will be a member. I object to the trade union movement holding 50 per cent of the positions on that committee and the professional groups three-eighths of the balance of the positions. This means that the contractor has only one chance in eight of being represented. That is not good enough if we respect the industry, which the Minister in charge of housing says he does.

I do not believe that the Attorney-General is saying that he agrees with the Minister in charge of housing if he puts forward this sort of regulation.

I cannot change the Government's attitude, which is that the trade union movement will have a 50 per cent say on this committee. However, I believe that the Attorney-General should consider giving contractors a greater say on this committee about the persons who will be licensed, and about the conditions of licences, than he has through these regulations, which are not much different from the ones they are replacing. I object to the proposal and ask the Minister to support the disallowance so that he can bring something better before the House in the future to give the industry a better chance to be represented.

The Hon. PETER DUNCAN (Attorney-General): I oppose the motion for disallowance of these regulations, for two reasons. First, the honourable member seems to be under a misapprehension as to what this body is and what it will do. It is the advisory committee under the Builders Licensing Act; that is the function and title of the committee. It is intended that this committee will provide general advice to the government (as the honourable member has suggested) relating to matters under the Builders Licensing Act. The principal things on which the Government will be seeking advice are matters such as standards, quality and the like in the building industry. The misapprehension under which the honourable member seems to be suffering is that he assumes that this committee will be largely, solely or wholly involved in the consideration of home and house building.

The Builders Licensing Act, to which the honourable member referred in his comments, covers all building in this State, except for the most minor type of home handyman operations. Accordingly, the sorts of experts that ought to be on a committee of this type should relate to the technology and science of building. The predecessor of this advisory committee always had some difficulty in its operations because it was too large. Moves were often made to call the committee together but, because of the diverse nature of the people on the committee and their busy business and personal lives, it seemed to be very difficult to get the committee together to do any useful work. It was then decided that we should reduce the size of the committee to obtain a more manageable committee.

We are not seeking to solve any problem in this matter, as was implied by the honourable member when he said, "They are seeking to solve the problem." He did not tell us what the problem was, and I am not sure which problem he was referring to, or whether any of the problems that exist in the building industry are, to use that absolute word that he used, "soluble" at all.

A number of representatives of trade unions will be included to ensure that the committee has expertise in the certain building trades. I will ensure that particular trades are represented, rather than particular unions; that is the intention of the Government at this stage.

This is the second time that motions have been moved for the disallowance of these regulations, and the only effect has been that the Government has not proceeded to set up the committee. I hope this will be the last time we hear of this matter so we can set up the committee and receive its recommendations from time to time. Then the Government can consider those recommendations and act on them where appropriate. Where those recommendations involve proposals for changes to the Builders Licensing Act, the operative legislation, the matters will be brought before the House and members will have the opportunity to consider them further.

Mr. EVANS (Fisher): If these regulations stand, I hope the Attorney-General will do what he said he would do and choose people that have expertise in this field. Past practice, in the case of the Builders Licensing Board, shows that he picked a Mrs. Phillips, who said in the press that she had no knowledge or understanding of these matters at all. If that is the sort of thing he will do in the future I will be even more disgusted than I was in the past.

Motion negatived.

PLANNING AND DEVELOPMENT ACT REGULATIONS

Notice of Motion, Other Business, No. 4: Mr. Evans to move:

That the regulation under the Planning and Development Act, 1966-1978 relating to the District Council of Stirling, made on 6 April 1978 and laid on the table of this House on 13 July 1978, be disallowed.

Mr. EVANS (Fisher) moved:

That this Notice of Motion be read and discharged.
Notice of Motion read and discharged.

Notice of Motion, Other Business, No. 5: Mr. Evans to move:

That the regulations under the Planning and Development Act, 1966-1978, relating to the District Council of Stirling, made on 29 June 1978 and laid on the table of this House on 13 July 1978, be disallowed.

Mr. EVANS (Fisher) moved:

That this Notice of Motion be read and discharged.
Notice of Motion read and discharged.

ADOPTION OF CHILDREN ACT REGULATIONS

Notice of Motion, Other Business, No. 8: Mr. Wotton to move:

That the General Regulations under the Adoption of Children Act, 1966-1978, made on 10 August 1978, and laid on the table of this House on 15 August 1978, be disallowed.

Mr. EVANS (Fisher) moved:

That this Notice of Motion be read and discharged.
Notice of Motion read and discharged.

MESSAGE PARLOURS

Notice of Motion, Other Business, No. 15: Mr. Becker to move:

That, in the opinion of this House, a Joint Select Committee be immediately appointed to inquire into:

1. The activities of massage parlours in this State and in particular the following matters:

- (a) To what extent are massage parlours in fact brothels;
- (b) Whether a licensing system to operate health studios should be set up:

- (i) to ensure that proper standards of competence in massage and in hygiene are observed; and
 - (ii) to prevent massage parlours from operating as brothels;
 - (c) To determine the extent of criminal involvement in the operation of massage parlours;
 - (d) All facets of the operation of massage parlours in South Australia;
 - (e) The location, owners, and occupiers of all premises used as massage parlours;
 - (f) Whether a definition apt to the activities can be established so that criteria for the registration of premises and persons can be defined;
 - (g) Whether the State Planning Act and regulations and Local Government Act and regulations and any other Act are satisfactory for the control of such parlours;
 - (h) Any other matters pertaining to the procurement, earnings, soliciting, and employment of persons associated with massage parlours.
2. That all hearings of the Joint Select Committee be open to the public and media and, where deemed necessary, the committee may at its discretion protect the identity of witnesses, and
 3. That the Select Committee recommend necessary legislative action. That a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

Mr. BECKER (Hanson): Because of the action taken by the Hon. Mr. Burdett, M.L.C., and myself and my Party, I regret that, as the Government accepted our suggestion, we can no longer debate this motion. Therefore, I move:

That this Notice of Motion be read and discharged.
Notice of Motion read and discharged.

SELECT COMMITTEE HEARINGS

Mr. GOLDSWORTHY (Kavel): I move:

That in the opinion of this House hearings of Parliamentary Select Committees should be held in public subject to the following provisions:

1. The Select Committee should have the power on its own motion to go into camera at any time.
2. On a witness volunteering to give evidence on the basis that the evidence be given in camera, that wish should be respected.
3. The proceedings of the committee should be reported under the same conditions as presently apply to reports of court and Royal Commission hearings.
4. A list of Select Committee hearings should be published in the daily press as appropriate, for the information of the public.

The Government has paid lip service to the notion that it believes in open government. If one seeks evidence of that assertion it is difficult to find. Evidence that would lead to a contrary conclusion is rather easier to find, because the Government has, in recent weeks, seen fit to suppress a number of reports, notably the third uranium enrichment report. As the Premier explained, it did not conform to the Government policy, so the Government had no option, in its view, but to send it back to the writers for revision. That does not appear to speak very loudly in favour of assertions for open government.

If we believe in open government, this motion must commend itself to the House. There is plenty of other evidence of the secrecy of the Government in seeking to evade questions and not giving members adequate answers

to Questions on Notice. We have further evidence that the Government is paying only lip service to this notion of open government. I hope that this motion will commend itself to the Government, in view of its stated policy that open government is a good thing.

The Premier asserts that the precedent in other States would preclude what is proposed from occurring, and I believe it was in connection with Public Accounts Committee hearings that the Premier asserted elsewhere that these hearings were heard in secret. That is not the case, because the Public Accounts Committee of the Federal Parliament has open hearings. Hearings of the Select Committee can be held, and provision is made for the hearings of the committees of the Senate to be held in public.

I briefly quote from a brochure explaining the operation of Senate Committees, and stating that there are a number of Standing Committees and a number of Special Committees in the nature of Select Committees set up from time to time by the Senate. The brochure states:

Other features include power to appoint sub-committees, to send for persons, papers and records, to meet in public or private sessions, and issue a *Hansard* report of a committee's public proceedings.

For the Government to assert that precedent elsewhere indicates that Parliamentary Committees are secret, is sheer nonsense. Most committees, of the Federal Parliament at least, and certainly of the Senate, have public hearings. Of course, this practice is to the public benefit. The less secretive we can make the affairs of Parliament, the more democratic Parliamentary operations are seen to be, and, in fact, are.

It is fairly obvious that it is desirable that the Select Committee should have power on its own motion to go into camera at any time. As I explained, that is a feature of Senate Committees; they can have public or private hearings. It is also necessary to have some strictures in relation to the hearing of evidence in camera, if witnesses desire it. The same brochure, under the heading, "Protection of witnesses", in relation to the hearings of the Senate Committees, states:

Witnesses are bound to attend to give evidence and to produce relevant documents before any committee authorised by the Senate to send for persons, papers and records, and any neglect is punishable as a contempt of the Senate. However, witnesses are entitled to protection, including:

(i) The Bill of Rights, Article 9 (1688), which provides 'That the freedom of speech, and debates or proceedings in Parliament, ought not to be impeached or questioned in any court or place out of Parliament'; and

(ii) Senate Standing Order 390, which provides that 'All witnesses examined before the Senate, or any committee thereof, are entitled to the protection of the Senate in respect of anything that may be said by them in their evidence'.

Senate Committees take every care to ensure that witnesses receive protection and consideration.

The remaining paragraphs of the motion are self-explanatory. We believe that Select Committee proceedings should be reported. Certain strictures are placed from time to time on reporting hearings of courts and Royal Commissions, but these hearings, except for the Juvenile Court (and we disagree with the Government's policy there) in general are reported in the press because they are matters of public interest. I think that paragraph 3 of this motion is perfectly reasonable.

Finally, we believe that it is desirable that a list of Select Committee hearings should be published so that interested members of the public can attend to see what is going on. The motion is self-explanatory. Despite what the Government says, there is plenty of precedent to indicate

that this procedure occurs in relation to other Parliamentary Committees, which have hearings in public. It is desirable that this be the case if we are to give more than lip service to the notion of open government.

The Hon. D. W. SIMMONS secured the adjournment of the debate.

PUBLIC ACCOUNTS COMMITTEE

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

That in the opinion of this House hearings of the Parliamentary Public Accounts Committee should be held in public, subject to the following provisions:

1. The committee should have the power on its own motion to go into camera at any time.
2. On a witness volunteering to give evidence on the basis that the evidence be given in camera, that wish should be respected.
3. The proceedings of the committee should be reported under the same conditions as presently apply to reports of court and Royal Commission hearings.
4. A notice of the subjects of inquiry be published in the daily press, as appropriate for the information of the public.

I move this motion with similar sentiments to those expressed by the Deputy Leader, in moving the motion relating to Select Committees. Ever since the Public Accounts Committee of this Parliament was first set up, following a long and very spirited advocacy for it by the member for Mallee, it has done a tremendously good job for the Parliament of this State. The reason for setting it up, as I understand it, was to help keep the Government honest. The notion that the Public Accounts Committee can call for all documents and accounts, in relation to any area of Government administration, is one that I am quite certain must have an effect on general accountability and responsibility in Government departments.

There is, in my mind, however, one very grave disadvantage to the present system of the Public Accounts Committee, and I have ventilated this matter at some length in motions on the Budget Bills; it is that the Public Accounts Committee examines expenditure only after it occurs, and sometimes it is much later. At present, the Public Accounts Committee is considering a subject that was first referred to it in December 1976. This is no reflection on the committee, but is perhaps rather more an indication of the thoroughness with which it is doing its job. The inquiry has dragged on, with the committee looking into various matters concerning the provision of food and catering at the Hospitals Department. I think that all members will agree that there is some frustration, a feeling that we are not getting at the basis for the original referral, and that the time is long past where what the committee is doing now can be directly related to the events that took place perhaps even as long as five or six years ago.

There is a real need always to consider what has happened in the past so that we can avoid similar instances in the future, but it seems that the Public Accounts Committee should be given far more power and assistance than it now has. I have already advocated that the committee should consist of three members from each side of the House, and that it should have an independent Chairman who could well be the Auditor-General, as he is an officer of this Parliament, appointed by Parliament.

Mr. Millhouse: What do you mean by that—an officer of this Parliament? He is appointed by the Government, in the same way as anyone else is appointed.

The DEPUTY SPEAKER: Order! I ask the honourable Leader of the Opposition not to take notice of interjections.

Mr. TONKIN: It is extremely difficult not to take notice of that. Is the honourable member suggesting that the Auditor-General is not responsible directly to this Parliament? He reports to this Parliament. I do not know the present Auditor-General, but I knew two of his predecessors who were assiduous in their duties, and who showed no evidence of bias towards the Government of the day. I believe that they did their jobs as one would expect them to do them—independent of Government influence.

The Auditor-General has a staff of well qualified assistants, accountants, and research assistants, who I believe could be of great benefit to the Public Accounts Committee. Whilst I do not know what is going on before that committee at present, and I do not intend to ventilate those matters, there is every evidence that the committee desperately needs help—research help and expert advice—in the investigations it is undertaking. I believe that that could well be supplied from the Auditor-General's Department.

A matter of great concern to me and to every member in this House, as well as to many people in the community, is that we have heard so little from the Public Accounts Committee. We know that it is meeting and considering these matters, and if time is any indication it is considering them in great depth. I look forward to the report, which has been promised many times. When it happens, I believe that we will get a thoroughly good and detailed report, but it would be in the best interests of the community, and certainly of this Parliament, for the proceedings of the Public Accounts Committee to be conducted, as far as possible, in public.

Obviously, on occasions, witnesses being called would ask that their evidence be given in camera and the committee, as the Deputy Leader has said of Select Committees, would give proper consideration to such a request. At least we would have some indication of what progress is being made. There would be every incentive for the Government of the day to provide additional help to the Public Accounts Committee, if needed, to meet a particular situation which was seen to be arising. Most important of all, it would be a matter of an inquiry into the Government's administration of the public purse, being conducted publicly, where it should be conducted.

I make the same point as I have made on other occasions: the money that a Government spends is the taxpayers' money and, just as the board of a company has a responsibility, and a very heavy responsibility, to account to the shareholders for the money it spends, even more so has the Government of the day a responsibility to account for any Government spending to the taxpayers who put the Government in its place.

I would be very interested to hear the point of view of, perhaps, the Chairman of the Public Accounts Committee. No-one would be better qualified to comment on this matter. I believe that the committee has an important role to play in the Parliamentary process and that that role can be strengthened by the giving of more power, by the appointment of an independent Chairman, if necessary, so that not only can the Public Accounts Committee do its job properly, but it can be seen to do its job in the interests of the community and no-one else.

I commend the motion to members. I believe that it is a step forward. It is only one of the matters that should be looked at carefully to improve the workings of the Public Accounts Committee and the general examination by Parliament, and therefore by the people, of the

administration of the Government. The Government tends to forget that it is responsible to the people, through Parliament. The people should have far more say than they have now, and at least they should be able to see that their affairs are being monitored in the way in which they would wish them to be.

The Hon. D. W. SIMMONS secured the adjournment of the debate.

PLANNING AND DEVELOPMENT ACT

Adjourned debate on motion of Dr. Eastick:

That the regulations under the Planning and Development Act, 1929-1976, relating to rural land, made on 6 April 1978 and laid on the table of this House on 13 July 1978, be disallowed.

(Continued from 11 October. Page 1381.)

Mr. EVANS (Fisher): Although I had intended to speak to this motion, a Bill now before the House relates to a similar matter and involves a proposal by the Minister to take some action regarding the Planning and Development Act.

Mr. Millhouse: There's nothing on—

Mr. EVANS: I can understand why the member for Mitcham would not know, but it is nice that he is here at times and realises that there is something on the the Notice Paper. The latest Hart Report, which has been tabled, gives members an opportunity to look at Mr. Hart's recommendations in relation to planning and development in this State. Having read it for the first time, I am not opposed to some of its suggestions. I can see that the Government philosophy has had some effect on what has been reported, but I believe that, at a later date, there will be an opportunity to debate matters relating to the Planning and Development Act. The Government will need to rewrite the Act. I support the motion.

Dr. EASTICK (Light): This matter is one which has been before the House on previous occasions, and the point has been made that the continuing attitude of the Government in returning the measure to the House clearly reflects its failure to come to terms with the difficult problem of determining what is a viable rural area. I make no apology for having raised the matter again, because I believe that the Government needed to take some positive action. As a result of the introduction of the measure, we have before the House the Planning and Development Act Amendment Bill (No. 53 on members' files), which will overcome a number of the difficulties of which I spoke in introducing the motion.

The Minister saw fit, in speaking to this motion, to cite activities in the Kingscote and Strathalbyn district council areas, and to suggest that the matter was brought into the open specifically at the request of the Kingscote District Council, and that it was in real difficulties. This information appears in *Hansard* of 11 October, at pages 1379-81. The member for Alexandra, who represents the area, particularly the Kingscote area, was able to obtain a statement from the District Clerk of the Kingscote District Council. Dated 12 October, it states:

The developers have offered to have roads constructed in the area at their expense, and they have also offered to make three separate reserve areas available to council for use by the general public when access is provided. Council appreciates the co-operation received in this particular instance.

I read that because the reflection made by the Minister in

introducing this motion was to the effect that he had taken action specifically for the District Council of Kingscote, but the council refutes that accusation by the Minister. Other members will undoubtedly have something to say on a later occasion about the Strathalbyn situation. I am pleased that the report by Mr. Hart is now available. I refer to the summary which accompanied the report, and the recommendations under the heading "Requirements of control", which states:

The administrative requirements to be fulfilled when controlling private development are: simplicity, speedy decisions, minimum cost, capable of review, flexibility, certainty, minimum restriction, public involvement, fairness, and representative administration. Some of these requirements can only be fulfilled at the expense of others. At present priority should be given to simpler controls and speedier decisions.

Never was a truer word spoken than that comment and more specifically the reference to simpler controls and speedier decisions.

Regulation 70(a) has been constantly before the Appeal Board because of the impossibility (I do not say the difficulty) of the planning personnel understanding its implications. There is need for greater simplicity, and there is a great need for speedier decisions. Speedier decisions in this whole area are necessary if we are to cut the costs to young people seeking to build their first house, because the escalation which has taken place when some of these decisions have taken up to 18 months to reach has been a real financial burden on the person waiting for the title to issue or waiting for approval to be given. I ask members to support the motion.

The House divided on the motion:

Ayes (18)—Mrs. Adamson, Messrs. Allison, Becker, Blacker, Dean Brown, Chapman, Eastick (teller), Evans, Goldsworthy, Gunn, Mathwin, Nankivell, Rodda, Russack, Tonkin, Venning, Wilson, and Wotton.

Noes (25)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan, Groom, Groth, Harrison, Hemmings, Hopgood, Hudson (teller), Keneally, Klunder, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Pair—Aye—Mr. Arnold. No—Mr. Dunstan.

Majority of 7 for the Noes.

Motion thus negated.

GRANTS FOR SPORT

Adjourned debate on motion of Mr. Slater:

That this House condemns the Federal Government for its meagre allocation to sport in the 1978 Budget and supports the Australian Sports Confederation in its open letter to the Prime Minister criticising the allocation.

(Continued from 18 October. Page 1510.)

Mr. EVANS (Fisher): The motion tries to attack the Federal Government on its allocation to sport. I will quote the reply I received from the Premier regarding a sports lottery, so that the member who introduced the motion will realise that his own Premier does not give the sporting community much encouragement when it comes to seeking permission to be given the opportunity to conduct its own lottery. The State Government rejects that concept. Only yesterday I received the following reply from the Premier:

The Government considers that a national lottery for Australian sporting purposes would have an adverse effect on

lotteries conducted by the Lotteries Commission of South Australia with a resultant decrease in the amounts transferred in any given period of time to the Hospitals Fund. That is only an opinion by the Premier's Department or himself; no-one can really say how much effect it would have. I believe there are people in the community who would readily buy a ticket in a national sports lottery who would not necessarily spend the equivalent sum on a State lottery. Some people would be prepared to support sport, particularly Olympic sports, if the sporting groups themselves wanted to initiate a programme to help themselves. We should be trying to encourage people to help themselves, and they should be given an opportunity to do so. If the laws need to be changed so that they can do so, we should change the law. If there is an adverse effect on any charity or on the State lottery we can then look at the problem.

The Liberal Party is prepared to give sporting groups that opportunity. More particularly, I say that the honourable member was not fair in his comments about how much the Federal Government provides for sport. If he had looked (and I am sure he has and is aware of it), he would have seen that the Federal Government has made available not \$1 300 000 for sport but \$2 500 000 and has guaranteed that amount for the next three years making a total of \$10 000 000, so that the games can be held in Brisbane in 1982. That is a direct grant of \$10 000 000, and it is guaranteed. The honourable member had the opportunity to be more honest in his comments and to cover all aspects of the matter.

Last evening I met a representative from the U.S.S.R. Olympic Committee who is in Adelaide. He is here to speak to people associated with sport and to assess the attitude of other countries in many ways, not just towards sport. When the member for Gilles speaks of the amount of support we should give sporting groups one must compare it to the support given in a country like Russia, with whom we are competing, where there are 16 000 000 people on the sports programme (more than the total population of Australia), and where 50 000 people are taken into the training programme for the Olympics. That gives some idea of the amount of money that that country pours into sport. At the same time the honourable member would have to admit that living standards in that country, such as the standard of housing, are lower than ours. If the honourable member wants these standards in Australia to be lowered so that more money can be given to sport, let him say so.

I said last week that the Federal Government had a duty to balance its Budget. The State Governments have, in the main, the responsibility of looking after sport within the States and of encouraging sport and providing as many facilities for it as possible. We have the opportunity to establish a major sports stadium here. A feasibility study is available, but the Premier has put that last of three priorities out of a convention centre, an exhibition centre and a sports centre. That shows the priority the Government places on sport. The Premier places art, culture and the theatre very much higher than sporting interests, yet more people participate in the sports and recreation areas (and I am talking of physical recreation) than in the cultural fields. The Liberal Party does not give it that priority.

The State Government's record regarding sport is not good. Because I understand the Federal Government's problem of having major deficits, I believe sporting groups would welcome the opportunity, if this State Government came out and said that it would agree to their running a national lottery for two years, to ascertain what effect it has on our State lotteries and other lotteries, thus giving

them the opportunity to do something for themselves. If the Government does that, it will be taking the first step along the path to doing the right thing. All Governments have difficulty in arriving at priorities, and most of them put sport at the bottom end of those priorities.

The news media places Olympic sports at the bottom end of the publicity ladder, particularly athletics, volleyball and other Olympic sports. Except for one or two sports that have some following, the press, television and radio in the main put those sports at the bottom of the ladder. The sports that get the major publicity are those that have gambling facilities. I am not sure whether gambling is a sport or whether competition is a sport, or whether they are an industry. I respect the role those bodies play, as they are an important part of the State's economy, but I think they are more an industry than a sport.

I think that the news and other media have let the Olympic sporting groups down. They are happy to pick up the glamour and glory at the time of the Olympic Games and give them all the promotion possible, but when those people need support during the early stages of developing their programmes for the four-year period leading up to the Olympic Games they get little coverage. That is one area in which we can give moral support and encouragement to those competing.

Our society, through its sporting efforts in recent years, may be reflecting an inherent problem that we have. We have not been able to apply ourselves in attempting to be productive in effort, whether it be in work effort or sporting effort. Maybe there are a few dedicated people in these areas, but many are mediocre in their approach to sport, except in the professional field, which does not cover the Olympics and where the sportsmen are not professionals.

I think many coaches in the sporting area would say that the attitude of the Australian people has changed, and money will not necessarily change attitudes. Proof of that is that in 1956 we ran third in the Olympics after having spent virtually no money on training. We are now thirty-second yet we have been spending money on sport, so we cannot argue that money is the sole solution. I do not support the motion condemning the Federal Government. The Federal Government has done what it can do, and the State Government can do more by agreeing to a national sports lottery. I challenge the Government to do that.

Mr. SLATER (Gilles): The member for Fisher gave no reason why the Federal Government should not be condemned for the 1977 Budget allocation to sport. I am well aware that Mr. Newman is not now the Minister for Environment, Housing and Community Development, but it is difficult to keep up with the changes in portfolios in the Federal Parliament because of a number of circumstances that have occurred in the past 12 months. I used the words "the then Federal Minister". I was referring to November 1977, when Mr. Newman was the Minister in charge of that portfolio and addressed the 1977 Annual General Meeting of the Australian Sports Confederation, promising it things that were not fulfilled in the 1978 Budget. I made the point that it was just prior to the 1977 Federal election and that I thought the Minister was playing politics with the sporting fraternity of Australia. The member for Fisher made great play about the fact that the reply of the Premier to his question about a sports lottery did not support the proposition that we should have a national lottery for the support of sport. The honourable member conveniently read only a section of the reply and did not mention the part where the Premier said:

The justification for using State revenue source to finance an area of Commonwealth Government responsibility is not readily apparent.

I support those remarks. The Premier also said that the advent of a national lottery would have an effect on the State Lotteries Commission and also on local sporting clubs, so we would be taking it away with one hand and trying to retrieve it with the other.

A national sports lottery would not generally assist the sporting fraternity of Australia. We want the Commonwealth Government to play its part by providing a reasonable allocation to sport. It is true, as the member for Fisher has said, that most Governments allocate to sport a very low priority. There are a number of reasons for this, for example, priorities set by the Government. However, it would seem that the Federal Government has relegated sport to last position in the 1978-79 Federal Budget.

The Federal Government should be condemned for its allocation to sport in the 1978-79 Budget, because we should not be thinking of sport only at Olympic or at top level. We are looking for people to participate, whether they are mediocre competitors or simply participating for the sake of sport.

The "Life. Be in It" programme began in Victoria, and I give credit to the Minister of Sport in that State for initiating that programme, and I commend other States for taking up that initiative. That programme allows people to participate not necessarily in sport but in physical activity. As I have said before, one is synonymous with the other.

The Federal Government has not faced its responsibilities in regard to the allocation for sport, and I ask for the support of members of this House in condemning that allocation.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

In Committee.

(Continued from 18 October. Page 1515.)

New clause 3—"Minimum rates."

New clause inserted.

New clause 4—"Minimum rates."

The Hon. G. T. VIRGO (Minister of Local Government): I move to insert the following new clause:

4. Section 233a of the principal Act is amended by striking out subsection (1b) and inserting in lieu thereof the following subsection:

(1b) A council shall not, in fixing a minimum amount under this section, have regard to any special or separate rates that may be payable in respect of any ratable properties within the area.

This amendment attempts to overcome the difficulty which presently applies in dealing with the question of the minimum rate payable, particularly where there are effluent schemes. The Act at present presents some difficulties to country councils engaged with effluent drainage schemes. Indeed, more and more councils are becoming concerned, because it has been a policy of the Government to persuade and support councils in that way. This new clause, and one or two others, overcomes some of the anomalies that presently exist in the fixation of that rate.

Mr. RUSSACK: Can the Minister explain this amendment more fully? Does this new clause, which deals with district councils (the previous one dealt with municipalities), mean that there has been difficulty with some councils in fixing a minimum rate because of separate and special rates forcing up the minimum rate?

Will this allow councils to have a minimum rate, and another rate for an effluent scheme?

The Hon. G. T. VIRGO: A minimum rate for the effluent scheme. The purpose is to deal with the minimum rate as it applies to the effluent scheme, but also to take into account the particular nature of the properties concerned. For instance, where properties are not directly connected to the scheme, such as vacant blocks of land or other buildings, the minimum rate need not necessarily be applied.

New clause inserted.

New clause 5—"Submission of scheme."

The Hon. G. T. VIRGO: I move to insert the following new clause:

5. Section 384 of the principal Act is amended—

(a) by inserting in subsection (1a) after the passage "under this or any other Act" the passage "and any other function carried out by a council in, or incidental to, the administration of its affairs,";

(b) by striking out paragraphs (d), (e) and (f) of subsection (2);

(c) by striking out from subsection (2) the passage "and shall be accompanied by a plan and specifications of the works and undertaking included in the scheme"; and

(d) by inserting after subclause (2) the following subsection:—

(3) The scheme shall be accompanied—

(a) by a copy of the proposed rules of the controlling authority; and

(b) where the proposed works or undertakings consist of the construction or alteration of any structure, by a copy of the plans and specifications therefor.

This is simply consequential on the other amendment; it is all part of the provision relating to effluent schemes.

Mr. RUSSACK: This new clause refers to section 384, which is under Part XIX. That Part is headed "Works and undertakings carried out by councils jointly", and it mentions the controlling authorities. It would have far wider scope than just effluent schemes, so does it relate just to effluent schemes, or does this new clause cover works and undertakings jointly by councils over a number of works?

The Hon. G. T. VIRGO: To enable me to get further information, I ask that progress be reported.

Progress reported; Committee to sit again.

PRAWN FISHING REGULATIONS

Adjourned debate on motion of Mr. Chapman:

That regulations under the Fisheries Act, 1971-1976, relating to fees for prawn fishermen, made on 21 September 1978 and laid on the table of this House on 26 September 1978, be disallowed.

(Continued from 27 September. Page 1215.)

Mr. CHAPMAN (Alexandra): The Opposition does not intend to proceed with further debate on this matter, because the regulations as tabled in the House have been withdrawn and replaced with a schedule of the regulations setting out a schedule of fees that are acceptable to the industry and to the Opposition. Before calling on the House to have that motion read and discharged, I simply state that the results sought by the Opposition in conjunction with the fishing industry have been totally resolved, in that the new regulation fees are based on a percentage of production returns. That was the formula

and the basis on which we sought the regulations to be fixed at the outset of the discussions and arguments about this subject.

It was rather disappointing to note that, after the final discussions between the industry representatives and the Premier, the Minister on 6 October was reported to have claimed still that the fees were not fixed on the basis of a percentage of the catch and that future fees would be considered by the department and may involve a formula not necessarily based on productivity. Although the Minister's statement on that occasion was extremely disappointing and a failure to acknowledge absolute defeat, the results were in the pudding; the industry and the Opposition are happy about the outcome.

Motion negatived.

MASSAGE PARLOURS

Order of the Day, Other Business, No. 6: consideration of message No. 8 from the Legislative Council.

Mr. EVANS (Fisher) moved:

That this Order of the Day be read and discharged.
Order of the Day read and discharged.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 18 October. Page 1523.)

Mr. McRAE (Playford): When I first spoke on this matter, I made the main thrust of my remarks that the Labor Government over the past three years has tried time and again to get much needed improvements into the Workmen's Compensation Act to cover quite glaring evils in the industrial field, but on every occasion we have been frustrated by the Legislative Council, urged on, in many respects, by the member for Davenport.

By complete coincidence, yesterday a very well respected solicitor practising in the city called to see me and produced two files, each of which highlights one of the evils to which I referred last week. I am not permitted, at least at this stage, to disclose the names of the people involved in either case. They probably would not be in the least worried if I did, but professional etiquette prevents me from doing so unless I have their direct and unequivocal assurance on the matter. However, I think that I can properly refer to the circumstances of each of these cases without in any way identifying the employees involved.

The first is the grossest case and highlights one of the worst evils. This was the situation: a workman was employed in heavy industry. It was the sort of industry that requires extreme care on the employer's part to avoid injury to his workmen. During this man's employment (and I am sorry that the story loses something in the telling because of the restrictions on me), through what was clearly the negligence of the employer, he was struck in the eye by an object and lost about 50 per cent vision in it. Certainly, even if a case for negligence could not be made out, there would be an obvious claim under the Workmen's Compensation Act, but the employer was not insured.

Members will know that in respect of other areas in which insurance is compulsory, such as motor vehicle insurance, there is a pool system, and, if the person who is negligent is not insured, the insurers in the system meet

the loss of the plaintiff, but that has never been the case in the history of the Workmen's Compensation Act.

It is a glaring omission. Some two years ago the Government reached a viable pool arrangement, put it into statutory form and got general agreement, as I understand it, among industry and among insurers in the classes involved. If this legislation had been passed, therefore, two years ago, or, on the last occasion, a year ago, this workman would not have been in the least dismayed. The mere fact that, through no fault of his own, the employer was not insured, would simply have been a technical difficulty. He could have sued the pool, the nominal defendant or whatever name we were going to give to that authority, and, in turn, that authority could sue the recalcitrant employer, but that is not the case.

When the solicitor approached the employer to say that he was most distressed to learn that no insurance policy was held, the employer immediately countered by saying that not only was that the case but that if any direct action was taken against the company, of which he was the manager, since the company was simply a company of straw, he would put it into liquidation. That, by the way, is an interesting reflection on the business morality of some people in industry. This employer, in a cost-saving device, had deliberately not taken out workmen's compensation insurance in respect of the company's employees. When confronted with a clear obligation on the company's part, he threatened simply to wind it up and get rid of it.

It is because of the blind, obstinate determination of people like the member for Davenport, and many of his colleagues in the Upper House, that this man has been so unjustly deprived of his rights. It is an intolerable, evil and wicked thing that this should have occurred. Remarkably, the very next file that the solicitor handed me dealt with yet another evil that the Government had endeavoured to correct. I will try to explain this to honourable members.

The workman in question had suffered an injury in 1976, and he had suffered either a recurrence of the same injury or a new injury in about the same area of the body in 1978. Again, because of etiquette problems, the story loses something in the telling, but I can assure members that everything I say comes directly from the files and on the assurance of this quite eminently respectable practitioner. The medical practitioner who looked at the workman said that clearly the man had been injured in 1976, that again, equally clearly, he had been injured in 1978, but that, in medical terms, it was difficult to apportion what part of the overall disability could be related to the 1976 accident as against the 1978 accident.

What occurred then again highlights this very wicked situation that has been caused by the member for Davenport and his colleagues. The solicitor went to each of the insurance companies, and each denied any liability. In the meantime, the employer, another company, much to its credit, had been making weekly payments, but when it heard that each of the insuring authorities denied liability because of the apportionment argument, not unremarkably it stopped the weekly payments. The client of the solicitor at that stage had to go to his bank and ask for an overdraft. He was not entitled to unemployment relief of any sort, at least not for some time. The bank gave him an overdraft.

The matter dragged on for some weeks, and the case came before Magistrate Di Fazio, in the Industrial Court, who said, quite properly, that he was not concerned with insurance wrangles but with the liability of the employer, and he ordered, on the medical evidence before him, that the payments should continue. The difficulty was that at that stage this company—and I have been struggling not to identify any of the parties—quite unlike the first case,

where it was a person who had acted in a despicable manner, had tried very hard to act responsibly and morally, but it could go no further. It told the solicitor that it could not go on paying in that way and, if it did, it would be forced to wind up. It was not a threat, as in the first case, but a statement.

The employer tried to demonstrate his good faith by employing yet another solicitor to take out a writ in the Supreme Court seeking a declaration as to which insurer might be responsible. At that point, I learnt that the second insurer was the State Government Insurance Commission. I immediately rang the commission and, although I have not got complete confirmation of its attitude, I think it will acknowledge responsibility as the second insurer, pay the man out, thus extricating him from his difficulties, and sue the other company involved, thus eradicating all the court actions except those between the insurance companies. Had that not been the case, the workman would have been in an impossible situation, not of his own making, simply because the member for Davenport and his colleagues in the Upper House have consistently, over the past two years, refused to listen to any reason.

I am very conscious that this is private members' day and that many matters have to be discharged this afternoon, so I should abbreviate my remarks. As I indicated last week, I support the amendments made by the Minister. I hope very much that the member for Davenport, on this occasion, will demonstrate more responsibility than he has demonstrated in the past. I certainly hope that his colleagues in the Upper House may adopt the same attitude, although I must say that, if the honourable member follows his usual course of conduct, I cannot be terribly optimistic. However, I am a super optimist by nature, and I hope that even the member for Davenport, if he gives some consideration to the matter and talks with some of his associates in industry, if he has any left, and talks with some legal practitioners, may accept some of the truth of what I have said and some of the examples I have given, and may change his attitude.

Mr. DEAN BROWN (Davenport): I wish to take up some of the comments and remarks made by the Minister and by the member for Playford. I shall do this briefly, this being the last day for private members' business. The Minister made the point that I have said several things which were blatantly untrue. Unfortunately, the Minister blustered and flustered a great deal and did not check the facts, and consequently made a fool of himself in making such statements. It was not my statements that were untrue, but those of the Minister. Either he or his staff were so incompetent that they could not check the details.

I said from the very beginning that I was introducing four amendments and that they had been accepted on previous occasions by the Government. The Minister claimed that two of the amendments had never been included in a Liberal Party private member's Bill. Those were his words. I take up the first point, which relates to journeys, and I ask the Minister to refer to clause 4 of the Bill introduced in another place by the Hon. Don Laidlaw, and introduced into this place by me well before the Government introduced its Bill to amend the Act in 1976. The Minister will see clearly in clause 4 the section I took out included in the Bill. I prepared the Bill, and I physically cut out the relevant clause of the Hon. Don Laidlaw's Bill and included it in this Bill.

The second provision was the holidays provision, again referred to by the Minister, and again I refer him to clauses 9 and 14 of the Hon. Don Laidlaw's Bill introduced in the other place and by me in this place. Those are two

classic examples. They were taken from a Liberal Party Bill and adopted by the Government.

I go back to the whole basis of introducing this Bill. After the tenor of the speech I gave in this House in introducing it, I was gravely disappointed to hear the Minister and the member for Playford trying to score political capital and turning it into a political issue. In introducing the Bill, I pointed out that there were fundamental differences between the two Parties, and that I was not going to touch on those areas. For too long this State has suffered because of the fundamental differences between the two Parties and the fact that we have not been able to reach agreement on workmen's compensation. I went specifically to the four areas where previously there had been agreement between the two Parties, and I took up those four areas.

I did not wish to introduce into this Bill any area where I knew there would be disagreement between the two Parties. The issue was far too important to be allowed to bog down in petty political debate and argument over areas where we knew there was the difference. I took just four areas where the Government had agreed previously to the provisions. I put in the fifth and by far the most important provision, which is the one on hearing loss, and I said, when introducing the Bill, that I was prepared to allow all the other amendments to go, provided the amendment on hearing loss went through.

What sort of response have we had from the Government? It has introduced a whole new batch of amendments, which are on file, and which I cannot discuss, and it has thrown the whole issue of workmen's compensation back into the political arena, to drag it down once again, knowing there is no chance of an agreement being reached between the two Parties. The Government has set out deliberately to sabotage this private member's Bill. The Bill will not fail in another place, but it will fail in getting back to this place. The Minister deliberately held it up until the second to last day of private members' time. It will fail because any amendment made by the Upper House will not have a chance to come back to the Lower House. That is a shame.

I had an undertaking from the Minister that the matter would go through several weeks ago. I understand that he had technical problems, and I accept that. However, I am disappointed that, despite the goodwill with which I introduced the Bill, I have met with this response. The second reading explanation contained not one criticism of the Government. I went through it carefully to make sure that it could not be seen in any way as criticising the Government.

Despite that goodwill and the fact that I held out the olive branch, the Minister and the member for Playford snatched the olive branch and started to beat the Liberal Party over the head, making it a political issue. I am disappointed, and I am sure that the many people in South Australia who cannot get jobs because they have an existing hearing loss will be equally bitterly disappointed. I have presented into this House petitions which urge the House to consider the amendments on the hearing loss and to pass them as quickly as possible. Members know the hardship that has been caused to the many tradesmen who are skilled and want to work but cannot get jobs because they have an existing hearing loss. Despite the hardship, despite the letter I introduced from the President of the association of the parents of hearing-impaired children, and despite the pleas that have been made by various speech and hearing centres, the Government has rejected those approaches and tried to score one or two cheap political points. I am disgusted.

I believe that the only alternative open to the House

now is simply to reject all amendments except the hearing loss amendment. I plead with the Minister to reject all other amendments (his and mine) and ensure that the only amendment that passes this House is the hearing loss amendment which is apparently the only area in which some agreement can be reached, and let us ensure that it reaches the Upper House so that that House is in a position where it does not have to amend the Bill again and there is no need for it to come back here, thus being defeated automatically—because there is no further private members' time. I am in the unique position of being prepared to vote against the first four provisions in the Bill in the hope that the Government will vote against all of its amendments and in the hope that the one important hearing loss section will pass through this House. That is the part that needs to be saved this afternoon.

The Hon. J. D. Wright: Whose fault is it?

Mr. DEAN BROWN: I am even prepared to have the Minister's hearing loss section put through to the Upper House. He has the numbers.

The Hon. J. D. Wright: Just vote for it and it will get through.

Mr. DEAN BROWN: Well, at the same time the Minister must appreciate there is no point in throwing all his other amendments in because that would completely bog down the issue. The response of the Government has been disappointing to say the least. I believe its tactics are shabby and not in the best interests of people who cannot get jobs in this State. The onus for the failure of some amendment to the hearing loss section of the Act, if it fails to get through, must lie squarely on the shoulders of the Minister and his Government.

Bill read a second time.

The Hon. J. D. WRIGHT (Minister of Labour and Industry) moved:

That it be an instruction of the Committee of the whole House on the Bill that it have power to consider new clauses substituting the word "worker" for the word "workman"; relating to notice of injury; certain payments; absences from employment; compensation payable; remedies against employer and stranger; injuries to persons employed on South Australian ships; injuries, the result of a gradual process; and repealing sections 22 and 73.

Mr. DEAN BROWN (Davenport): I oppose this motion because it is an attempt to defeat this Bill. The Minister knows why this Bill was introduced into the House. I specifically requested that no new material be introduced because there may be areas of difference between the two Parties, and I did not want the Bill to get bogged down on side issues. The Bill was to tackle the one principal issue of hearing loss. I oppose the motion. The Minister can still move his hearing loss amendment, without this motion. I will accept that. If the Minister wants to get his hearing loss provision through he can do so without this motion being passed. I oppose this motion because it is a crude attempt to defeat the Bill.

Motion carried.

Clause 1—"Short title."

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I have just been advised that the member for Davenport is prepared to allow the amendments to go through without lengthy debate.

Mr. DEAN BROWN: I meant we will have to consider the different amendments and we will call them on, but I do not intend to debate each one at length.

The Hon. J. D. WRIGHT moved:

Page 1, lines 7 and 8—Leave out all words in these lines. Amendment carried; clause as amended passed.

Clause 2 passed.

New clauses 2a and 2b.

The Hon. J. D. WRIGHT moved:

Page 1, after line 9—Insert new clauses as follows:

2a. Section 1 of the principal Act is repealed and the following section is enacted and inserted in its place:

1. This Act may be cited as the "Workers Compensation Act, 1971-1978".

2b. The principal Act is amended—

(a) by striking out the word "workman's" wherever it occurs and inserting in lieu thereof, in each case, the word "worker";

(b) by striking out the word "workman's" wherever it occurs and inserting in lieu thereof, in each case, the word "worker's"; and

(c) by striking out the word "workmen" wherever it occurs and inserting in lieu thereof, in each case, the word "workers".

New clauses inserted.

Clause 3—"Liability of employers to compensate workmen for injuries."

The Hon. J. D. WRIGHT moved:

Page 1, line 17—Leave out "workman" and insert "worker".

Page 2, line 9—Leave out "workman" and insert "worker".

Amendments carried; clause as amended passed.

New clauses 3a and 3b.

The Hon. J. D. WRIGHT moved:

Page 2—After line 10, insert new clauses as follows:

3a. Section 22 of the principal Act is repealed.

3b. Section 27 of the principal Act is amended—

(a) by inserting after subsection (1) the following subsection:

(1a) Where an injury—

(a) consists of a gradual deterioration of physical or mental faculties;

or

(b) is a disease contracted by a gradual process,

proceedings for the recovery of compensation under this Act in respect of the injury may be maintained where—

(c) notice of the injury was given as soon as practicable after it became apparent to the worker or his personal representative that the injury arose out of or in the course of employment;

and

(d) the claim for compensation with respect to the injury was made within six months of the date of the notice.;

(b) by inserting in paragraph (a) of subsection (2) after the passage "subsection (1)" the passage "or subsection (1a)";

and

(c) by inserting in paragraph (b) of subsection (2) after the passage "paragraph (b) of subsection (1)" the passage "or paragraph (d) of subsection (1a)".

New clauses inserted.

Clause 4—"Copies of medical reports to be furnished to other party."

The Hon. J. D. WRIGHT moved:

Page 2, line 15—Leave out "workman" and insert "worker".

Page 2, line 20—Leave out "in relation to that workman" and insert "relevant to the medical condition to which the

evidence relates”.

Amendments carried; clause as amended passed.

Clause 5—“Unlawful discontinuance of weekly payments.”

The Hon. J. D. WRIGHT: I oppose this clause.

Clause negatived.

New clause 5a.

The Hon. J. D. WRIGHT moved:

Page 3, after line 22—Insert new clause as follows:

5a. Section 53 of the principal Act is amended—

(a) By striking out paragraphs (a) and (b) of subsection (3) and inserting in lieu thereof the following paragraphs:

(a) dismiss or, upon such terms as it thinks fit, adjourn, the application;

(b) if it considers that a genuine dispute exists concerning the liability of the employer to pay any compensation under this Act, order that this section shall not apply in relation to the compensation; or

(c) if it considers that a genuine dispute exists concerning the liability of the employer to pay compensation under this Act in respect of any portion of the period for which the worker asserts that he is entitled to compensation, order that this section shall not apply in relation to the compensation in respect of that portion;

(b) by inserting after subsection (3) the following subsection:

(3aa) Where, upon the hearing of an application under subsection (2) of this section, the court considers that there is not a genuine dispute in relation to the compensation in respect of the whole of the period for which the worker asserts that he is entitled to compensation, this section shall apply, with such modifications as the court thinks fit and specifies by order, but no modification of the application of this section shall render a penalty amount payable under this section in respect of any period during which the operation of subsection (1) of this section was, pursuant to subsection (2) of this section, suspended; and

(c) by inserting after subsection (6) the following subsection:

(7) Where the period of fourteen days referred to in this section includes in a particular case a public holiday (not being a Sunday), that period shall be extended by a number of days equal to the number of public holidays (not being Sundays) included in that period.

New clause inserted.

Clause 6 passed.

New clauses 6a to 6d:

The Hon. J. D. WRIGHT moved:

Page 3, after line 24—Insert new clauses as follows:

6a. Section 55 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:

(1) For the purposes of this Act—

(a) the making of a weekly payment referred to in this Part;

(b) the payment by an employer of any fees for medical services, hospital services, nursing services, constant attendance services, rehabilitation services or ambulance services as defined in section 59 of this Act; or

(c) the payment by an employer of the cost of repairing or replacing damaged clothing, personal effects or tools of trade,

does not constitute an admission of liability to pay compensation under this Act.

6b. Section 65 of the principal Act is amended by striking out the word “temporarily”.

6c. Section 66 of the principal Act is repealed and the following section is enacted and inserted in its place:

66. (1) Where—

(a) the entitlement of a worker to annual leave, or payment in lieu of annual leave, is governed by an industrial award made under the law of the Commonwealth or of a State or Territory of the Commonwealth (not being this State);

(b) the worker is absent from his employment due to an injury in respect of which compensation has been paid, or is payable under this Act; and

(c) the period of the absence is not taken into account as service for the purpose of calculating the worker's entitlement to annual leave, or payment in lieu of annual leave,

the worker is entitled, by way of compensation under this Act (in addition to any other compensation to which he may be entitled) to the monetary value of the annual leave that would have accrued to the worker if he had not been absent from his employment.

(2) Any compensation payable under this section shall be paid when the annual leave, or the payment in lieu thereof, would (assuming that the worker had not been absent from his employment) have been granted or made.

6d. Section 73 of the principal Act is repealed.

New clauses inserted.

Clause 7—“Compensation for noise-induced hearing loss.”

The Hon. J. D. WRIGHT moved:

Page 3, lines 26 to 46—

Page 4, lines 1 to 24—

Leave out all words in these lines and insert:

74. Where an employer—

(a) employs a worker in employment that commences after the commencement of the Workmen's Compensation Act Amendment Act, 1978;

(b) causes the extent of any noise-induced hearing loss suffered by the worker to be determined by examination by a person holding prescribed qualifications within the period of two months (or, if the court is satisfied that reasonable cause exists, within such greater period as is fixed by the court) after the commencement of that employment; and

(c) supplies or causes to be supplied to the worker a copy of a report by that person upon the extent of such hearing loss forthwith after his receipt thereof,

the compensation payable under section 69 of this Act by the employer in respect of any noise-induced hearing loss of the worker shall be the percentage of the compensation payable under that section for total loss of hearing equal to the noise-induced hearing loss of the worker arising out of or in the course of that employment expressed as a percentage of full efficient use of hearing.

Clause as amended passed.

New clauses 7a to 7d.

The Hon. J. D. WRIGHT moved:

Page 4, after line 24—Insert new clauses as follows:

7a. Section 84 of the principal Act is amended—

(a) by inserting in paragraph (d) before the word “entitled” the passage “or was”; and

(b) by striking out from paragraph (d) the passage “for which the third party is still liable” and inserting in lieu thereof the passage “to which

the worker is or was entitled but has not received”.

7b. Section 88 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:

(1) This Act applies in respect of an injury arising out of or in the course of the employment of a worker on a South Australian ship where that injury occurs within the State or within the jurisdiction of the State.

7c. Section 90 of the principal Act is repealed and the following section is enacted and inserted in its place:

90. (1) Subject to section 74 of this Act, where an injury—

(a) consists of a gradual deterioration of physical or mental faculties; or

(b) is a disease contracted by a gradual process, compensation under this Act shall be payable by the employer whose employment last contributed to the injury as if the injury had arisen entirely out of, or in the course of, that employment at the time at which that employment last contributed to the injury.

(2) Subject to section 74 of this Act, an employer who at any time during the period of fifteen years immediately preceding the time at which employment last contributed to an injury referred to in subsection (1) of this section employed the worker in employment that also contributed to the injury, shall be liable to make to an employer referred to in that subsection such contribution as may be determined by agreement or, in default of agreement, by the court.

(3) Subject to subsection (4) of this section, where—

(a) an injury arose out of, or in the course of, employment; and

(b) an exacerbation of the injury arose out of, or in the course of, subsequent employment,

this section does not affect the liability of the former employer to pay compensation under this Act (except to the extent that the employer has satisfied, or is liable to satisfy, that liability by the payment of contributions under subsection (2) of this section).

(4) Where—

(a) an injury arose out of, or in the course of, employment;

(b) an exacerbation of the injury arose out of or in the course of subsequent employment; and

(c) the worker proceeds against the former employer for compensation under this Act,

subsections (1) and (2) of this section shall apply as if that former employer were the employer whose employment last contributed to the injury, but in determining the extent of that employer's liability any exacerbation of the injury attributable to subsequent employment of the worker shall be disregarded.

(5) This section applies to an injury whether occurring before or after, or partially before and partially after, the commencement of the Workmen's Compensation Act Amendment Act, 1978.

7d. Section 93 of the principal Act is amended by striking out the passage “the employment to the nature of which the disease was due” and inserting in lieu thereof the passage “employment that contributed to the injury”.

New clauses inserted.

Clause 8 and title passed.

Bill recommitted.

Clause 8—“Operation”—reconsidered.

The Hon. J. D. WRIGHT: I oppose clause 8. It is considered that wherever special provisions relating to the date of operation are appropriate they should be incorporated in the wording of the relevant section. There seems to be no reason to depart from the normal practice

relating to the date of operation.

Clause negated.

Mr. DEAN BROWN (Davenport): I move:

That this Bill be now read a third time.

I am disappointed because I believe that this Bill will now go to the Upper House, be amended and, because private members' time expires in this House this afternoon, it will automatically be defeated.

The Hon. J. D. Wright: Why?

Mr. DEAN BROWN: If there are further amendments by the other place they cannot be considered by this place. I am sure the Minister knows that and that this is a carefully worked out scheme so that the Government can defeat this Bill.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I think there ought to be a complete denial of the last comments made by the member for Davenport. The Government is sincere in relation to amending this legislation. The honourable member accused me earlier of breaking my word on this matter. I told him some weeks ago that he would get the opportunity of debating this Bill, and that I and the Government wanted the Bill passed. It is not my fault that the matter came on on the last day of private members' business. Last week I gave my second reading speech and the Bill could have been debated all afternoon had the Opposition decided to do that. It is no good for the member for Davenport to put on this sort of turn now and accuse the Government of not carrying out its responsibility. This legislation now is an improvement on the Bill brought in by the member for Davenport. Unlike the member for Davenport, I have every confidence that the Legislative Council will carry the amendments, because they are quite sensible and quite useful to the State, and the Government wants to ensure this House and the State that it wants the legislation carried.

Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 3)

Adjourned debate in Committee (resumed on motion).
(Continued from page 1683.)

The Hon. G. T. VIRGO: I apologise to the member for Goyder and the Committee for the unavoidable delay. New clause 5 seeks to amend section 384 of the Act which deals with works and undertakings carried out by councils jointly. It seeks to facilitate this work and make the joint schemes operate in a much easier way, to enable councils to operate on a joint basis without requiring them to provide the controlling body with the estimated costs of the works, plans and specifications in the initial stages. It takes into account the changed circumstances applying particularly in regional organisations which act on behalf of local councils.

Mr. RUSSACK: These amendments are before us because the Minister has taken advantage of an acceptable private members' Bill to introduce certain other matters relating to local government. Some are acceptable, but new clauses 5 to 10 cause the Opposition some concern. I realise that I cannot speak—

The CHAIRMAN: It is not a second reading debate.

Mr. RUSSACK: I realise that. I was going to ask for your direction, Mr. Chairman.

The CHAIRMAN: Standing Orders insist that the honourable member debate questions as they come before the Committee, and we are now dealing with clause 5.

Mr. RUSSACK: It is difficult for me to speak on clause 5

without relating it to other clauses. The Minister has just referred to regional organisations. While we agree to the constituted organisations (now known as regional organisations, mainly in the metropolitan area) and the voluntary manner in which they operate, there is concern regarding their development and the further authority they would be given by this new clause 5. There is a certain amount of regret, because there are situations in other areas which could benefit by this clause.

I will oppose this clause as a test in relation to the following clauses, so there will then be no need to divide on new clauses 6, 7, 8 and 9, which are so closely related. This new clause gives more authority to the controlling authority, to which this amendment would apply.

The Hon. G. T. VIRGO: I am not sure that the honourable member really understands what he is saying. I appreciate that new clause 5 is a test clause, but I want it clearly understood that these clauses are designed to give effect to what has already occurred in local government, namely, the establishment of regional organisations, giving them the status that they and local government as a whole require.

Mr. RUSSACK: I appreciate what the Minister has said, but it is possible that in giving approval to such a provision—

The Hon. G. T. Virgo: They are already there.

Mr. RUSSACK: I know they are there, but this clause is tied to other clauses in the Bill, of which I will speak later.

Dr. EASTICK: We are not denying that these other organisations currently exist and that they are playing an increasingly important part in co-operation between councils. The opportunity for those councils which exist within regions to join in conjoint projects is already present in the Local Government Act. There is no reason why the provisions which exist in the Local Government Act should not be used by those regions to fulfil their requirements. We cannot accept the intrusion of the regional groupings further into what is specifically local government. To include or extend regional activity to destroy local involvement and local presentation of individual councils for a particular project is against the best interests of local government.

The Committee divided on the new clause:

Ayes (23)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan, Groom, Groth, Harrison, Hemmings, Hopgood, Hudson, Klunder, McRae, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, Whitten, and Wright.

Noes (16)—Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Evans, Gunn, Mathwin, Nankivell, Russack (teller), Venning, Wilson, and Wotton.

Pairs—Ayes—Messrs. Bannon and Dunstan. Noes—Messrs. Goldsworthy and Tonkin.

Majority of 7 for the Ayes.

New clause thus inserted.

New clauses 6 to 9.

The Hon. G. T. VIRGO moved to insert the following new clauses:

6. Section 387 of the principal Act is amended by inserting in subsection (1) after the passage “propose such amendments to the scheme” the passage “, or to the proposed rules of the controlling authority,”.

7. Section 392a of the principal Act is amended—

(a) by inserting in subsection (1) after the passage “propose such amendments thereto” the passage “, or to the rules of the controlling authority,”;

(b) by inserting in subsection (3) after the passage “an authorised scheme” the passage “, or to the rules of the controlling authority,”; and

(c) by inserting after subsection (4) the following subsection:

(5) Any amendments made under this section to the rules of a controlling authority shall come into effect upon the day notice thereof is published pursuant to subsection (3) of this section.

8. Section 394 of the principal Act is amended by inserting in subsection (1) after the passage “on behalf of the constituent councils” the passage “, in accordance with the rules of the controlling authority”.

9. Section 396 of the principal Act is amended by inserting after the passage “Every controlling authority incorporated pursuant to this Part may” the passage “, subject to its rules”.

New clauses inserted.

New clause 10—“Validating provision.”

The Hon. G. T. VIRGO: I move to insert the following new clause:

10. The following section is enacted and inserted in Part XIX of the principal Act after section 406 thereof:

406a. (1) The following bodies shall be deemed to be controlling authorities duly constituted and incorporated under this Part:

Metropolitan Regional Organisation (No. 2) Western
Southern Metropolitan Regional Organisation (S.A.
No. 4)

Northern Metropolitan Regional Organisation (No. 1
South Australia)

(2) The works and undertakings carried out prior to the commencement of the Local Government Act Amendment Act (No. 3), 1978, by a controlling authority referred to in subsection (1) of this section shall be deemed to have been carried out pursuant to a scheme duly authorised under this Part.

This new clause specifically validates the original organisations of metropolitan, southern, and northern, and refers to works and undertakings. The second part of the new clause is a machinery provision. These organisations are a fact of life. It is not a matter of whether one likes or dislikes them; they are there and they are a product of local government, which works very well with them. The organisations are an integral part of local government, and should be recognised as such. That is the purpose of the amendment.

Mr. RUSSACK: Could the Minister explain why only three names of regional organisations are mentioned in this clause? I believe that there are five organisations.

The Hon. G. T. VIRGO: The three organisations mentioned have become incorporated, and the other two have not. This clause will take care of other regions when they become incorporated bodies.

Mr. RUSSACK: This clause is of major concern to the Opposition. We accept the functioning of the regions, as they are voluntary bodies, and I understand that the councils concerned are quite happy with the activity that takes place under Part XIX of the Local Government Act, which is the Part under which they were organised. If they are acknowledged, as they are under this Act, they will become organisations in themselves, gradually having greater authority than would be wise as far as local government is concerned. As the member for Light has suggested, local government is local. Part XIX of the Act provides that councils can agree with one another, which they have done, and I think that in this instance there are certain functions, apart from physical works and undertakings, that would cover the proposals in this amendment.

The Hon. G. T. Virgo: Regional bodies are made up of elected local government people.

Mr. RUSSACK: I know, and I would like to see them

remain on their present level. The Opposition is opposed to retrospectivity of the legislation, which ratifies any action taken by these regions during their existence.

New clause inserted.

New clause 11—"Sewerage effluent disposal schemes."

The Hon. G. T. VIRGO: I move to insert the following new clause:

11. Section 530c of the principal Act is amended—

(a) by striking out from subsection (12) the passage "which shall be payable by all the ratepayers in the said portion" and inserting in lieu thereof the passage "payable by the ratepayers benefited by the scheme in that portion of the area"; and

(b) by inserting after subsection (12) the following subsection:

(13) A separate rate, or separate rates, declared under this section shall be based upon criteria approved by the Minister.

This new clause is consequential on the insertion of the other new clauses.

New clause inserted.

Title passed.

Bill reported with amendments.

Mr. RUSSACK (Goyder): I am now placed in rather a difficult position, because I intend to vote against the third reading of the Bill.

The DEPUTY SPEAKER: It would not be unusual, as I understand it, for a member to move that a Bill be read a third time, which is a machinery motion, and reserve his or her right to vote against it. If the honourable member does not wish to move the third reading, it would be competent for someone else to do it.

Mr. RUSSACK: I would prefer that.

The Hon. G. T. VIRGO (Minister of Local Government): I move:

That this Bill be now read a third time.

I have never seen anyone desert a ship in such a way! I believe that the Bill will provide to local government two very important improvements wanted by local government. Anyone voting against the third reading will be voting against the wishes of local government. Let that be clearly understood. The voting provision is one which the Government supports, and it was introduced by a Liberal member in the other place.

Mr. Goldsworthy: You mucked it up by moving the amendments, as was done to the Workmen's Compensation measure.

The Hon. G. T. VIRGO: This is not the Workmen's Compensation Act Amendment Bill, but the Local Government Act Amendment Bill. We have amended the Bill with the knowledge, and I think I can say with the approval, of the mover, the Hon. John Carnie.

Mr. RUSSACK: I take exception to the Minister's remarks. I said earlier that the Minister had taken advantage of an acceptable private member's Bill, and now he is trying to place the blame for this situation on the Opposition.

Members interjecting:

The DEPUTY SPEAKER: Order! The honourable member knows that he must speak to the Bill as it came out of Committee.

Members interjecting:

The DEPUTY SPEAKER: Order! I think the honourable member should be given a fair go.

Mr. RUSSACK: I take the opportunity to reply to the Minister's comments at the third reading stage. The Bill as it has come out of Committee is totally different from the

Bill introduced into this House. The Minister knew that he had some doubtful legislation when it came to acceptability by the whole House—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr. RUSSACK: The Bill has come out of Committee in this form because the Minister knew that there were two matters of concern to members on this side. The first related to the development of regional organisations in local government beyond the point at which they now exist. I stress that we are not opposing the constitution of those organisations as they are and as they have been formed under Part XIX of the Act.

The second matter concerned retrospectivity, and a principle is involved. Sometimes, circumstances tempt one to give way on a principle, but on this occasion we abide by the principle that retrospectivity makes for bad legislation. On those two grounds, we will vote against the third reading.

The House divided on the third reading:

Ayes—(23)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan, Groom, Groth, Harrison, Hemmings, Hopgood, Hudson, Klunder, McRae, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, Whitten, and Wright.

Noes (17)—Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman, Eastick, Evans, Goldsworthy, Mathwin, Nankivell, Rodda, Russack (teller), Venning, Wilson, and Wotton.

Pairs—Ayes—Messrs. Bannon and Dunstan. Noes—Messrs. Gunn and Tonkin.

Majority of 6 for the Ayes.

Third reading thus carried.

UNEMPLOYMENT

Adjourned debate on motion of Mr. Max Brown:

That this House condemns the Federal Government for its continuing policy of creating massive unemployment throughout Australia. The House further condemns the current attitude of the Federal Government in accepting ever-increasing figures of unemployment with complete disregard for the plight of the people that unemployment has seriously affected and calls on the Federal Government to immediately instigate as a matter of extreme urgency a "Get Australia working programme",

which Mr. Dean Brown has moved to amend by leaving out all words after the word "House" first occurring, and inserting in lieu thereof the words:

congratulates the Federal Government on allocating \$240 000 000 in 1978-79 for schemes aimed at assisting the unemployed and for giving top priority to trade and technical education. In addition, this House expresses grave concern at South Australia having the highest unemployment rate of any State in Australia and urges the State Government to adopt new policies to stop the decline of South Australia's manufacturing base.

(Continued from 13 September. Page 877.)

Mr. ABBOTT (Spence): I support the motion as moved by the member for Whyalla, and I support the remarks of the member for Morphett, who expressed his concern about unemployment in this country. Unemployment is the most serious single issue facing Australia today. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

[Sitting suspended from 6 to 7.30 p.m.]

PAY-ROLL TAX ACT AMENDMENT BILL

The Hon. HUGH HUDSON (Minister of Mines and Energy) obtained leave and introduced a Bill for an Act to amend the Pay-Roll Tax Act, 1971-1977. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Its object is to increase pay-roll tax exemption levels by 10 per cent from 1 January 1979. The present pay-roll tax exemption provisions in South Australia are as follows: All tax is waived on pay-rolls of less than \$60 000 a year; the exemption reduces \$2 for every \$3 by which pay-rolls exceed \$60 000 a year; and a minimum pay-roll exemption of \$27 000, which is reached on a wage bill of \$109 500. This position has applied since 1 January 1978 when, in common with other States, pay-roll tax exemptions were increased by 25 per cent.

It is proposed by the Bill that the exemption levels will be increased so that the new exemption level will be \$66 000, which will reduce by \$2 for each \$3 increase in total pay-roll above that figure to a flat exemption of \$29 700 at pay-rolls of \$120 450 and above.

This is the fourth successive year in which the exemption from pay-roll tax has been increased. Over this period the exemption has more than trebled from \$20 800 to \$66 000 resulting in many employers being freed from pay-roll tax while the tax for all other employers has been reduced. The cost of the new exemptions is estimated to be about \$300 000 for the rest of this financial year and about \$800 000 in a full year. By this amendment the pay-roll tax exemptions in South Australia will continue to be in line with those applying in Victoria. The Bill also makes a minor amendment to an administrative provision to facilitate the recovery of pay-roll tax when an employer furnishes a return but fails to pay the tax owing by him.

Clause 1 is formal. Clause 2 provides that the amendments are to come into operation on 1 January 1979. Clause 3 amends section 11a of the principal Act. This section establishes the deductions that are to be made from taxable wages in order to calculate pay-roll tax. The effect of the amendments is to fix a new exemption level of \$66 000 (\$5 500 a month), which reduces to a flat amount of \$29 700 (\$2 475 a month) on pay-rolls of \$120 450 or more. Clauses 4 and 6 make consequential amendments to sections 13a and 18k of the principal Act. These provisions both relate to the assessment of pay-roll tax where employers are grouped together, and pay-rolls aggregated, for the purposes of the principal Act.

Clause 5 amends section 14 of the Act. This section deals with the obligation of employers who pay wages in excess of a certain amount to apply for registration. The relevant amount is increased from \$1 150 a week to \$1 250 a week. Clause 7 amends section 26 of the Act. The object of the amendment is to enable the Commissioner to take legal proceedings for the recovery of unpaid pay-roll tax without first issuing an assessment.

Mr. TONKIN secured the adjournment of the debate.

SOUTH AUSTRALIAN FILM CORPORATION ACT AMENDMENT BILL

The Hon. HUGH HUDSON (Minister of Mines and

Energy) obtained leave and introduced a Bill for an Act to amend the South Australian Film Corporation Act, 1972-1975. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It provides for the abolition of the South Australian Film Advisory Board. The advisory board was established in June 1973, pursuant to Part IV of the principal Act, to assist the fledgling South Australian Film Corporation in the development of a film industry in this State. The board met regularly until 1976, and was seen to provide useful assistance to the South Australian Film Corporation. But, since its inception, the South Australian Film Corporation has developed far beyond original expectations and is now recognised as Australia's foremost film producer. The relevance of the advisory board's role is becoming increasingly more difficult to identify in view of this development. Members of the advisory board itself have expressed doubts about the continuing need for such a body. Although the board was reconstituted early in 1977, it has not been possible to redefine a truly useful role. Thus the board has experienced difficulty in achieving a quorum and has met only twice this year.

Clauses 1 and 2 are formal. Clause 5 removes Part IV of the principal Act, under which the South Australian Film Advisory Board is established. The other clauses make consequential amendments to the principal Act.

Mr. TONKIN secured the adjournment of the debate.

INCORPORATED ASSOCIATIONS BILL

The Hon. PETER DUNCAN (Attorney-General) obtained leave and introduced a Bill for an Act to make provision for the incorporation, administration and control of associations; to repeal the Associations Incorporation Act, 1956-1965; and for other purposes. Read a first time.

The Hon. PETER DUNCAN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The Incorporated Associations Bill repeals and revises the existing Associations Incorporation Act in several ways including:

- (1) The procedures to obtain incorporation are streamlined and made easier;
- (2) The power of the Registrar to intervene in disputes is clarified;
- (3) Minimum rules as to proper accounts, auditing and annual general meetings are laid down, subject to the flexibility that the Registrar can waive these requirements in the case of particular associations.

South Australia was the first Australian State to legislate to allow certain voluntary non-profit associations the opportunity to gain the advantages of corporate status

without being subject to company legislation. Its present Act was the basis upon which the Northern Territory, the Australian Capital Territory, and Tasmania acted to introduce similar legislation. In New South Wales, the Law Reform Commission is considering the possibilities of such an Act in that State.

During the period since South Australia legislated in this area, it has become clear that the number and scope of activities of incorporated associations have increased to such an extent that the present Act does not satisfactorily cater for this expansion. There are now about 5 700 incorporated associations in South Australia, varying from church groups to the highly organised business operations of football clubs and large voluntary organisations. While the present Act limits profits being paid to members, the trading activities of many associations are now such that members and creditors alike need assurance that trading associations can be requested to comply with minimum rules as to financial returns, auditing and annual general meetings. No such rules exist at present.

Similarly, the Registrar has no power of inspection of books or power to intervene to settle disputes between factions of an association, unlike an industrial and provident society or a credit union. The need for an arbitrator was made clear in the case of the recent dispute between members of The Netherlands Society of South Australia Incorporated. Even more recently, complaints regarding payments to the Islamic Society of South Australia Incorporated have again highlighted the need for the Registrar to have investigatory powers.

There are other deficiencies in the present legislation, some of which I will mention briefly. The procedures for incorporation are presently complicated. The present requirement of public advertisement before application for corporate status has brought only five objections in nine years. To my knowledge, none of the objections has been upheld and the requirement appears to be an unnecessary obstacle.

The criteria by which the Registrar is to determine whether an association should be granted incorporation or lose its corporate status are at present far from clear or satisfactory.

It is not clear at law whether an employee of an association can be a member of its committee of management, despite the wishes of the members of the association.

The Registrar cannot dispose of assets of an association that is defunct. The Registrar cannot handle the winding up of an association himself, unlike other modern legislation concerning corporate bodies such as the Credit Unions Act and the Building Societies Act.

These deficiencies and several others have come to my attention through different sources, namely:

- (1) The Registrar of Companies is concerned that associations cannot be requested to make financial returns, or that he cannot deal with assets of defunct associations.
- (2) The report of inspectors on investigation of Co-operative Travel Society Limited recommended that associations should have minimum financial return and record requirements, and that their affairs should be subject to powers of investigation similar to those relating to other corporate bodies. These recommendations have been supported by the Crown Solicitor, and the Law Reform Committee in its report on possible amendments to the Industrial and Provident Societies Act also supports the need for powers to investigate associations.

- (3) The Committee on Rights of Persons with Handicaps reports that members of some associations concerned with handicapped people are under the misapprehension that persons being helped by an association cannot be on the committee of that organisations.

Part I of the Bill contains formal material. A transitional provision is provided enabling existing incorporated associations to retain their corporate status subject to the requirements of the new Act. Part II establishes the office of Registrar of Associations. It is intended that the Registrar of Companies should retain this work, and at the moment there are no plans otherwise, but in the event of any future administrative re-arrangements, the creation of a separate office at this stage will facilitate matters. This Part is also concerned with powers of investigation and exemption. The Government recognises that it may not be appropriate for small social clubs, church groups, and sporting organisations to be subject to all the requirements of the legislation. It is envisaged that, prior to the commencement of the legislation, the Registrar will hear applications for exemption from any of the requirements, particularly the accounting and auditing provisions, so that they do not burden such small organisations.

Part III is concerned with incorporation. The categories of associations eligible for incorporation are in fact broadened, but the limitations on trading and profit objects clarified and strengthened. The requirement of public advertisement for objections is removed. Under this Part, the Registrar can direct that organisations seeking incorporation as associations should seek that status under legislation more appropriate to their size, objects, or needs, such as the Companies Act or the Industrial and Provident Societies Act.

Part IV deals with the internal affairs of incorporated associations and, *inter alia*, lays down requirements for members of committees, including disclosure of financial interests in possible conflict with their duty as committee members, as well as minimum requirements as to the keeping of accounts, and registers and audit. Under this Part, the Registrar may request the lodging of such financial returns. Part IV also contains provisions relating to the settlement of disputes between factions of an association, and follows similar provisions in the Credit Unions Act and the Industrial and Provident Societies Act in that regard.

Part V is concerned with winding up and cancellation of incorporation, and in particular clarifies the Registrar's role in these steps and empowers him to deal with assets of associations which have ceased to exist, a frequent problem. The registrar is given power to direct an incorporated association to seek incorporation under some other more appropriate Act.

In conclusion, the Bill is a moderate but comprehensive revision of existing legislation, and the result of advice from several sources and 12 months consideration of the problems by officers of my department. It should ensure that the activities of large associations are subject to minimum regulation, which is compatible with their essentially community-serving purposes, while protecting members and creditors. In view of its flexibility, the Bill should aid small, non-trading associations in the obtaining and enjoying of corporate status without undue restriction.

Clause 1 is formal. Clause 2 provides for the commencement of the Act. The operation of certain provisions may be suspended should the need arise. Clause 3 sets out the arrangement of the Act. Clause 4 provides the necessary definitions, all of which are self-explanatory. Clause 5 repeals the Associations Incorporation Act.

tion Act, and provides certain transitional provisions. All existing incorporated associations are brought within the ambit of the new Act.

Part II deals with administrative matters. Clause 6 provides for the appointment of a Registrar of Associations, and one or more Deputy Registrars. These are Public Service positions. Clause 7 provides that the Registrar shall comply with any directions of the Minister as to the exercise of the Registrar's powers. For example, the Minister could virtually order the Registrar to hold an inquiry into the affairs of an incorporated association, should the Minister think it desirable to do so. Clause 8 gives the Registrar a power of delegation. Clause 9 obliges the Registrar to maintain a public office wherein will be kept all documents registered under the Act. Clause 10 provides that any person may inspect, or obtain copies of, any certificate of incorporation, and any document registered by, or lodged with, the Registrar.

Clause 11 gives the Registrar power to extend time limits and power to grant exemptions from any of the provisions of the Act. This clause is seen as providing the flexibility that is so highly desirable in view of the diverse nature of existing incorporated associations. Clause 12 obliges the Registrar to make an annual report on the Act to the Minister. This report is to be laid before Parliament.

Clause 13 sets out the powers of authorised officers. (An authorised officer is defined as meaning the Registrar, the Deputy Registrars and any other person authorised by the Registrar). An authorised officer may enter premises for the purpose of inspecting books, minutes and documents relating to an incorporated association. He may require that such material be produced for his inspection, and may require that any person answer his questions truthfully. He may require banks and other institutions to give particulars of deposits by incorporated associations.

Part III deals with the incorporation of associations, and the powers of incorporated associations. Clause 14 sets out the types of organisations that are eligible to apply for incorporation. The list is fairly comprehensive, but as it is impossible to envisage all the variations on the central theme (that is, that this Act provides for what are commonly known as "non-trading" bodies), the Minister is given the power to approve the eligibility of bodies formed for purposes other than those listed. An association is not eligible to be incorporated under this Act if its membership is less than 10 (unless the Minister approves otherwise), if one of its objects is to secure pecuniary profits for its members, or if a principle object of the association is to engage in trade. It should be made clear at this point that an incorporated association is not prohibited from trading, provided that the profits do not go to the members, and provided that trading is incidental to the other objectives of the association.

Clause 15 sets out the manner in which an application for incorporation may be made. Clause 16 provides that, before he incorporates an association, the Registrar must be satisfied that the association is eligible, that the rules conform to the requirements of the Act, and the name of the association meets certain criteria. Subclause (2) gives the Registrar the power to decline to incorporate an association even though he is satisfied as to all the matters set out in subclause (1). The Registrar may exercise this power when he is of the opinion that the extent or nature of the association's undertaking is such that it would be more appropriate for it to be incorporated under some other Act. For example, the association's undertaking may be such that it should be incorporated under the Industrial and Provident Societies Act or the Credit Unions Act. The size and extent of an association's undertaking might be large enough to warrant incorporation under the

Companies Act. Once an association is incorporated under this new Act, it has all the attributes of a body corporate.

Clause 17 provides that a member of an incorporated association does not incur any personal liability for the debts of an association, unless it was a liability incurred by the association prior to incorporation. Clause 18 provides the machinery for the amalgamation of two or more incorporated associations into one single incorporated association. Clause 19 provides that the rules of an incorporated association are binding upon the association and its members. Clause 20 provides the machinery for the alteration of the rules of an incorporated association by the association. The altered rules must conform with the requirements of the Act if they are to be registered. Clause 21 empowers the Registrar to require an association to alter its rules so as to achieve conformity with the requirements of the Act. If an association refuses to comply, the Registrar may effect the alteration himself. Clause 22 sets out the powers that an incorporated association may exercise, subject to any restrictions that may appear elsewhere in the Act or in the rules of the association. Basically, an incorporated association has all the powers of a natural person.

Clause 23 sets out the manner in which an incorporated association may enter into contracts. Clause 24 limits the application of the *ultra vires* rule in relation to incorporated associations. This doctrine relates to bodies corporate, and has the effect that any transaction entered into by a body corporate that it is not by law empowered to enter into, is invalid. This, of course, leaves the other contracting party in an invidious position, where he had no actual knowledge of the body corporate's lack of power. This clause provides that such a transaction is not invalid, unless the other person actually knew of the incorporated association's lack of capacity. This provision does, however, prevent a member of the association from taking action to stop the association from entering into a transaction which is beyond its powers.

Clause 25 similarly acts to protect a person contracting with an incorporated association. The common law rule of constructive notice is hereby abolished. This rule has the effect that when a person is dealing with a body corporate, he is presumed by the law to know the contents of the rules or constitution governing the body corporate and of all other so-called "public" documents relating to the body corporate, and therefore is presumed to know of any defect in the capacity of an agent to act on behalf of the body corporate. The abolition of this rule means that a contract will be enforceable against an incorporated association if the agent of the association had apparent authority to enter into the contract on behalf of the association (whether or not he had actual or implied authority so to act).

Part IV deals with the internal affairs of incorporated associations. Clause 26 provides that every incorporated association must have a committee of management of at least five persons. It is made quite clear that nothing in the law prohibits, and nothing is to be done to prohibit, a person of the class of persons for whose benefit the association is run, from being appointed to the committee of management of the incorporated association. Subclause (5) makes clear that nothing in the law prohibits an employee of an incorporated association from being appointed to the committee of management of the association. The rules of a particular association may still, however, specifically exclude employees from such appointment. Persons convicted of certain offences are disqualified from being appointed or continuing as members of committees of management. This disqualifica-

tion lasts for five years.

Clause 27 provides that a member of an incorporated association's committee of management must disclose any financial interest in a contract of the association, both at the next committee meeting and the next annual general meeting. This does not mean that an employee committee member has to disclose any financial interest arising out of his employment. Where a committee member complies with this section, the contract is not liable to be avoided, and the member does not have to account for any profits he might make out of the contract. These two common law rules will of course apply in relation to a contract where the committee member concerned does not make a full disclosure in accordance with this section.

Clause 28 prohibits a committee member from voting on any contract in which he has a financial interest. Clause 29 sets out the duties placed upon a committee member to act honestly and diligently, and not to use information gained by virtue of being a committee member for his own gain. A committee member who fails to comply with this section is liable to account to the association for any profits he might thereby make. Clause 30 sets out all the accounting records an incorporated association is obliged to keep. These accounts must be audited at the end of the association's financial year by a registered company auditor, and must be placed before the members of the association at the next annual general meeting.

Clause 31 enables the Registrar to request an incorporated association to furnish him with returns containing the accounts of the association and any other financial information he may require. Clause 32 obliges an incorporated association to keep a register of members, a register of committee of management members and any other registers that may be prescribed. Clause 33 provides that those registers and the audited accounts of the association must be made available for inspection by any person who wishes to inspect them. Clause 34 provides that an incorporated association is guilty of an offence if it fails to hold an annual general meeting in accordance with the rules of the association. Clause 35 provides that a committee member is guilty of an offence if he fails to take reasonable steps to see that the association complies with the provisions of the Act dealing with accounts, returns and registers. Clause 36 provides that an association may only expel a member if it makes that decision at a general meeting, on the grounds that the member has acted to the detriment of the association. The member must be notified of the proposed expulsion. He may then request that a special general meeting of the association be called to confirm or revoke the proposal. Clause 37 provides that the Registrar may hold an inquiry into the affairs of an incorporated association, or into any dispute concerning the association. The Registrar may himself initiate such an inquiry, or may do so at the request of the association itself, or of ten or more members, or ten per cent of the members, whichever is the lesser. The Registrar has the power to require persons to give evidence before him, produce books or documents and answer questions truthfully. The Registrar may, at the conclusion of the inquiry, make such orders as he thinks just. The Registrar has the right to recover the costs of an inquiry. Clause 38 enables the Registrar to call a special general meeting of an incorporated association if ten members or ten per cent of the members (whichever is the lesser) request him to do so. The Registrar may act as chairman of such a meeting, or may attend and address the meeting. He is given the power to resolve any dispute as to whether a person at the meeting is or is not to be regarded as a member of the association for the purposes of the meeting. Again, the expenses of such meetings may be recovered by the

Registrar.

Part V deals with the winding up of incorporated associations and cancellation of incorporation. Clause 39 provides machinery whereby the Registrar may dissolve an incorporated association that is defunct. Notice is given of the Registrar's proposed action and if no-one comes forward in the specified time to establish that the association is not defunct, the Registrar may then proceed to dissolve the association. Any property then vests in the Registrar. Similarly, the Registrar may take steps to dispose of any unclaimed assets of an association that may have had its incorporation cancelled under the repealed Act on the grounds that it was defunct. Any property that becomes vested in the Registrar under this section may be disposed of by him in such manner as the regulations may prescribe.

Clause 40 provides for the incorporation of an incorporated association under some other Act, where the Registrar believes that the association is no longer eligible to be incorporated under this Act, or that its undertaking has changed sufficiently to warrant incorporation under another Act, or that it is in fact already incorporated under some other Act. The incorporated association is given six months in which to seek incorporation under another Act and if it does this, then the Registrar will facilitate the transfer of assets and liabilities to the new body corporate, thus avoiding the usual transfer expenses. If the incorporated association fails to seek alternative incorporation then the Registrar may proceed to wind the association up.

Clause 41 provides that an incorporated association may be wound up by the Supreme Court in the manner prescribed by the regulations. Clause 42 provides the other manner of winding up an association; that is, upon a certificate issued by the Registrar. If the association resolves of its own accord that it should be wound up and applies to the Registrar, he shall issue a certificate for winding up the association. Where an incorporated association has failed to seek alternative incorporation under the previous section, where an incorporation was falsely obtained, where an association has failed to remedy a breach of the Act or its rules, or an inquiry has revealed that an incorporated association ought, in the interest of its creditors or members, to be wound up, the Registrar may, subject to the consent of the Minister, issue a certificate of winding up. A winding up under this section will be carried out in the manner prescribed by the regulations. The Registrar may appoint a registered company liquidator if the size or complexity of the matter so warrants.

Clause 43 prohibits the distribution of surplus assets to the members of an incorporated association after it has been wound up. As a general rule, surplus assets will be distributed in accordance with a special resolution of the association. If there is no such resolution, or if the Registrar believes that (in the case of a winding up on his own certificate) the proposed manner of distribution is undesirable he must apply to the Supreme Court for an order as to the manner of distribution. The court, in making such an order, must have regard to the objects of the association and any relevant provisions of the association's rules. Clause 44 provides for the dissolution and cancellation of the incorporation of an association after it has been wound up.

Part VI contains various miscellaneous provisions. Clause 45 gives a right of appeal against certain decisions of the Registrar, that is, any decision to decline to incorporate an association or to require an alteration to the rules of an incorporated association, any exercise of its powers in relation to the winding up or transfer of the

undertaking, of an incorporated association, or decision on any other matter that may be prescribed by the regulations. Appeals will be heard by a Local Court.

Clause 46 prohibits voting by proxy at general meetings of an incorporated association. Experience has shown that a decision can be swung in an unexpected, and perhaps unwanted, way by a person who has secretly gained a number of proxy votes. It is desirable that all decisions should be made by members who are physically present at a meeting, and who are therefore able to hear and participate in balanced debate.

Clause 47 prohibits an incorporated association from raising funds by making investment offers to the public at large. If an association wants to raise capital in this way, it can approach its members, who should have a good knowledge of the association's financial affairs. Alternatively, the association could apply for an exemption from this provision of the Act. If such an exemption were granted, it is probable that the Registrar would require the association to issue something in the nature of a prospectus, thus bringing the association into line with a company under the Companies Act.

Clause 48 requires an incorporated association to cause its name to be legibly printed on all documents relating to the association. Clause 49 obliges an incorporated association to furnish the Registrar with information as to any changes in trusts relating to the association, the address of the association, the membership of its committee of management, and any other matter prescribed by the regulations. Clause 50 sets out the evidentiary provisions that are usual to an Act of this nature. Clause 51 provides for the manner in which documents must be served upon an incorporated association.

Clause 52 provides that offences against this Act may be disposed of in a summary manner. Clause 53 sets out the regulation-making power. The regulations may set out the basic requirements with which the rules of an incorporated association must comply. Model rules may be prescribed. The regulations may prescribe the circumstances in which an incorporated association can be required to change its rules so as to provide for the election of a committee of management member by the employees of the association. (The employees of several associations have on occasions complained that, although there is an employee on the committee of management, the other employees have had no say in his election.) The regulations may also require an incorporated association to furnish certain periodic returns to the Registrar.

Mr. EVANS secured the adjournment of the debate.

HOUSING AGREEMENT BILL

Adjourned debate on second reading.
(Continued from 17 October. Page 1454.)

Mr. EVANS (Fisher): I support the Bill, which reflects the Liberal Party's view that housing for South Australians is an issue of real concern that conforms to our basic policy objectives, which are to:

Ensure that every household in South Australia is able to obtain adequate housing within its capacity to pay;

Encourage home ownership across the widest possible range of income groups, concentrating Federal and State assistance in areas of greatest need;

Maintain and improve housing styles and seek the most effective use of the available housing stock;

Encourage research and innovation and, in co-operation

with the States the Commonwealth and others, to develop imaginative housing programmes for the under-privileged and disadvantaged;

Ensure that there are economic conditions within which a stable and adequate building industry can assist us to achieve our social goals.

This legislation, when enacted, will ratify a three-year agreement between the South Australian and Federal Governments, to give low and moderate income earners increased opportunities for home ownership and to allow continued advances to be made to South Australia from the Commonwealth and low-interest funds for rental assistance. The Bill also provides for new pensioner housing arrangements that improve the existing dwelling for pensioners' scheme.

There has been widespread support for the extension of home ownership, for the tailoring of assistance to need, and for the flexibility which will flow and which will allow the States to design programmes to meet their own particular needs. These principles are detailed at the outset of the agreement. I should like to read the points made in the first three recitals at the beginning of the proposed agreement, as follows:

(A) the Commonwealth and the States of Australia have from time to time entered into agreements for the purpose of the provision by the States with financial assistance from the Commonwealth of housing for persons who are in need of governmental assistance if their housing requirements are to be met;

(B) the Ministers of the respective governments who are responsible for housing have agreed upon the provision of rental housing assistance and home purchase assistance in the States during the three financial years commencing on the first day of July, 1978;

(C) the Ministers have also established principles that are to apply to the provision of housing assistance under this Agreement, namely—

(a) housing assistance will—

(i) facilitate home ownership for those able to afford it but not able to gain it through the private market;

It is important to me that the purpose of this Federal money, which in the main is low-interest or subsidised money, is to go to people who are unable to obtain in the private market money or a home for ownership. We in this State need to be conscious of that. The second point is as follows:

To provide adequate rental housing for those of the community who are deemed to be in need of Government assistance at a price that is within their capacity to pay.

That capacity to pay is an important aspect that both Liberal and Labor Governments in this State have failed to recognise in the past. I will, I hope, make that point more strongly later. The third point is as follows:

(ii) provide adequate rental housing for those of the community who are deemed to be in need of governmental assistance at a price that is within their capacity to pay;

(iii) provide assistance for home ownership and assistance with rental accommodation in the most efficient way and thus to exclude from eligibility those not in need, to minimise continued availability of assistance to those no longer in need, and to accord benefits which are designed so that assistance being provided is related to the particular family's or individual's current economic and social circumstances;

(b) benefits which are available are offset to the minimum extent practicable by poor location of

- dwelling, an inadequate range of choice of dwellings and stigmatisation of those who are to receive benefits;
- (c) there will be clear recognition of the separate but complementary roles of—
- (i) construction and acquisition of dwellings;
 - (ii) management of the rental operation; and
 - (iii) sales of dwellings;
- (d) maximum social benefit will be sought from previous investment in housing; and
- (e) the States will be able to exercise maximum autonomy and flexibility in the administrative arrangements necessary to achieve these principles;

They are the goals of the agreement. The State Minister recognised some of those points in his second reading explanation, to which I will refer later. Clauses 8 to 13 provide for the Commonwealth to make advances at highly concessional rates of interest to the State of South Australia. The advances for home purchase programme will attract an interest rate of 4.5 per cent a year, and for rental housing 5 per cent a year.

It is recognised that under the 1973-74 agreement, which ran for a five-year period whereas this agreement will run for three years, the interest rate on home purchase money was 4.5 per cent and, on rental housing, 4 per cent. It is worth noting also that at that time the long-term bond rate was 6 per cent, whereas today it is 9.2 per cent. So, through the agreement with the Commonwealth, we are in effect giving a bigger subsidy to the people who are receiving this money than we were at the time that the 1973-74 agreement was made. In fact, we are giving an effective 4.7 per cent subsidy on rental money and 4.2 per cent on house purchase money.

The Hon. Hugh Hudson: Wrong way round.

Mr. EVANS: Yes, I agree. What we will be doing for this three years, if the interest rate stays up, is giving a bigger subsidy.

The Hon. Hugh Hudson: The purchaser only gets the money at 5½ per cent. Remember that—

The SPEAKER: Order! The Minister will have the opportunity to reply.

Mr. EVANS: We are also making the institutions and particularly the purchasers of homes pay automatically a progressively higher interest rate of ½ per cent per annum until they arrive at a point 1 per cent below the long-term bond rate. Quite unfairly, it was stated at the time this agreement was reached, when negotiations were completed, and public announcements were made, that it was going to take a certain number of years to get up to the long-term bond rate of 9.2 per cent, or within one per cent of it. We all know (and the Minister in this State recognises it) that the interest rate will drop. He has admitted that in recent times in the House. That means that these people will not be looking at that kind of interest rate in the long term. In all probability it will be much less. It could be back to 8 per cent or 7 per cent within a short period.

We need to realise that the agreement has always allowed for a change in interest rates if Governments have had the courage to make the changes. That applied particularly in this State through the State Bank agreements. Compared to 1973, the Federal Government has effectively more than doubled the interest concession for home ownership funds and nearly doubled the concession for rental funds. I think that is a concession taxpayers are making to help people who need assistance to obtain shelter.

As with the 1973-74 agreement, the amount of advances to be made each year to each State will be determined by the Commonwealth, following consideration of the State

requirements, so the amounts will vary. I know that the Minister attacked the Federal Government in his second reading explanation, saying that moneys made available in this agreement are not enough. In fact, he made the point that a lesser amount was available than had been available in the previous year. The Commonwealth faces the problem of running into deficit for large amounts and it has had to take actions it believes are necessary to control that deficit.

It was of interest to me to see that some of the other States believe that that particular proposal by the Fraser Government and the agreement by the States is quite significant, even though this year there has been a reduction in funds. The Premier of Western Australia was reported in the *Australian* of Saturday 29 April as saying:

It could be the best we have ever had. Funds will be allocated by the Federal Government and it will lay down guidelines for the money it allocates. But it will leave the individual States to work within those guidelines according to their own wisdom. This is certainly a major step in the right direction, as no two States have the same needs at the same time.

In 1973-74 total advances to the State housing authorities and the home building accounts were: South Australia, \$32 750 000; Queensland \$17 400 000; Western Australia, \$13 000 000; New South Wales, \$86 000 000, not quite three times as much as South Australia; and Victoria \$53 500 000. I know that there are State contributions of matching amounts, and South Australia, to the Government's credit, has matched moneys made available from the Federal Government as much as it can and has kept its programme at a higher level than some of the other States.

It is interesting to examine the 1976-77 figures, which were: South Australia, \$56 360 000; Queensland still had only \$37 410 000; and Western Australia had \$35 440 000. The figures from 1977-78 were: South Australia, \$58 460 000; Queensland, \$39 810 000; and Western Australia, \$36 740 000. However, if one looks at the completions by State Housing Authorities and at loans through the home builders accounts of the different States one finds what may reflect the attitude that created such an increase in the building programme through the high period of 1975-76 as compared to other States. Completions in 1973-74 were: Queensland, 1 141; Western Australia, 1 581; and South Australia, 3 983. For 1975-76 the figures were: Queensland, 1 781; Western Australia, 1 397; and South Australia 4 272. The figures for 1976-77 were: Queensland, 1 375; Western Australia, 1 247; and South Australia, 4 143. During that high period we were pushing through this area into the housing field in excess of 2 000 homes per year more than our counterparts Western Australia and Queensland. Maybe that was part of the problem towards creating a bigger housing surplus.

The Hon. Hugh Hudson interjecting:

The SPEAKER: Order! The honourable Minister will have an opportunity to reply.

Mr. EVANS: I agree with the Minister that the other States tend to push more through the other sector. In this State we have had an opportunity, when we knew the glut was on and yet were building about 15 000 homes, to slow down the building rate, because the Housing Trust was competing with the private sector, and not supplying money for houses and organising finance for people who really needed help but competing for clients who could have purchased homes on the normal market.

The other provision in the 1973-74 agreement was that 30 per cent of funds provided could be used for home ownership. That was removed and it is expected that by 1980 at least 40 per cent of the funds must go toward home ownership, and there is no maximum. In other words, the

States have agreed with the Commonwealth that home ownership should be encouraged as much as possible. I admit that in this State last year the figures released by the Minister showed 58 per cent home ownership. This State has been moving in that direction and I agree with that policy.

Clauses 22 to 28 deal with home purchase assistance. Their implementation will result in time in substantial surpluses to be used for further home loans. To ensure that the maximum number of people can be assisted in the most sensitive way, these clauses allow South Australian a great flexibility in determining the uses to which funds can be put and the agencies which will administer them. I have argued for many years that we should be making those who can afford it pay the normal costs prevailing in the community, whether for rental or purchase of homes. I have been pooh-hoed and told that we cannot do that, that people will object, and that once people have been given these concessions they should not be changed. I believe that we should never have given those concessions without explaining to the people that once they started to move into a higher income bracket they would be expected to pay prevailing costs in the private sector for rental accommodation and in interest rates.

Mr. Millhouse: That explanation was not given to them.

The SPEAKER: The honourable member for Mitcham will have an opportunity to speak in this debate.

Mr. EVANS: The member for Mitcham is correct. I do not believe that that explanation was given to them, even though in the case of State Bank agreements there was always the opportunity to increase interest rates if the authority so wished. In the early days the difference between the interest rate that people were paying and the normal interest rate prevailing in the community was not as great as it is today. That was another reason why there was not as much pressure to move as there has been recently. In the purchase field, even in recent years we have made money available through the State Bank particularly to people who could qualify on the basis of a means test. I believe that the qualifying income was recently \$181 a week. Such people could qualify for this low-interest money at 5½ per cent or 5¼ per cent for 30 years.

The Hon. Hugh Hudson: Forty years.

Mr. EVANS: We were saying that, if people received the money at the age of 21 years or 22 years, when they were just completing their education or qualifying for a vocation or starting out in business, and if they did not have a high income, society would help them through providing them with low-interest money. However, those people were not told that, when they improved their position, they should pay a higher rate of interest. Those people therefore believed that they could acquire a home at the low rate and that the rest of society would subsidise them. They innocently thought that that was all right: they did not realise that their neighbours down the street earning an income slightly greater than \$181 a week would have to pay the full tote odds until they had paid off their home. Many people in the community had to borrow money at 10 per cent or 11½ per cent, while the people to whom I have referred were receiving the subsidised money at 5½ per cent.

The Hon. Hugh Hudson: It was 5¼ per cent.

The SPEAKER: The honourable Minister will have an opportunity to reply to the debate.

Mr. EVANS: So, these people did not realise that their neighbours were carrying the baby. The same principle applied to rental accommodation. People were being allowed to rent houses at times when they needed help; perhaps they had only recently been married or perhaps

they needed different accommodation. They were given a subsidised rental. Later, of course, they improved their position in life. Only recently we have started to increase rents according to a person's income, but we are still a long way behind. I give the Minister credit that he has started to attack the problem in recent years. I have never attacked him politically and said, "You are fleecing these people, and you should not be doing it." He is following the proper course and, if previous Governments had followed that course, we would have had more money to provide housing for people unable to rent accommodation in the private sector. The basis used for assessing the market rent is not good enough. The rents are nowhere near what I would call market rents. It is necessary to take what the property is worth today on the market, not the cost of building the property and what a person thinks it would be worth, taking into account the original building cost. The value must be that which the Valuer-General would put on the property today. In marked contrast to the Commonwealth-imposed means test in the 1973 agreement, each State will now be able to determine the conditions for eligibility for home purchase assistance. Loans are to be made only to people unable to obtain or afford mortgage finance on the open market; that is important. Individual circumstances, such as family income, assets, and the standard of the home, should be taken into account.

The Liberal Party is concerned to see that home owners have low repayments when their costs are highest—usually in the early years of the term of the loan. Arrangements with lending agencies are designed to ensure this, and to provide in general for repayments to increase as ability to meet them improves. Agencies are encouraged to adopt flexible mortgage conditions, such as income-related starts with later repayments based on escalating interest rates; these are already being practised under the agreement. I have an inbuilt objection to deferred interest repayment loans after our recent experience with a couple of building companies in this State. Under State management, that sort of operation is unlikely to occur, where people build up massive debts on deferred interest repayments; they then find that the long-term repayment programme is greater than they had expected. There is some need for this type of operation, but we should tread cautiously and warn borrowers of the inherent problems underlying deferred interest costs.

Other points to be considered are loans where repayments are geared to income for the whole term of the loan, and loans for which repayments start at a high level and then taper off. Some financial institutions have examined the system of having a repayment programme with a low figure at the beginning and a higher figure at the end of a person's working life or when a person's family has grown up. There has been difficulty in coming to a formula but, if it can be achieved, it would be a sensible proposition. These innovations should interest private lenders and lead to increased availability of flexible mortgage conditions for home purchasers generally in our community.

Clause 20 facilitates and encourages tenants of State housing authorities to purchase their houses. The Minister has said that the Housing Trust wished to keep a stock of houses, and he said that the agreement also provides that rental houses may be sold on a cash basis at either market value or replacement cost. Proceeds from such sales must be applied to the housing purposes of the agreement. While the possibility of selling rental houses will be reviewed, the long-standing concern of the Government to retain a much-needed stock of public rental housing in a wide range of locations will remain the paramount

consideration. If we set out to sell houses (and this is Liberal Party policy) where the Housing Trust owns a house for which it is possible to create a separate title, we should encourage the occupier to buy the house at the Valuer-General's valuation and we should take into consideration the effort that the occupier has put into improving the property. The Valuer-General may value a property at \$35 000, and the owner may have put down footpaths and established a magnificent garden.

He should not be disadvantaged to the point where he is charged full tote odds on the value of the property. Compared to other houses in the street, his may be an exceptional home as a result of his own efforts, and he therefore deserves some credit for that. That part of the value could be assessed, and the intending purchaser should be given some consideration for his genuine home pride. It is wrong that, when people start out in low-rental accommodation, we should then tell them that we are going to increase their rents to near-market rent; and then, when they want to buy a home of their own, we say they cannot buy the one they have made their home because we want to rent it to somebody else and they will have to shift elsewhere.

A person who has made a home for himself and his family should be given the opportunity I have suggested of buying that home at the Valuer-General's figure, less any other consideration that I have suggested, and the Government of the day, through the Housing Trust, would have the money available to build a home in some other area for the person who wished to rent it; or (more in line with what was suggested by the member for Coles recently) the Government could buy more inner-suburban homes, so that we get a greater mix of society and age groups, and then offer them for rent to persons seeking rental accommodation in the future.

The Government, in recent times, has started to acquire homes in the inner-metropolitan area and has upgraded some properties, making them quite attractive, and I give it credit for that. However, I am a little disappointed that at times, although I cannot prove this, it tends to be the professional and semi-professional people, as well as some public servants, who are getting much of this redeveloped and better standard housing in the inner-metropolitan area. It is my hope that we get a mix of people in this area, certainly a greater mix than appears at the moment. I hope the Minister can later give details of the age groups and subsidised rentals, compared to full rentals, in those inner areas.

The problem of obtaining suitable rental accommodation is a major one, and I understand the Minister's concern. However, I hope that his Government does not retain houses where people wish to buy them, but will make them available so that the Government can finance the building of other houses.

The agreement contains no limit on the number of dwellings which may be sold. The sale of dwellings under the 1973-74 agreement was restricted to 30 per cent, and that has been abolished. All sales are to be at market value or replacement cost and on the basis of cash transactions with the housing authority. Purchasers of public housing will have access to loans from the homes purchase programme where they are unable to raise finance privately. These provisions will result in equal treatment between those purchasing privately and public housing tenants buying publicly owned dwellings. Sales at market value or replacement cost will enable other houses to be provided to replace those which are sold. This will also help the building industry.

Clauses 14 to 19 deal with rental assistance. As with the home ownership provisions, they allow South Australia

great flexibility in determining the uses to which funds can be put and the agencies which can administer them. The Commonwealth-imposed specific needs tests for rental housing are to be discontinued, and will be free to determine its own eligibility criteria, provided assistance is directed to those in need. This is an argument that our present Minister used when he was in charge of education in this State. He argued that, in the case of private schools, we should ensure that funds were going to those schools where the students and schools were in real need. There is evidence to suggest that some people on high incomes pay subsidised rent. Such people would have needed assistance when they first entered public housing but are now able to pay their way.

I believe States have agreed to move towards relating ceiling rents to market rents. This agreement applies to all dwellings built under this or earlier arrangements. Rent rebate systems should continue to apply, so that those unable to meet the ceiling rent for their dwellings will pay a rent geared to their income and other family circumstances. Rent should still be related to income unless and until the ceiling rent is reached. Any increase in rents will be gradual and the State and Federal Governments must work together to ensure that hardship does not result.

This rental policy, and the determination to avoid hardship, flows from the Liberal Party's concern that not all of the seriously disadvantaged are accommodated in public sector housing. There are many in need of assistance because of age, sickness, or some physical or mental disability. The Federal Government provides these people with social, health and other services, and it also looks to meet their housing needs.

Clauses 11 to 14 of the Bill introduce new arrangements for pensioner housing. These arrangements continue grants to the States, remove restrictions on how the funds may be used and make assistance available to more people. Groups who will be helped are listed in clause 11. They include persons in receipt of an aged or invalid pension, a supporting parent's benefit, a special benefit, a sheltered employment allowance, a training allowance in special circumstances, and some classes of service pensions. Unlike the previous legislation, the new agreement allows States to assist married as well as single pensioners. That change has not been recognised by many people. These provisions are not tied to one section; they give the States the opportunity to make the decision and give them more flexibility in relation to pensioners.

The agreement and the new pensioners scheme will be welcomed as major additions to national housing policy and illustrate what can be achieved by Governments working together to meet national objectives. The provision in clause 15 of the Bill for a comprehensive annual report on these programmes will provide an opportunity for regular review of their effectiveness. The clear statement of agreed objectives to apply to the provision of housing assistance makes the 1978 Housing Agreement an important social document, and I have no doubt that it will be seen as the best agreement yet negotiated. In my opinion it is a good agreement. As much as our Minister may think it necessary at times to attack the Federal Government about the lower amount of money available this year, he will agree that the agreement gives more flexibility to the State in making decisions. It gives the State an opportunity to use the money more readily and more easily than in the past. I give the Minister credit that his Government in the past has matched any money that has been available from the Federal Government, and has therefore been able to use the money to provide housing in this State wherever possible.

I am concerned about one area, and it perhaps involves the attitude of society. Many people wish to be, to use an Australian term, jacked up or supported by others, when if they had made different decisions earlier in life they would not have had to ask for support from the taxpayer through subsidised interest rates or subsidised rental. This is partly the fault of our education system, as it exists in the home as much as in any Government or private institution that carries out a teaching programme.

I recently told the industry in this State that I believe there is a need to produce a film to advertise the benefits of owning one's own shelter. Not all young people will be married, nor should we expect them to, but most human beings eventually want shelter. Yet, we find that many of our citizens decide to make world trips, spend their money on expensive motor cars and pay them off on hire purchase. Instead of paying \$6 000 or \$7 000 for a car, by the time they pay it off, it costs over \$20 000. The high interest rates that people pay for luxury items mean that they pay back three times their cost by the time they own them, and then they are virtually valueless.

If one bought a house in 1960 for \$10 000, today it would be worth at least \$40 000. People should see that there is benefit in having the security of a house and not to be humbugged by landlords, Government or otherwise. If people do not do this, they have very little, and say to those who pay high taxes, "We want you subsidise us because we made a wrong decision." I do not blame them for making that decision. I hope that the industry starts an Australia-wide publicity campaign, although we will not reap its benefit for another five or six years.

Most of us go through early life thinking that we will not be tied down and have no need to save money: then we get married and find we have not saved much when had the opportunity to do so. It is our role to use the taxpayers' money to subsidise the disadvantaged and unfortunate. However, by advertising on television, the press, and radio, we can show that people have a responsibility to save for their own future. I object to a system that does not give people an understanding of the two options. If they accept the more satisfactory option, we will not need to be concerned about so much public money to be spent on housing subsidies. I support the Bill. The flexibility in states making their own decisions is good, but the lower allocation for this year is a stumbling block; However, in the long term it is a much better agreement.

Mr. MILLHOUSE (Mitcham): In the course of a longish speech, the member for Fisher has recapitulated most of the terms of the agreement, and philosophised about his views on housing and, as I understood it, he also threw in for good measure some of his Party's policy points. I intend only to speak about one aspect of housing, as it relates to the Bill. At present in South Australia there is a housing glut: more houses are unsold and unoccupied than there should be. I am certain that the building industry regards this as a serious situation.

I had some experience of this only a few weeks ago. We have some family friends who have just occupied a house at Morphett Vale West, a new housing estate of rental-purchase houses developed by the Housing Trust. Around this house there are, I should think, dozens of unoccupied houses, ready to be occupied, but as yet unsold.

I was told that the Housing Trust officer who organised the sale of this house said that at one time, before economic conditions got bad, the Housing Trust was selling five of these houses a day; now it is lucky to sell five a week. There is a glut of Housing Trust houses, certainly of this type. In the private sector there are, I am told, about 1 600 unsold "spec" houses.

I want to pass on a suggestion that was made to me for a solution to the present housing glut, which is one of the reasons for the depression in the housing industry in this State. Recently, a couple of chaps spoke to me about this. One of them wrote me a letter which I intend to read to the House, and hope that the Minister (and knowing him it will not be a vain hope) will comment on it when he replies.

Mr. Goldsworthy: Don't encourage him too much.

Mr. MILLHOUSE: This is a sensible suggestion, and I hope that he will treat it sensibly.

The Hon. Hugh Hudson interjecting:

Mr. MILLHOUSE: I hope that the Minister will treat this on its merits and not be prejudiced, as he usually is, because I make the suggestion. The letter is dated 1 September, but I have spoken to the chap in the past hour and he told me that the situation is even worse now than it was when he wrote it. This is what he said:

The thought we had was that at this point in time, the surplus of housing stock in this state is having a negative bearing on the demand for new homes.

He is not himself a builder, but is a supplier of building materials. The letter continues:

It has been widely publicised that there is a surplus of unsold homes and that now is the time to buy. In effect, this has caused a tardiness in demand, and whilst ever it is known that a surplus number of homes exists, the community will wait until first signs of an uplift appear, because at that point they believe houses will be at the cheapest level.

In other words, people are holding off believing that the cost of houses will go down even further. It is not until they see that the cost has bottomed and is beginning to rise again that the demand will be stimulated and people will buy before the level goes up too much. The letter further states:

Our proposal is that one method to cause an early start to recovery within the industry would be to stimulate and uplift by withdrawing a number of the unsold homes from the market. This would immediately tap the pent-up demand that has developed within the community for new homes, and with people learning the glut was over, there would be many who would want to make an early start in the construction of their new home, before the industry returned to the situation of normal pricing and normal delays in construction work. The total number of unsold dwellings in the State can only be estimated, and it seems the best of these estimates puts the figure at 1 500 to 1 600.

That is the figure I mentioned a moment ago.

The Hon. Hugh Hudson: Quite wrong.

Mr. MILLHOUSE: We will see about that. The author cites an authority in due course. The letter continues:

Of this number, approximately 50 to 60 per cent are units, leaving 40 to 50 per cent homes, that is, the number of unsold houses would be between 600 to 800. The normal building rate for the Housing Trust is approximately 2 000 per annum, and therefore the number of unsold homes would be equivalent to approximately one quarter of the Housing Trust's building activity.

At the present time, houses costing \$45 000 to \$50 000 are being sold at \$35 000 to \$40 000 (including land), and across the board there is a general depression in price of \$10 000 per house for the unsold spec. homes. Most builders are prepared to take a loss on the sale of the houses to release their funds and interest commitments.

If the Housing Trust were able to develop adequate safeguards that they could purchase at a loss to the builder a pre-determined percentage of the unsold spec. homes, then demand would be stimulated again within the industry.

I did not understand what the last sentence meant but it suggests in essence that the Housing Trust, instead of

building new houses, should buy houses. The letter continues:

Perhaps as few as 300 to 400 homes would be all that is required to achieve this.

The Housing Trust should buy a large proportion of the unsold spec homes, instead of building homes. At present, the trust will obtain good value because the market is depressed. The glut of the private home building market will be reduced and the demand stimulated. Prices of houses will therefore rise to better levels, which in turn will stimulate the building industry. The letter continues:

It has been suggested that an announcement of such an intention by the Housing Trust could achieve the same effect. Obviously, adequate safeguards would have to be considered to prevent an immediate rebuilding of spec homes (although that is most unlikely)—

spec builders are sensible enough to realise, once they have burnt their fingers, not to do the same thing again—and to ensure that those builders holding spec homes all participate to an extent that none benefit more than others.

Mr. Wotton: That will put them out of business, won't it?

Mr. MILLHOUSE: Somebody must own the houses and, while there is a glut on the market, there is no stimulus to spec builders to come back. The letter continues:

For your information, I enclose an extract from the report to the Federal Minister of Environment, Housing and Community Development from the chairman of the Indicative Planning Council for the Housing Industry dated 26-6-78. His reference to the South Australian position is an accurate one.

This is the authority for the figures which the Minister said were wrong. The letter continues:

I have also attached information on the number of unemployed skilled and semi-skilled people in the building industry in South Australia since June 1975. The dramatic increase from 371 in June 1976 to 2 386 in July 1978 confirms the building industry is still losing skilled and unskilled workers, which will only add to the dilemma when normal housing levels resume.

In other words, there will be a shortage of tradesmen. That is the guts of the letter. An extract from a report to the Federal Minister of Environment, Housing and Community Development from the Chairman of the Indicative Planning Council for the Housing Industry, dated 28 June 1978, states:

Dwelling commencements in all sectors of the industry fell steadily throughout 1977-78, as the industry adjusted to a lower level of demand for housing, following the period of over-building in 1976. Dwelling commencements in 1977-78 will be 9 100, the lowest level since 1967-68. Dwelling commencements and completions in 1978-79 are not expected to exceed 9 200.

The most significant factor contributing to the low level of activity has been the persistent level of unsold dwellings, both houses and other dwellings, which arose after a period of home building at levels well above the desirable levels recommended by the council. The effect was an early satisfaction of demand and, as stocks built up, it became harder to find customers. The activity of speculative builders now appears to be extremely contracted, and is unlikely to expand in the near future.

The stock of unsold dwellings is expected to approximate 1 600 at the end of June, a reduction of less than 10 per cent on the figure a year ago. "Other dwellings" represent about 60 per cent of the total unsold dwellings. The large unsold stock can be attributed to an excess of speculative building. Speculative dwellings reached a peak of 48 per cent of total dwellings in the quarter to June 1976, but is expected to be no more than 20 per cent in 1978-79, or 1 300 compared with 3 600 in 1975-76.

As a result of the depressed conditions, the adult unemployment position continues to deteriorate in the construction industry, comparative figures for May 1978 and 1977 being as follows:

| | 1978 | 1977 | Increase |
|----------------------------|--------------|------------|--------------|
| Bricklayers | 328 | 93 | 235 |
| Carpenters | 523 | 179 | 344 |
| Painters, Paperhangers ... | 339 | 76 | 263 |
| Plumbers | 105 | 46 | 59 |
| Other occupations | 213 | 72 | 141 |
| | <u>1 508</u> | <u>466</u> | <u>1 042</u> |

The prospects for a significant increase in dwelling construction in 1978-79 are not good. This assessment reflects:

- a continued effect of earlier construction levels which were in excess of the desirable levels which led to a build-up of stocks and an easing of demand;
- the possibility that with revised demographic assumptions the desirable levels may now be lower than previously anticipated by the council;
- difficulties being experienced by lower middle income families in meeting deposit and replacement requirements.

I seek leave to incorporate the following table in *Hansard* without my reading it. It is a statistical table showing registrations at the Commonwealth Employment Service for South Australia of various classifications in the building trades as at June 1975 to July 1978.

The ACTING SPEAKER: Will the honourable member give me the usual assurance?

Mr. MILLHOUSE: I thought I had already given it. The table contains nothing but statistics.
Leave granted.

REGISTRATIONS AT THE C.E.S. FOR SOUTH AUSTRALIA

| Classification | June 1975 | June 1976 | June 1977 | Dec. 1977 | June 1978 | July 1978 |
|--------------------------|------------|------------|--------------|--------------|--------------|--------------|
| Carpenters | 116 | 85 | 322 | 568 | 677 | 662 |
| Bricklayers | 52 | 12 | 188 | 305 | 404 | 438 |
| Painters | 80 | 66 | 135 | 276 | 394 | 440 |
| Electrical Fitters | 18 | 15 | 52 | 78 | 61 | 77 |
| Plumbers | 29 | 13 | 80 | 201 | 165 | 163 |
| Builders Labourers | 159 | 152 | 289 | 397 | 406 | 418 |
| Others | 26 | 28 | 91 | 117 | 159 | 188 |
| Total | <u>480</u> | <u>371</u> | <u>1 157</u> | <u>1 942</u> | <u>2 266</u> | <u>2 386</u> |

Mr. MILLHOUSE: Practical problems may arise. However, under the South Australian Housing Trust Act, the trust has power to buy houses in the way I have suggested. I notice that the Minister for Planning is looking to his friend the Deputy Leader of the Opposition, or somebody else.

The Hon. Hugh Hudson: We are not friends. I wasn't looking at him either.

Mr. MILLHOUSE: Section 20 (1) of the Act provides, in part:

20. (1) For the purposes of, and subject to, this Act the trust may—

(c) buy, sell, let, hire, or otherwise dispose of real and personal property of any kind:

The trust has the power to buy, and it does this. The honourable member for Fisher raised this matter. There is no problem, the power is there.

However, it would remove the glut, the burden of which at present is being borne by the spec builders and, because of that, the industry is depressed. The trust would get, as I understand the suggestion, good value because of the depressed prices at the moment, and it would simply be using its money for that purpose rather than building new houses, of which there are already a number unsold. It means that the trust is assuming the burden of the unsold houses, but I suggest that it is in a better position to do that than private individuals are.

It is suggested to me that it would be one way of stimulating the building industry in South Australia, and I put forward the suggestion. I should like the comments of the Minister, and I hope he will not simply reject it out of hand, because it seems to be one avenue of approach to the problem, and certainly the figures I have quoted from the letter show a desperate situation of unemployment in the building industry.

Mrs. ADAMSON (Coles): I support the Bill, but before addressing myself to the Bill and to the Minister's second reading explanation I should like to comment on the suggestion just made by the member for Mitcham, which he described as a practical suggestion. With all respect to his adviser, whom he did not name, I suggest that it is an extremely impracticable suggestion—not only impracticable but negative in terms of its economic logic.

Mr. Millhouse: It was a former active member of the Liberal Party—

Mrs. ADAMSON: That may be so; I note the word "former". How would the Government withdraw the unsold houses from the market? The member for Mitcham suggests that it would be done by the Housing Trust purchasing these homes. What then does he suggest would happen to all the tradesmen who normally would be working on the construction of Housing Trust homes? Are they simply to be put on ice in the interim while the slack is taken up?

The Hon. Hugh Hudson: They could pull them down.

Mrs. ADAMSON: Quite possibly; get them to pull them down. Surely, it is better to stimulate the economy generally and thereby increase people's capacity to purchase houses, rather than to buy houses simply to diminish the number that are on the market. It strikes me that the suggestion made by the member for Mitcham, far from being practical, is extremely impracticable.

The member for Fisher has summarised the various clauses but, at the risk of repetition, I think it is important that it is acknowledged that this Commonwealth-State Housing Agreement was formulated with the full co-operation of the States. The Minister, I note, is looking slightly surprised. I take it that he was a party to the agreement. There is nothing to indicate that he was not,

but, in reading his second reading explanation, it seems that it is more notable for what it leaves out than for what it puts in. It certainly fails to acknowledge that this agreement is extremely advantageous to the States in terms of its flexibility and the autonomy which it gives the States in terms of developing welfare housing policies.

The agreement gives enormous scope for assistance for those in need of welfare housing. More people will be assisted under two separate programmes—the home ownership programme and the rental assistance programme. The home ownership programme abolishes the means test which was imposed in 1973. It creates new interest arrangements, which will give the States surpluses which can be used for additional loans, and the rental assistance programme abolishes the means test and enables the States to determine eligibility for home rental by welfare housing tenants. The States will be able to sell their houses for cash and use the money for replacements. The principle embodied in this agreement will ensure that housing assistance is provided to those who are most in need, and it will ensure that assistance is available to them at the time of their greatest need.

I should like to dwell particularly on the rental aspect of the agreement. The basis of the rental part of the agreement is the operation of the rental rebate system, and the rental rebates are designed so that the rent paid is related to the income of the tenant and to other family circumstances. As the member for Fisher outlined, this is extremely important, and it enables the Government to assist those in greatest need. The value and the number of rebates granted to tenants are expected to increase as the States progressively move towards adopting market related rents. More families will be eligible, although of course the number depends upon the income of tenants and existing rent levels.

It is interesting that, in his second reading explanation, the Minister claimed that in South Australia the rent reductions for needy tenants are among the most generous in Australia, and that rents charged by the Housing Trust have been progressively raised in recent years and are now very close to achieving the intention of the new agreement. I think they still have some way to go. The Minister is nodding in disagreement, and obviously thinks they are at market levels—

The Hon. Hugh Hudson: Market related levels.

Mrs. ADAMSON: Market related levels. It would be interesting to have the figures on that. The concessional interest rate of 5 per cent on funds advanced is the means by which the States will be able to afford to grant rebates. I think that is the answer to the Minister's complaints about the increased interest rates. Surely he wishes to be in a position to help those in the greatest need, and this is the device by which he will be able to do so. The previous rental policies for those no longer in need have in most States been related to the historic economic cost of construction, with amortisation at the concessional interest rate.

The effect of inflation in construction costs results in many new tenants who have just passed the means test in the past being charged higher rents than those of longer term tenants whose circumstances may have improved occupying a dwelling constructed at a lower cost. In the past four years, this situation has exacerbated the rent differential between tenants in some States, where the majority of rents were considerably less than those applying in the private market.

It is interesting to recall that the Henderson poverty inquiry revealed that 132 Housing Commission rented dwellings, 72 per cent of those available in Australia, were occupied by people with incomes of more than 120 per

cent of the poverty line. At the same time, 86 000 families and individuals below the poverty line, and a total of 146 000 with incomes less than 120 per cent of the poverty line, were renting privately. That situation should be redressed if we, as Governments, both State and Commonwealth, want to do our utmost to assist those in the community who are in real need.

I want to refer now to some statements made in the Minister's second reading explanation, which was notable for what it failed to say in terms of acknowledging the excellence of the new Commonwealth-State Housing Agreement.

Dr. Eastick: Is that intentional?

Mrs. ADAMSON: I think it may have been intentional; in fact, I am certain that it was, because the State Labor Government is notable for its grudging response to any positive initiatives by the Federal Government which may assist South Australia. We see it time and time again. Little credit, if any, is given where credit is due, and this is one of the classic examples. Here, however, we get a little grudging praise. The Minister stated:

The agreement, despite forcing up interest rates and rents, does provide greater flexibility in the development of State housing policies.

It does. It will enable this State Government to put into practice all kinds of imaginative plans if it chooses to do so. The Minister's explanation continues:

It is most regrettable, therefore, that the Commonwealth Government has chosen to subvert this potential gain by making one of the most savage cuts ever made in funding under the agreement.

That is a dishonest statement.

The Hon. Hugh Hudson: It's not.

Mrs. ADAMSON: It is dishonest to say that there has been a 25 per cent cut in funds when the State of South Australia and all the other States have access to a revolving fund which remains with the States, which hitherto it did not do. In fact, we have in effect about the same sum of money as we had before, but we now have greater power over it. The total granted by the Commonwealth Government to all States in the current year is \$316 000 000, of which South Australia has been allocated \$47 360 000. In addition to that allocation, there is \$15 790 000 in revolving funds, which comprises funds provided in previous years by the Commonwealth Government and to which the State now has access.

Also, South Australia now has access to internally generated funds from increased rent receipts. Taken together, this means that South Australia has available virtually the same sum as last year, plus a far greater autonomy, which should be of enormous benefit to the Government and to welfare housing tenants.

It is important to note, when the Minister is complaining bitterly that it is a matter for regret that the Commonwealth has seen fit to increase from 4 per cent to 5 per cent the interest rate on rental housing, that the Minister was party to that agreement. He sat around the conference table trying to achieve equity for welfare housing tenants in Australia. Presumably, he reached agreement; there is nothing on the record to say that he did not do so. Yet, the Minister comes into this Parliament and starts sniping at the Federal Government over interest rates to which he, at the conference table, agreed. The Minister cannot have it both ways: either he is a party to the agreement or he is not. Either he abides by it or he does not. There is no use the Minister's trying to advocate policies that provide less help to those in need, which is, in effect, what he is doing if he is advocating a return to the former interest rate, which would deprive this Government of the ability to help those in need.

Mr. Arnold: He is playing both ends against the middle.

Mrs. ADAMSON: That is not a new experience for the Minister for Planning. Indeed, this seems to be his perpetual practice. It is important that it goes on record that this new housing agreement will ensure that housing assistance is provided to people most in need, and that that assistance is available at the time of greatest need. Surely, that should be the goal of any welfare housing policy. It is certainly the Commonwealth Government's goal in achieving this agreement with the States. I support the Bill.

Dr. EASTICK (Light): I wanted to raise one or two points, the Minister having been challenged correctly to come clean on a number of matters associated with housing in South Australia. My colleagues have highlighted the difficulties that exist. Indeed, the member for Coles, in rebutting the statement made by the member for Mitcham, indicated the impracticality of that honourable member's suggestion.

I understand that one of the big difficulties of funding additional housing in South Australia at present, and indeed one of the reasons why there is such an over-supply of houses in South Australia (the point which was made by the member for Mitcham and which was contained in the letter to which he referred), is that the South Australian Land Commission came into existence and over-supplied a market that hitherto had been deficient. A series of restrictions were built into the purchase of blocks of land associated with the commission, to the extent that a purchaser was required to build on a property within a limited period. Initially, he had to build within two years. The period was subsequently extended to four years, and I understand that it is now seven years.

In other words, the housing glut in South Australia, which is the worst in Australia, has been brought about as a direct result of this Government's policies. The Government has created a situation in which many houses have had to be built. The construction of those houses in a short period of time has caused an over-supply position to be created, thus destroying the speculative market that existed previously. This has, in turn, created much difficulty in relation to housing finance, and has reduced the Government's capacity to put as much money into this area as it might otherwise have been expected to put into it. It is not denied that the Land Commission's parcels of land will be useful in future.

Mr. Evans: A land bank.

Dr. EASTICK: That is so, and this is accepted. However, there has been some regret regarding the manner in which the commission carried out its operations.

Mr. Millhouse: They're pirates—

Dr. EASTICK: They have definite cost advantages that other developers have not had. However, I do not want to enter into that argument. Rather, I return to the point that we have an over-supply of houses because of the Land Commission's intrusion into the market. The Government has a tremendous sum of money tied up in serviced blocks and broad acres and, because that money is not turning over, the Government's capacity to undertake other initiatives, particularly in relation to increasing the availability of low-rental or privileged housing, is affected.

I should like the Minister when replying to the debate (because he has been asked to comment on a number of important issues in relation to the overall approach to housing) to acknowledge that the Government and indeed South Australia are embarrassed in this respect. If it will offend the Minister's sensitivity, I will not use as the thrust of my argument that the Government is embarrassed.

However, the fact remains that there exists in this State a problem that has been caused by the over-involvement of funds in an unrealisable asset. In this respect, I refer, of course, to Land Commission serviced land and broad acres.

The Hon. HUGH HUDSON (Minister for Planning): I should like to deal in reverse order with the members who have contributed to the debate. I therefore refer, first, to the member for Light, whose thesis was the most extraordinary of the lot. He said that the present glut was caused by the amount of serviced land which the Land Commission held and which was unsold.

Dr. Eastick: Go and have a look at Craigmore.

The Hon. HUGH HUDSON: One sees from page 438 of the Auditor-General's Report that at 30 June, 1963 serviced Land Commission allotments were unsold.

Mr. Millhouse: Their costs of development are much higher than those of the private developers.

The Hon. HUGH HUDSON: No, they are broadly the same.

Mr. Millhouse: No fear they are not.

The ACTING SPEAKER (Mr. McRae): Order!

The Hon. HUGH HUDSON: Where land subdivisions are available adjacent to private subdivisions, Land Commission allotments are much cheaper than the private subdivisions, allowing for any advantage that the Land Commission might have had. Be that as it may—

Mr. Millhouse: I am talking about—

The ACTING SPEAKER: Order! I call the member for Mitcham to order.

The Hon. HUGH HUDSON: If anyone can say that 1 000-odd unsold allotments are the cause of our present troubles, when the figures quoted I think by the member for Mitcham showed that 9 200 homes are expected to be constructed in South Australia this year (of which, I suppose, at least 7 000 would be in the metropolitan area), it is obvious that what has been said is blatant nonsense. Once any unsold stock of private allotments are disposed of, about 4 000 or 5 000 new housing allotments will be required in Adelaide each year. That position will soon commence to arise.

I expect that, beginning in January or February of 1979, we will start to see a significant increase in the sales of Land Commission allotments and private allotments, and the need for additional production. Again, to say that the Government has money tied up in the Land Commission is a load of nonsense. If the member for Light looks at page 439 of the Auditor-General's Report he will see that loans from the Commonwealth to the Land Commission amount to \$52 700 000, loans from the State to \$3 500 000, and sundry institutions secured by debenture \$7 500 000.

These loans from the Commonwealth, which were negotiated with the Whitlam Government by means of an agreement entered into between the two Governments, are loans that can be used for only this purpose. If the land was sold, those loans would have to be repaid. Apart from that, if we sold the land, and we did not have money tied up in it and Commonwealth Loan funds were not tied up in it, people would have tied up money that they could use for other purposes.

Mrs. Adamson: Not taxpayers' money, though.

The Hon. HUGH HUDSON: Commonwealth money is taxpayer's money, and you object to the Commonwealth providing this money.

Mrs. Adamson: I object to taxpayers' money being tied up in land.

The Hon. HUGH HUDSON: I object to private landholders making speculative gain on newly formed urban land at the cost of the ultimate home purchaser. The

Land Commission was set up to deal with that problem and we are no longer going to have a situation where this new fringe land is brought into urban development and millionaires are created, as they were in the policies that the member for Coles supports. If the member for Coles thinks that a suitable policy I do not.

The policy of the Whitlam Government has been continued by the Fraser Government, but to a much lesser extent, because \$12 000 000 of that \$52 000 000 was provided by the Fraser Government only because, I think, we had a legal agreement which said it was committed to give us \$6 000 000 in 1976-77 and \$6 000 000 in 1977-78. Once they could get out of it in 1978-79, they gave us nothing. Nevertheless, we have established a land bank for future urban development, which means that accretion in value of that land as it is brought into production will accrue to a community.

Rural A land has been purchased by the Land Commission at an average price of \$3 000 an acre over the whole rural A area, while land that is already zoned residential cannot be obtained for anything less than \$10 000 an acre, even if there was any broad acre land available to be purchased. The price of much of the land is considerably higher than that. That is the kind of improvement that can be expected in land that is brought into production in the Morphett Vale area, for example, the whole of the Golden Grove area and so on.

Dr. Eastick: It is less of an embarrassment if the supply is flowing though, isn't it? That is the point that was made.

The Hon. HUGH HUDSON: Sure. The honourable member cannot get away from the fact that he tried to argue that the unsold Land Commission allotments were the cause of the housing slump. That is a load of nonsense and if I were not in Parliament I would use stronger words than that.

Dr. Eastick: You weren't even in the House.

The Hon. HUGH HUDSON: I heard the statement on the amplifier, and it was simply untrue. The facts of the matter are these: that the purchases of land by the Land Commission have saved a number of land development companies in South Australia from going broke. The commission has kept them liquid. Several companies that had got into difficulty were saved from going into liquidation because the Land Commission purchased land from them.

Dr. Eastick: Where have they taken their capital now?

The Hon. HUGH HUDSON: Some of them have kept going here. There is little doubt that, if we had a significant number of land development companies going through the hoop, the problem of adjustment to that situation would have been much more difficult.

I will deal now with the suggestion made by the member for Mitcham, which has been made to me on several occasions. The Housing Trust this year, because of the reduction in the amount of money obtained from the Commonwealth, has a reduced programme. If we required the Housing Trust to purchase 300 or 400 homes that were already built the consequence would be a reduction of 300 or 400 in the number of homes in the trust's programme this year. The trust traditionally uses private builders such as Feeney, Adelaide Building Company, Wender and Duerholt, and so on. As the only consequence of that situation would be to force reduced production over and above the reduction that has had to be enforced at the present time because of reduced funding from the Commonwealth. All the honourable member's suggestion would do would be create, immediately, increased unemployment in the building industry. We do not find that sort of proposition acceptable. At any rate, I would challenge the figures relating to the number of unsold

homes given by the honourable member.

Mr. Millhouse: Why will it increase unemployment?

The SPEAKER: Order! The honourable member will have a chance to speak in Committee.

The Hon. HUGH HUDSON: If Feeney's, Adelaide Building Company, and Wender and Duerholt reduce production they would employ less labour.

Mr. Millhouse: But if it stimulates the market—

The SPEAKER: Order! It is not Question Time.

The Hon. HUGH HUDSON: If it stimulates the market the only consequence is a partial offset to the increased unemployment that we have already created by the purchase. I put to the honourable member that the figures I have for unsold homes suggest that the position now is very close to normal.

Mr. Millhouse: Are you saying that seriously?

The Hon. HUGH HUDSON: Yes. If the honourable member listens, I will give him the information I have. The only reliable figures available on unsold homes come from the South Australian Gas Company. That may sound strange at first, but it keeps figures on the number of homes that have been built to which gas is connected and for which no account is being paid. Clearly, *prima facie*, those are unoccupied homes. Earlier this year the number of homes in that category (and all that would be excluded from that category would be all-electric homes)—

Mr. Arnold: Which would be a fair per cent, wouldn't it?

The Hon. HUGH HUDSON: No. There would be 100 to 200, that would be all. At the beginning of this year the number of unsold homes, including show homes, display homes and home units, was nearly 1 600. The latest Gas Company figures, those to the end of September, show a reduction to 950, of which about 370 are homes and about 580 are home units. If there is an annual production of homes in Adelaide of 5 000 or 6 000, 350 unsold homes is a low figure and close to normal. That is emphasised even more by the fact that of those 350 unsold homes there are a number held by one or two of the speculative builders who over-built to a large extent. Nearly all of the current new commencements are contract homes. There is almost no speculative building going on at present, so the likelihood of current building leading to unoccupied homes in the future is not great, because a mortgagee sale or something of that nature would be required for that to occur. It is quite wrong to talk any more of a glut.

In fact, there has been a very serious problem until about a month ago, with respect to home units, but there is a significant reduction of 100 or more in the number of unsold home units, and even that figure is now coming down significantly. We are close to a situation where the advantageous buys will disappear altogether. One of the problems that have existed while those advantageous buys have been around is that prices of old-established houses have come down substantially. Those purchases, for those able to raise finance on them, have been much more attractive in relative price terms than the purchase of a new home. The suggestion made by the honourable member has been made to me previously, it has been investigated thoroughly, and we do not believe it to be a proper way in which to proceed. The Housing Trust is continuing with its purchase programme of old homes that are upgraded and then used for rental purposes. These homes are mainly in the inner suburbs, because they are used chiefly for special rental cases where people need to be relatively close to public transport. We do not want to put welfare case situations into positions where a motor car is needed for mobility.

In so far as the trust is purchasing homes for rental, they are older homes which often need to be upgraded and

which are well located with respect to public transport. We are dealing with quite a number of such homes. The member for Fisher raised the question of the number of these homes being made available to those in need. It is important to distinguish between two types of situation. First, where we have purchased these old houses and upgraded them, nearly always people in need go into them. Secondly, where we have agreed to do summary building (for example, the Manitoba development) we have not been able to consider the proposition, because of the cost of doing it, unless we were going to have rentals of about \$50 a week.

That kind of proposition puts out of court the special rental case from occupying that sort of situation. If we had put people in need into the Manitoba situation, the amount of rental subsidy would have been huge, because in many such cases the maximum rental that could be charged would be only \$20 a week. If we are subsidising at the rate of \$30 a week, it is a very large subsidy. A point not generally recognised sufficiently is the effect of the interest rate on the economic rental of a home. It is an artificial effect, and it is one of the fundamental problems involved in some of the philosophic viewpoints that the member for Fisher wanted to espouse. If people borrow at 10 per cent to build rental accommodation, the economic rental of that accommodation on a \$30 000 home is likely to be about \$80 or \$90 a week. Even at 5 per cent rental, the economic rent is likely to be close to \$50 a week on a \$30 000 building plus land. At 4 per cent, which was the old interest rate for rental purposes, one could get the rent down to \$40 or \$45 a week. If we are dealing with people who are earning less than the average weekly earnings, what kind of rental do we expect them to pay? We have said that 22½ per cent is the maximum percentage of income that should be taken in rental and that, if a person is earning the average weekly earnings of \$190, we would be asking for \$42.50.

Mrs. Adamson: What about people earning more than the average weekly earnings?

The Hon. HUGH HUDSON: We are prepared to charge them the economic rental, whatever that is, but there is no case for saying that they ought to be taxed for occupying Housing Trust houses. Where we have whole suburbs of Housing Trust houses, do members opposite really want to adopt policies that would result in all of those houses being occupied only by people in need, so that we have whole suburbs of people in need?

Mr. Evans: That has not been suggested.

The Hon. HUGH HUDSON: If members opposite say that in those suburbs that anyone with an income of \$250 a week should be pushed out—

Mrs. Adamson: Charge the market rent.

The Hon. HUGH HUDSON: That is what we are doing, except that we are charging a market-related rent. What would be the market rent of a traditional Housing Trust double unit in suburbs like Ferryden Park, Mansfield Park, and Woodville, and in suburbs like those in the Ross Smith District, the Ascot Park District and the Mitchell District? That sort of accommodation is not typically provided by private entrepreneurs. We are saying that the current rent of \$25 a week is a market-related rent, and we do not have to go substantially further in adjusting rents for those double units; in the future the adjustments should more or less match changes in the housing component of the consumer price index.

Mr. Evans: Is that a subsidised rent?

The Hon. HUGH HUDSON: We say it is a market-related rent. It may be 80 per cent or 90 per cent of the rent that the honourable member would charge. We fought to get "market rent" out of the agreement and to

get "market-related rent" included.

Mr. Millhouse: How do you define it?

The Hon. HUGH HUDSON: That is up to the State Minister. I do not know whether the member for Coles has ever had a shotgun pointing at her. I may discuss this with her afterwards! However, there are problems in negotiating agreements that arise where there is unequal bargaining power. Our choice was that if we disagreed we got no money at all. To get any money out of the Commonwealth-State housing agreement, we had to end up in agreeing to something.

Mrs. Adamson: I suggest you were pleased with the bulk of the agreement.

The Hon. HUGH HUDSON: I was somewhat more pleased prior to finding out how much money we would get under the agreement. All of the State Ministers made a strong point with Mr. Groom at the Hobart conference in April that, if the agreement was really going to work and produces the extra surpluses that would be available to the States for relending, the money available under the agreement ought to be expanded in the initial years, because that would lead to more surpluses. That is a perfectly valid argument which the Commonwealth officers used with the Commonwealth Treasury, but that they lost. Instead of getting more money, it was reduced. The consequence of the reduction is that the amount of surplus generated under this agreement will be less in the years ahead, and our ability to help ourselves will also be less.

Mrs. Adamson: Sir Charles Court said that it was the best agreement—

The Hon. HUGH HUDSON: These Liberals stick together if at all possible, don't they?

The SPEAKER: Order! Interjections prolong the debate.

The Hon. HUGH HUDSON: We objected all along to the proposal to increase interest rates. We got a modification in that, because the original proposal from the Commonwealth was that the interest rate under the Home Builders Account should go all the way up to the bond rate. I put forward the proposition that the limit for the maximum interest rate should be 2 per cent below the bond rate, knowing that the Commonwealth might agree to 1 per cent below, and we got that adjustment. We were not able to get the interest rate back to 4 per cent for the rental money, and that would have been an important achievement. We all ended up with the choice of either accepting the agreement or receiving nothing. I am quite happy to say that to the current Commonwealth Minister and the previous one.

If I had the choice of \$58 000 000 at 4 per cent under the old agreement, or \$47 000 000 at 4½ per cent and 5 per cent under the current agreement, I know what I would choose. We had no difficulties under the old agreement. It did not effectively provide a restriction in South Australia. It did, in terms of the policies that Victoria wanted to adopt, but that State did not even abide by the old agreement, and in the end the Commonwealth passed special legislation ratifying Victoria's misdemeanours.

This year the State Bank will be making loans each of \$21 000 directly from its own sources at 5¼ per cent at the rate of about 50 to 55 a week. Over the year as a whole, about \$55 000 000 of that total will be put out by the State Bank, and \$19 000 000 of that will come from the Commonwealth-State Housing Agreement, a few million dollars from recirculating funds and from old agreement money which we would have received, anyway (those revolving funds were not a consequence of the new agreement: they existed, anyway) and the remainder of the extra money will be obtained as a consequence of

action taken by the State Government.

The suggestion that the Commonwealth has played the States fair under the Housing Agreement is simply not the case. Every State Minister, Liberal and Labor, went to that April meeting pleading that we could use double the sum in real terms. In private discussions with Ministers from the Liberal States, I said, "There is no way we will get double, but we should get about a 10 or 15 per cent increase." Instead of that, we were butchered, and there is no way that honourable members can get away from the fact that the States were butchered by the Commonwealth under the provisions made for the first year of this new Housing Agreement. Even the Housing Industry Association has told the Government we were butchered, in effect.

We currently permit the sale of homes. Where the sale has to be for cash, the trust being no longer able to carry mortgages on these sales, very few homes will be sold, even if the adjustment we make automatically was made. We are considering a proposition which we hope will lead to the potential for sale on a progressive basis. We will then have a joint venture, or the land held on leasehold as an initial step, but I do not know whether that will ease the situation. The money received from homes sold will be put back into rental housing. During recent years it was never a legitimate possibility to hold back the activities of the State Bank or the Housing Trust, because the effects of inflation were increasing the queues at the State Bank and the Housing Trust. The Housing Trust has a queue of 20 000 applications, and we are only able to accommodate 5 000 a year, which is the most we have ever done. It is only as high as that because of the turnover of some existing tenants. Could we legitimately cut back Housing Trust construction during the boom period, when we had a queue of 20 000 families, in order to moderate the boom? In circumstances because of the effect of inflation on interest rates, where the queue at the State Bank was getting longer and longer, because more and more people were unable to afford market interest rates, and where that queue was extending to three years, could we cut back the State Bank rate of lending?

The problem is very much more complicated when one tries to do something about it, because people that get on to the State Bank waiting list normally purchase their house, or cause it to be built, within a year of getting on that list. If they have a three-year wait they will wait for a year and will be on temporary finance for two years. To stop people purchasing their house and causing that element of demand to be expressed during a boom period, one would be forced into preventing people getting on to the State Bank waiting list at all. I suggest to the member for Fisher that, if one was attempting to adopt policies through the State Bank or the Housing Trust to moderate the boom, it would be very difficult, and one would be affecting people most in need, so that there would be serious cries in response to that sort of policy.

We did not expand the activities of the State Bank and the Housing Trust during that period but held them steady. Now that the industry is depressed we are trying to hold the activities of the State Bank and the Housing Trust steady and maintain them. We would like to give them a bit of a fillip if we could through the State Bank at present, and I hope that we may be able to say something more about that shortly. The extent of the public involvement in housing through the Housing Trust and the State Bank, or with private builders, is much greater in this State than in any other State: 35 per cent of homes in South Australia are either Housing Trust homes or are financed through the State Bank. Public housing does not get much above 20 per cent in any other State, and in New South Wales

and Victoria it is probably around 12 per cent.

The public housing component provides a cushion to the industry which is most important. That has come about because successive Liberal and Labor Governments in this State have always put more money into housing, and we have always had a bigger emphasis on housing. In the years when the Housing Agreement money was entirely at the State's discretion, prior to 1973, and when each State got its Loan allocation and then determined that so much would go to housing, South Australia put more money into housing than any other State pro rata. For that reason, when the 1973 Housing Agreement came along, the previous arrangement was withdrawn and there was special Housing Agreement money separate from the Loan Council, we had a higher figure pro rata than the other States.

The figure quoted by the honourable member for Fisher, that showed South Australia with 50 per cent more money than Queensland or Western Australia was entirely a consequence of the carry-over from the days when we put more of our Loan money into housing. If our allocation were to be reduced now we would be disadvantaged unless we got an equivalent increase in our Loan money allocation. Honourable members should think seriously about that and recognise the need to support, with their Federal colleagues, the proportion of housing money that comes to South Australia, because that is a consequence of our willingness to help ourselves in years gone by.

Mrs. Adamson: Yes, the Playford Government.

The Hon. HUGH HUDSON: It was carried on by Liberal and Labor Governments, I said that. It was started by Sir Thomas Playford and carried on by Frank Walsh, Don Dunstan and Steele Hall, and again by Don Dunstan. It has been a feature of this State's policy all along. We should not allow a situation to develop where members of the Federal Liberal Government think that they can pull South Australia back to the field. If they did that and gave us less and Queensland and Western Australia more, we should get a compensating increase in our Loan money. I hope that honourable members will take those points seriously and make sure that they are transmitted effectively to their Federal colleagues. The only thing that has saved us since the Fraser Government has been in power is that the Commonwealth Minister has come from Tasmania, Newman originally, and now Groom. Tasmania receives more per capita Housing Agreement money than we receive. There is no way that Newman or Groom can cut us back without cutting Tasmania back. We might be in trouble if they ever get a Housing Minister who does not come from Tasmania. If members opposite have any influence with their Federal colleagues or with Mr. Fraser, they should make sure that the Federal Liberal Housing Minister comes from Tasmania. That is a protection for South Australia.

I would like to see some moderation in Opposition members' attitudes to rentals. If one talks about market rentals I suggest that rentals in the order of \$45 to \$50 a week are a significant burden for anyone on average weekly earnings or less, as are 60 per cent of working people.

Mr. Evans: What percentage of that group was attempting to buy their own home and pay \$40, \$60 and more?

The Hon. HUGH HUDSON: Those people are building up an asset and have been assisted by inflation, as has almost any honourable member in this House. Nearly all of us bought our homes at less than \$15 000, and are now reaping the benefit of inflation, reducing the value of our indebtedness and increasing the value of our homes. If

inflation does anything, it improves the position of the home owner, *vis-a-vis* the rent payer. Let us be clear on that point. The person who rents during a period of inflation will end up much worse off in terms of equity and assets than the person who owns his own home.

It is all very well to say that people who have not made the effort to own their own home have had a choice, but they have not all had a choice. Many people in our community who get married and are the single breadwinner in the family; they may have a few children, and are on an income below average weekly earnings, and it is almost impossible for them to build up the cash deposit and make the payments necessary. I remember that the question of renting hit me as a member of Parliament some years ago when a Housing Trust tenant with five children in my district came to see me and said, when there was a rent increase, "Look, please understand this: I have earned less than average weekly earnings all my working life. I have put all the money I have had available into providing for my children and my wife, looking after them in terms of decent food, decent clothing and as good an education as I could provide for them. The only thing that has enabled me to do a relatively decent job of that has been that I have had a low rental from the Housing Trust place I occupy. That is the thing that has helped me maintain any sort of decent standard of living for my family."

We have just put up rents by \$4 a week, \$200 a year. I do not like that a bit. But for someone paying taxes of \$1 000 a year, which would involve a relatively low income, \$200 a year in extra tax would be a 20 per cent rise in taxation. Imagine the scream there would be if the Commonwealth imposed a 20 per cent rise in tax.

Mr. Slater: It hasn't done too badly.

The Hon. HUGH HUDSON: At least it has not been 20 per cent. That \$4 a week in one hit is a real slug on someone's standard of living. Western Australia went for \$9.50 in one hit at the beginning of this year or early last year, \$500 a year extra in rent for many people who were no doubt only earning, say, \$10 000 a year.

Mr. Arnold: How does that compare with the South Australian situation?

The ACTING SPEAKER (Mr. Whitten): The honourable member will have an opportunity in Committee to ask questions.

The Hon. HUGH HUDSON: Rents in the Liberal States are higher than in South Australia. I think that we have a different view of a market-related rent. I am trying to wean honourable members opposite away a little from their Liberal colleagues in other States. They should develop a somewhat more generous attitude and acknowledge that \$40 a week for someone who is earning \$180 a week has a serious impact on that family's ability to provide a decent standard of living for themselves. We need to pay attention to that. We cannot afford a situation where we savagely attack standards of living by putting up rentals excessively. The agreement says "market-related rentals" and, as far as this Government is concerned, at the present cost and price level \$25 a week for a double unit is market-related. I defy anyone to prove otherwise. I thank honourable members for their attention to this debate, and I am pleased that they are going to support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Loans made under the agreement."

The ACTING CHAIRMAN (Mr. McRae): It has been brought to my notice that there is no Ministerial position for the Minister of Housing and, with the concurrence of

members, I intend to leave out the words "or housing" as a clerical adjustment.

Clause passed.

Schedule.

Mrs. ADAMSON: Clause 18 (2) provides:

Rental rebates are to be granted to tenants who are not able to afford the rent determined in accordance with subclause (1) and the Commonwealth and the States will jointly seek ways of establishing a uniform approach to the calculation of such rental rebates.

How does the Government calculate the eligibility for these rebates, and what public knowledge is there of the criteria used? Concessions granted by the Commonwealth are related to a means test, which is public knowledge. The eligibility of every person for any kind of concession or benefit is public knowledge. All taxpayers know who is entitled to receive these benefits. However, I have never seen this information available in relation to the State Government determination as to eligibility. I believe the information should be made available, and I seek the Minister's assurance that this will happen in the future.

The Hon. HUGH HUDSON (Minister for Planning): I am quite happy to make this information available to honourable members: if it is required generally, I will also be quite happy to do that. No rent can be greater than the related rent or the vacant rent. The present scale is that within that overall limitation a rent cannot exceed a certain percentage of the tenant's income. The scale is from 16 per cent at the pensioner level of income of about \$100 a week, rising to 22½ per cent of average weekly earnings, about \$190 a week, with various percentages in between on a graduating scale. Adjustments are made where the spouse is also earning an income. Where this occurs, a percentage allowance for that income is added to the breadwinner's income to make the percentage calculation. I will provide honourable members with details of scales.

Where other members of the household earn incomes, for example, children, allowance is again made. I do not know the exact figure but, if a person under the age of 21 resides in the house and the maximum rent on the rent scale was \$16, \$4 would be added to the rent if that person was earning an income. Instead of the maximum rent being \$16 it would then be \$20, with the expectation that the tenant would take \$4 a week from the income earned by the under 21-year-old. As the progressive age of children becomes higher, the amount is raised. I think it rises to about \$6-50. If a member of the household over the age of 30 earns a higher income than the tenant, his income becomes the requisite income for calculating the rent.

The reason for making relatively minor adjustments for children earning incomes and for those in the age bracket 20 to 25 is that the Government does not want a rental policy that makes a large adjustment so that people are pushed into other accommodation. South Australian adjustments are much gentler than any other State, and our basic rental scale is more generous than other States. The Government is not prepared to apply a rental rebate system similar to that in other States. In South Australia, about 28 per cent of tenants receive a rental rebate. Victoria has a similar percentage, although its level of rent is much higher. Rental rebates in Victoria are less than in South Australia.

Mrs. ADAMSON: I am pleased to receive that information from the Minister. This information should be made public and would then diminish the kind of criticism that has come from the Opposition tonight about market related rents and rebates. It is highly desirable that pamphlets be prepared by the trust, and they could be

handed out in members' offices or any other appropriate place. I am pleased to learn that the concept of keeping families together is acknowledged and that there is an advantage in doing so. Too savage a penalty imposed on young people who are earning relatively high incomes tends to push them out of the family home. That is an excellent idea, and this information should be widely available in printed form.

Schedule passed.

Title passed.

Bill read a third time and passed.

UNAUTHORISED DOCUMENTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 28 September. Page 1265.)

Mr. GUNN (Eyre): I support the second reading. Restrictions should be imposed on the use of the official badge and other emblems of South Australia. I received a letter from constituents in the Ernabella community a few days after I had examined the second reading explanation, and the piping shrike formed part of the letterhead. I wrote to the Premier on 6 October, as follows:

Dear Mr. Premier:

I currently have the adjournment of the Bill you introduced to amend the Unauthorised Documents Act which prohibits the use of the State badge and other official emblems.

One of the Aboriginal communities in my electorate, namely the Ernabella Community Incorporated, has the piping shrike as part of their letterhead.

The Premier replied as follows:

Thank you for drawing attention to the use of the piping shrike on the letterhead of Ernabella Community Incorporated. That is just the sort of use of the State badge that we wish to restrict as persons receiving correspondence on such letterhead might well assume that it was an official communication and act accordingly. I see no harm in sporting teams, representing this State, being granted permission to use the State badge on blazers etc., or in its use on souvenirs in certain circumstances.

In view, however, of the *fait accompli* I would be willing to grant an exemption to the Ernabella Community Incorporated if they care to apply.

I agree with the Premier's comments, because it would be improper if any organisation in the community could use the piping shrike on its letterhead.

Until recently, my understanding was that anyone who wanted to use the official emblem had to seek the permission of the Chief Secretary. On doing a little research on the matter, I found the following comment in the *1970 Year Book*:

Badge:

The State badge is described as the Rising Sun, or, with thereon an Australian Piping Shrike displayed Proper, and standing on a staff of gumtree raguly, gules and vert. Its use is also under the jurisdiction of the Chief Secretary but is less restricted than the coat-of-arms.

With this legislation, the use of all State emblems will be restricted to those permitted by the Minister. I cannot see much wrong with that. I believe that it would be wrong for the Government not to permit sporting teams representing South Australia to have a piping shrike on their blazers. I notice that the Chief Secretary has one on his tie. I am not sure of the significance of that, but perhaps the Minister in charge of the Bill will explain how the Chief Secretary and other Minister have obtained such ties. This matter has

been covered by legislation since 1904.

Mr. Millhouse: It has not.

Mr. GUNN: I am not particularly interested in the comments of the member for Mitcham. I intend to support the second reading, because I believe that there is merit in the legislation.

Mr. MILLHOUSE (Mitcham): I think that the member needs his head read to be supporting an utterly footling, unimportant, and unnecessary Bill such as this. I do not support it, and I intend to oppose it at every stage, if necessary. The member apparently believes that there has been relevant legislation since 1904. If he had taken the trouble to look at the second reading explanation, he would have seen that in 1904 there was some proclamation which assumed the existence of a State emblem, but there has been no legislation on it.

Apparently, the purported purpose of the Bill is to give some official standing to a State emblem, but it goes much further than that. We do not know what the State emblem is to be; it could be anything at all. This is being done by way of amendment to the Unauthorised Documents Act, which has stood unamended since 1916 and which is not necessarily appropriate for the purpose. I will accept that 1904 is the first mention of the piping shrike as the State emblem, but we have got on quite well in South Australia for the past 75 years without legal recognition of it. Why do we need it now, and what difficulties will it have for the Port Adelaide Football Club?

Mr. Slater: And the Veterans Athletics.

Mr. MILLHOUSE: Yes, an organisation to which both my friend from Gilles and I belong. What will be the difficulty for those bodies? This is an absurd Bill. It is quite unnecessary, but it is also mischievous. It will get us into plenty of trouble, and the mention of the Port Adelaide Football Club should be enough to show that. I do not know whether members have thought about it, but, as I understand it, the emblem of the Port Adelaide club is a magpie. What does this silly Bill say? Are we saying that one cannot readily mistake a magpie for a piping shrike? If so, I do not believe it, because obviously there could be such a mistake. The Bill is not restricted to piping shrikes, because new section 3a (2) states:

In this section

“prescribed emblem” means an emblem declared by regulation to be—

- (a) a State Badge; or
- (b) an official emblem of the State,

and includes any other emblem that is so similar to an emblem so declared that it could readily be mistaken for such an emblem.

That could be anything. It could be changed overnight by the Government to something else. Why should there be legal protection for the use of that emblem? Why should it not appear on souvenirs and other things? Why should it be restricted to Government publications and things put out officially by the Government? I cannot see why a private individual should not use a piping shrike on an official mug.

The Liberal Party will support this Bill and give the Government a monopoly on the use of this. I should have thought that that was contrary to their general philosophy, but the die is cast. Their member has spoken for them, and they will all obediently follow him in his foolishness. That is not for me.

Mr. Gunn: Is there similar legislation in other States?

Mr. MILLHOUSE: I do not give a damn if there is. That is why we have a federation with seven distinct States, so that we can go our own way if we want to. That is the most foolish argument.

I do not know if anyone has looked at the Act to which

this is to be appended. It was passed in 1916, during the First World War, when there was much jingoism. One of the significant sections is section 3, which relates to the improper use of Royal Arms as an offence. In that case, one cannot use the Royal Arms or the arms of any part of the King's dominions without the authority and permission of the King or a member of the Royal Family. It is regarded as a personal possession, and in my respectful view that is quite proper.

Section 4 of that Act stops people from putting out documents that look like official documents but are not. The only case I can remember ever having to advise on was when a debt collecting agency was putting out demands for payment on behalf of a client as a colourable imitation of a Local Court summons. I am sure, Mr. Acting Speaker, that you will have heard of that case. That is the use of the Unauthorised Documents Act, and to stick in it something like this which makes it dependent upon the whim of a Minister is altogether wrong.

I have no hope now that any other member will oppose this Bill, but if other members had given it even a modicum of thought, members on either side of the Chamber would oppose it. My suspicion is that some humourless and over-zealous bureaucrat has had this little Bill lying about in a drawer and has brought it forth from time to time and, now that the Government is rather hard up for legislation, it has been brought out, dusted off, and brought into the House because there is nothing better. It would have been better left in the drawer.

The Hon. J. C. BANNON (Minister of Community Development): I do not wish to detain the House long on this matter, because I do not think the member for Mitcham, the only speaker who has opposed the legislation, has raised any substantive point.

I do not see that there are in the Bill the dangers to which the honourable member has referred. It may not be a matter of major legislative importance, but I think it is important that we have some method of dealing with the unauthorised use of South Australia's symbol, because over the years (as was said in the second reading explanation, the first recorded reference to the State badge goes back to 1904) its use has resulted in a *de facto* conferring on it of the status of a coat of arms of the State. Where it appears, it is assumed in the public mind that the emblem is being used in connection with some official sanction or for some official purpose. That is why legal protection is necessary.

Mr. Millhouse: Can you point to any harm that has ever been done? Of course you can't.

The Hon. J. C. BANNON: It is possible for harm to be done and for the symbol to be exploited, because at present nothing can prevent the use of the symbol and the implication that in some way the organisation or activity with which it is connected is sanctioned by the State Government or by the State generally. A classic example could be the way in which it is used in employment advertisements, where one sees the State Government's symbol. The piping shrike is displayed, and that is a way in which one immediately identifies those employment advertisements as being connected with State Government employment.

If an unscrupulous private employment agency or someone offering ready cash with no extra work could place that symbol on his advertisements, he might, in fact, confer a distinction and respectability to what is, in effect, a bogus job advertisement. There has been a recent example of its use that has caused some question: the Transcendental Meditation Society launched a campaign in South Australia aimed at (in its terms) creating an ideal

society through the promotion of transcendental meditation.

Without commenting on the merits or demerits of that organisation or the campaign that it was launching, nonetheless the piping shrike was featured prominently, and some people could be misled into thinking that the Government was sanctioning, supporting or backing that campaign. That is a minor example, but it is the sort of thing that should be covered by the legislation, as is sought to be done by this Bill. Therefore, the Government believes it is necessary that this be done. This is not a major piece of legislation, nor does it contain any hidden dangers. I therefore urge members to support it.

The House divided on the second reading:

Ayes (37)—Mr. Abbott, Mrs. Adamson, Messrs. Allison, Arnold, Bannon (teller), Broomhill, Dean Brown, and Max Brown, Mrs. Byrne, Messrs. Drury, Duncan, Eastick, Goldsworthy, Groom, Groth, Gunn, Harrison, Hemmings, Hopgood, Hudson, Keneally, Klunder, Mathwin, McRae, Olson, Payne, Rodda, Russack, Simmons, Slater, Tonkin, Venning, Virgo, Wells, Whitten, Wilson, and Wotton.

Noes (2)—Messrs. Blacker and Millhouse (teller).

Majority of 35 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

ADJOURNMENT

The Hon. J. C. BANNON (Minister of Community Development) moved:

That the House do now adjourn.

Dr. EASTICK (Light): I want to draw to the attention of the House the grave difficulties which are besetting commercial enterprises in this State as a result of the quite massive increases in land tax, council rates and water rates; more particularly, I wish to highlight the burden which is being placed upon them by the massive increase in land tax. I have been informed by a commercial enterprise which operates on a two-acre site in one of the south-eastern suburbs fronting on to South Road, in the Marion council area, of massive increases that it has met between 1970-71 and 1978-79.

The total amount for land tax, council rates and Engineering and Water Supply Department charges that it was called upon to meet in 1970-71 was \$1 418; for the year 1978-79 that amount had increased to \$7 348. That is

a massive increase in total, but if we look at the individual increases we find, for example, that land tax increased from \$152 in 1970-71 to \$2 324 this year, a 15.29 factor or 1 529 per cent increase. Council rates have risen from \$771 to \$3 208, a 4.16 factor. Engineering and Water Supply Department charges have increased from \$495 to \$1 816, a factor of 3.67.

The increases on a percentage basis are quite marked. One finds, for example, that whereas in 1970-71 land tax represented 10.72 per cent of the total cost for these charges, in 1978-79 it represents 31.63 per cent of the total charge. Council rates in 1970-71 were 54.37 per cent of the total but in 1978-79 had reduced to 43.66 per cent. Engineering and Water Supply charges were 34.91 per cent of the total in 1970-71 and have decreased to 24.71 per cent of the total annual charge. I am not suggesting for one moment that the fact that the water supply, sewerage and council rates have decreased percentage-wise means that, overall, they are considerably less: they have increased quite markedly. I want to make the point quite clear that State Government land tax has increased to a point where it has risen from 10.72 per cent to 31.63 per cent of the total.

I would like to relate the actual land tax paid in South Australia in the year 1970-71, which is shown in the records as \$7 560 660, to the total to be raised in the period 1978-79, which is expected to be \$23 400 000, a factor of 3.09; that is, there has been an increase of only 3.09 times in the period from 1970-71 to 1978-79, whereas in the Adelaide metropolitan area for commercial premises the increase had been a factor of 15.29, a considerably greater cost.

Whilst members opposite may say that a business has to pay only \$7 348 for land tax, council rates, and Engineering and Water Supply Department charges, it is still a burden upon that business and it means that there is at least one job lost. It can be claimed that inflation has resulted in an increase in the figure and that we could not expect the 1970-71 figure to be maintained until 1978-79. Nonetheless, there has been a massive increase which is creating great difficulties for businesses in connection with providing job opportunities. The Government has not assisted, and there has been an increase in Government revenue. These things have helped to destroy the incentive for business to provide job opportunities. I seek leave to have inserted in *Hansard* without my reading it a purely statistical table showing the charges from 1970-71 to 1978-79 inclusive.

Leave granted.

Comparison of Land Tax, Council Rates and E. & W.S. Department 1970-71—1978-79 for 2-acre South Eastern Suburbs Commercial Property

| Charge | 1970-71 | | 1971-72 | | 1972-73 | | 1973-74 | | 1974-75 | | 1975-76 | | 1976-77 | | 1977-78 | | 1978-79 | |
|---------------|---------|--------|---------|--------|---------|--------|---------|--------|---------|--------|---------|--------|---------|--------|---------|--------|---------|--------|
| | Amount | % | Amount | % | Amount | % | Amount | % | Amount | % | Amount | % | Amount | % | Amount | % | Amount | % |
| Land Tax | 152 | 10.72 | 318 | 18.51 | 318 | 16.79 | 318 | 16.06 | 318 | 14.33 | 772 | 23.88 | 788 | 18.32 | 1 986 | 30.59 | 2 324 | 31.63 |
| Council Rates | 771 | 54.37 | 790 | 45.98 | 864 | 45.62 | 950 | 47.98 | 1 189 | 53.58 | 1 431 | 44.26 | 2 369 | 55.07 | 2 950 | 45.44 | 3 208 | 43.66 |
| E. & W.S. | 495 | 34.91 | 610 | 35.51 | 712 | 37.59 | 712 | 35.96 | 712 | 32.09 | 1 030 | 31.86 | 1 145 | 26.61 | 1 556 | 23.97 | 1 816 | 24.71 |
| Total | 1 418 | 100.00 | 1 718 | 100.00 | 1 894 | 100.00 | 1 980 | 100.00 | 2 219 | 100.00 | 3 233 | 100.00 | 4 302 | 100.00 | 6 492 | 100.00 | 7 348 | 100.00 |

Factor increases:

Land Tax 15.29

Council Rates 4.16

E. & W.S. 3.67

Average 5.18

Land Tax in South Australia from \$7 560 660 1970-71 to \$23 400 000 1978-79; 3.09.

Dr. EASTICK: I have previously indicated to the House the irregular alteration that has taken place in electoral districts. I have pointed out that the inner suburban electoral districts, which were on about the base figure in June 1976 (when electoral boundaries were altered), have remained somewhat similar; in fact, seven of the inner areas had had no change in their boundaries. I seek leave to have inserted in *Hansard* without my reading them a purely statistical table giving a comparison of the metropolitan changes and another table showing the country changes.

Leave granted.

"METROPOLITAN" ELECTORATE PERCENTAGE VARIANCE AT GIVEN DATES.

| Variation at 30.6.76 Commission Figures | Variation at 24.8.77 1977 State Election Rolls | Variation at 30.7.78 Hansard Figures |
|--|---|---|
| +5.55 Hanson | +20.17 Fisher | +23.85 Mawson |
| +5.08 Florey | +17.07 Mawson | +21.07 Baudin |
| +4.92 Norwood | +15.64 Baudin | +20.23 Newland |
| +4.74 Morphet | +15.45 Salisbury | +17.46 Salisbury |
| +4.52 Brighton | +15.00 Newland | +11.65 Fisher |
| +4.39 Adelaide | + 8.40 Hartley | +10.17 Todd |
| +4.37 Glenelg | + 7.52 Albert Park | + 9.15 Elizabeth |
| +4.27 Semaphore | + 7.40 Todd | + 8.62 Albert Park |
| +4.24 Torrens | + 7.36 Elizabeth | + 7.35 Hartley |
| +4.09 Henley Beach | + 4.95 Playford | + 5.34 Brighton |
| +4.06 Mitchell | + 3.98 Henley Beach | + 4.64 Playford |
| +3.86 Coles | | + 4.52 Henley Beach |
| +3.75 Fisher | | + 4.07 Napier |
| +3.19 Gilles | | |
| +3.07 Bragg | | |
| +2.94 Playford | | |
| +2.86 Mitcham | | |
| +2.75 Hartley | | |
| +2.07 Peake | | |
| +1.93 Salisbury | | |
| +1.69 Davenport | | |
| +1.46 Ross Smith | | |
| +1.12 Ascot Park | | |

State Average 0.00 + 3.73 + 3.97

| | | |
|-------------------|---------------------------|-------------------|
| -0.08 Price | + 3.57 Brighton, Napier | + 3.21 Davenport |
| -0.31 Unley | + 3.42 Semaphore | + 2.22 Semaphore |
| -1.33 Newland | + 2.13 Davenport | + 2.02 Coles |
| -1.56 Baudin | + 2.06 Unley | + 1.95 Ascot Park |
| -1.58 Mawson | + 1.66 Florey | + 1.92 Bragg |
| -1.75 Todd | + 1.59 Coles | + 0.65 Gilles |
| -2.19 Spence | + 1.30 Gilles | + 0.54 Florey |
| -2.81 Elizabeth | + 0.66 Norwood | - 0.23 Glenelg |
| -3.33 Albert Park | + 0.40 Ascot Park, Hanson | - 0.82 Mitcham |
| -3.84 Napier | + 0.38 Bragg | - 1.42 Mitchell |
| | + 0.35 Mitcham | - 1.47 Hanson |
| | + 0.20 Torrens | - 2.18 Unley |
| | - 0.00 Peake | - 2.34 Morphet |
| | - 0.04 Spence | - 2.39 Price |
| | - 0.14 Mitchell | - 2.92 Peake |
| | - 0.28 Glenelg | - 2.93 Spence |
| | - 0.54 Adelaide, Morphet | - 2.95 Norwood |
| | - 0.71 Price | - 3.47 Torrens |
| | - 3.33 Ross Smith | - 3.99 Ross Smith |
| | | - 4.42 Adelaide |

"COUNTRY" ELECTORATE PERCENTAGE VARIANCE AT GIVEN DATES

| Variation at 30.6.76 Commission Figures | Variation at 24.8.77 1977 State Election Rolls | Variation at 30.7.78 Hansard Figures |
|--|---|---|
| +1.33 Whyalla | +8.96 Murray | +12.93 Alexandra |
| +1.04 Chaffey | +8.62 Alexandra | +10.17 Murray |
| | +5.03 Light | + 6.85 Mount Gambier |
| | +4.92 Goyder | + 6.06 Kavel |
| | +4.36 Kavel | + 5.45 Goyder |
| | +4.03 Mount Gambier | + 5.09 Chaffey |
| | | + 4.91 Light |
| | | + 4.28 Rocky River |

State Average 0.00 +3.73 + 3.97

| | | |
|---------------------|-------------------|-----------------|
| -0.51 Stuart | +3.35 Chaffey | + 3.92 Flinders |
| -0.89 Kavel | +2.61 Rocky River | + 2.71 Eyre |
| -2.11 Mount Gambier | +2.54 Flinders | + 2.37 Mallee |
| -2.54 Rocky River | +2.37 Eyre | + 2.24 Victoria |
| -4.61 Goyder | +1.37 Mallee | + 1.66 Stuart |
| -4.97 Alexandra | +1.36 Victoria | + 0.62 Whyalla |
| -5.11 Murray | +0.68 Stuart | |
| -8.33 Light | -0.08 Whyalla | |
| -8.58 Flinders | | |
| -8.82 Mallee | | |
| -8.83 Eyre | | |
| -9.00 Victoria | | |

Dr. EASTICK: From 30 June 1976 to 31 July 1978 the electoral numbers increased from 788 909 to 820 223—an increase of 31 314, giving a State average of 3.97 per cent. The country increase had been 11 131; that is, growth at the rate of 4.95 per cent. The city increase has been 20 183; that is, growth at the rate of 3.58 per cent.

Removing six electorates in key growth areas (Baudin, Fisher, Mawson, Newland, Salisbury, and Todd) removes 17 462 from the city's increase of 20 183, thus leaving a 2 721 voter increase in the remaining 27 seats and producing a growth rate of 0.61 per cent.

If we were to take out two or three growth centres, including Hartley, Playford and Florey, we would find that the growth percentage in 24 of the total districts in South Australia was less than 0.5 per cent.

The SPEAKER: Order! The honourable member's time has expired.

Mr. SLATER (Gilles): One never ceases to be amazed at some of the antics of Ministers in the Fraser Government. The recent episode, described by some sources rather dramatically as a raid by officers of the Department of Transport and the Commonwealth Police on the A.C.T.U. travel offices, is in my view another example of the stupidity of some of the Ministerial actions. In this instance, the Minister of Transport (Mr. Nixon) admitted having initiated the visit.

It seems that the Minister is opposed to working-class people and their families having an opportunity to utilise cheaper fares. Mr. Nixon has procrastinated for some time about cheaper overseas airline fares proposed by some airline operators and it would appear that he is acting as an agent for the larger foreign-owned travel interests in ripping off the Australian public. The Federal Government, of course, has not been remiss in its own right in ripping off the Australian public by doubling the passport fee and imposing a departure tax which operates from this week, placing further costs on the Australian travelling public. The A.C.T.U. Leisure Club has for some time been offering a discount on travel. The Jet-set and A.C.T.U. venture is only an extension of that previous system. It is interesting to note that most travel agencies offer some form of inducement, concession or discount on travel. To give an example of this, I refer to a report in the *Financial Review* headed "Young Libs get into travel grants". The report states:

The Victorian branch of the Young Liberal Movement is operating a discount travel scheme remarkably similar to the A.C.T.U.-Jetset scheme which led to the Commonwealth Police raid on A.C.T.U.-Jetset's office on Saturday.

The travel discount scheme is operated in conjunction with a Melbourne travel agent, Business Holiday Travel Pty. Ltd.

Under the scheme the Young Liberals pay a "travel grant" to any member who makes travel arrangements and bookings through Business Holiday Travel.

The "travel grant" is paid to members for all international air travel, international and domestic package tours and for Pacific cruises.

The amount paid as the "travel grant" is equal to five per cent of the cost of the member's international airfare.

The five per cent rebate also applies to the cost of any international package tours.

The Young Liberals offer their members a two per cent rebate on domestic tours and a grant of \$20 to each Pacific cruise passenger.

The president of the Victorian branch of the Young Liberal Movement, Mr. Graham Allan, yesterday acknowledged that the "travel grants" were being paid.

He said that they were paid by the Victorian branch of the Young Liberal Movement, not by Business Holiday Travel Pty. Ltd., and were only available to members of the

organisation.

The A.C.T.U.-Jetset arrangement which Mr. Nixon is concerned with and which precipitated Saturday's Commonwealth Police "raid" involves the payment of a subsidy for international airline travel booked by trade union members or their families through A.C.T.U.-Jetset Travel.

So there is not much difference between the two and I wonder whether Mr. Nixon believes that that one also is discriminatory. He has told us he will investigate it, but that is all we have heard about it. Another advertisement, headed "Cheap Australian air fares to China", sets out an itinerary and certain concessions, and the travel is organised by a show called Farmers and Graziers Travel.

The member for Rocky River could take advantage of this, I am sure. It opens up all sorts of possibilities: he could finish up in a salt mine in Siberia. This paper indicates that there are certain concessions for the Farmers and Graziers Co-operative Limited. It provides full assistance with documentation, including health clearance, passport, visa, baggage insurance, and travellers' cheques. Here is the crunch line, "Tours are designed on an educational basis and are tax deductible". That is the best bloody concession that I have ever heard. As A.C.T.U. people do not get that sort of a concession, I wonder if that is discriminatory.

I want to relate my experience with a travel agent this year when my wife and I took a cruise with Sitmar Line that did not quite come up to expectations. All sorts of concessions were offered, but it was a bit of a rip-off. I do not want to weary the House with full details of the cruise. But it was crowded and uncomfortable. I expressed an opinion about this in a letter to the General Manager of Sitmar Line in Sydney in July, but I have not received a reply. I understand that Sitmar Line is owned in Monte Carlo. It may be that with the pressures of domestic situations in Monte Carlo, with weddings and so on, the matter might have been referred to a particular party pending a reply.

In the meantime, I received a standard letter from another section of Sitmar Line inviting me to join the Captain's Club, and offering several minor concessions. The enclosed card entitled my wife and me to certain privileges, having been former passengers. Spending vouchers to the value of \$25 Australian would be extended to people who had travelled previously with Sitmar; attendance at the captain's cocktail party on board, as guests of the captain and his officers; a boarding pass; and other rather negligible concessions. I have not accepted the offer. I was a bit doubtful that the boat might sink and I would finish up somewhere south of China. Sitmar Line does not honour its obligations. If anyone needs investigating, it is Sitmar Line, which is a foreign-owned company. The Minister might be better advised to investigate these sort of companies, and overseas-owned travel organisations that produce glossy travel brochures, instead of organisations like the A.C.T.U. travel company, which desires to give genuine travel concessions to the Australian public.

Apart from the ineptitude of the raid, why should the Minister hound an organisation offering cheaper service that the public obviously wishes to use? If there is a breach of any legislation that controls airlines in Australia, surely the proper place to get redress is in a court. If the scheme is not illegal and attracts customers in fair competition, after all, isn't that what free enterprise is all about?

I suggest that the Minister succumbed to pressure from the Australian Federation of Travel Agents and, in fact, he admitted that was the case. So much for the free enterprise that our opponents espouse in this House. The action of the Federal Minister makes a lie of that

philosophy. Travellers continue to be victims of the travel agents' rip-off throughout Australia.

The SPEAKER: Order! The honourable member's time has expired.

Mr. BECKER (Hanson): I think the previous speaker proved that the opportunity to take part on a grievance debate is one that should be taken very seriously by all members. Whilst he had a point to make on a principle it developed into a joke. I would have expected more from him; he should have got to the point and explained it.

I am disappointed that the Government refused to reply to my private member's Bill to amend the Criminal Law Consolidation Act. I am disgusted that the Government refused the opportunity to state its attitude towards certain violent crimes. Petitions signed by 43 065 people indicated that there is concern within the community about penalties relating to armed hold-ups. Every member except the Attorney-General has presented petitions to the House. I hope this issue will be driven home in his area. As each member represents constituents, surely he should place petitions prepared and signed by them before the Parliament. That is indictment No. 1 as far as the Attorney-General is concerned.

There was another armed hold-up in South Australia last Monday, at Felixstow, and the persons who committed the crime were apprehended. However, members of the community took risks in trying to prevent the hold-up. They should be commended for that, but I do not believe that ordinary citizens should have to take these risks. There would be no armed hold-ups in South Australia if our laws were sufficient to prevent this type of crime. After the armed robbery involving a pay-roll of \$145 000 a fortnight ago little effort was made at the Adelaide Airport to screen persons leaving South Australia within a short time after the hold-up.

I will write to the Federal Minister for Transport to see whether the Federal department will co-operate with the South Australian Police in arranging security precautions at Adelaide Airport immediately a hold-up of this magnitude takes place. Every passenger leaving Adelaide should be screened through the security device and officials should have the right to search all luggage. No risks can be taken to ascertain whether these persons are local or from outside South Australia. If this action is taken, it will be difficult for people entering South Australia to commit crimes of this sort and leaving again.

I believe that the Government had its chance this afternoon to put the record straight and to amend the criminal law and give a lead to the Judiciary in South Australia. By not accepting my Bill, the Government has buried its head in the sand. The Attorney-General has ducked the issue, showing little regard for the safety of the community and of persons' valuables within the State.

I was interested to receive a letter from a security firm, a security services letter, issued as a service to the clients of Mayne Nickless Security Services. It arrived in the post with no other attachment, and it states:

DELAYS HELP CRIMINALS

The Executive Director of Mayne Nickless, Mr. J. F. Ashby, said court backlogs were helping professional criminals get off the hook.

He said the long delays between committal hearings and trials worked in the criminals' favour. In most cases committal proceedings could be dispensed with.

It was common knowledge among police and lawyers that "heavy" criminals, especially armed robbers and breakers, used the time to organise money for their defence.

Mr. Ashby said the law in Victoria was no longer a servant, but the serpent of justice. "The long delays in getting accused persons before juries is a major reason why so many bail

applications are granted," he said.

I pointed out that that is the case in South Australia, where some 15 people who have committed armed hold-ups in this State were out on bail a few weeks ago. The document continues:

Although bail is harder to obtain today, in the past it has given dedicated criminals ample time to commit other offences or abscond—or both. The records speak for themselves in this matter. For example, Victoria's "Ten Most Wanted" list is made up almost entirely of criminals who have treated bail conditions with utter contempt. The delays also encourage plea bargaining—a practice which goes on behind closed doors.

Mr. Groom: That's in Victoria.

Mr. BECKER: Let us face what is going on in this State. This Government does not care about the victims of armed hold-ups. Whether what I have said is relevant to Victoria or not, the situation is just as bad in this State. The Government is covering it up and does not want to admit that there is "open sesame" in this State. The document continues:

It has been argued that plea bargaining is not an unjust practice, despite its connotations, but it has been found to be necessary. Let us hope that it doesn't approach the incongruous situation that prevails in the United States. Plea bargaining has grown out of a need to save time and the expense of a trial. Justice should be swift, but it should be administered in the open.

It then makes a further statement:

AT LONG LAST—CRACKDOWN

Two recent court decisions in Melbourne hopefully signalled the long overdue crackdown on armed robbers. In the first case two men were sentenced to a minimum of 12 years jail for committing a bank hold-up. In the second, a man who robbed a chemist at pistol-point of a few hundred dollars was ordered to serve 12 years with a minimum of eight years. The pistol was, in fact, only a starting pistol, but the judge did not consider that to be mitigatory. The security industry, along with many other bodies, has been critical of the lenient attitude of the Judiciary towards armed robbers. It is to be hoped that more judges will reflect the community's concern and pass realistic, deserving sentences.

The Australian Bank Employees Union has written to the Secretary of the State Parole Board, expressing its concern, as follows:

You are no doubt aware that this union has been conducting a campaign concerning minimum punishment for persons convicted of armed hold-up (robbery with violence). We also said that the minimum period of imprisonment should be five years without parole.

It then asks many questions, such as who is on the board and why the Bank Employees Union was not considered when someone else from the Trades and Labor Council was. A few minutes ago, I went to the Parliamentary Library, where I found that the last available Parole Board Report was that for the year ended 30 June 1975. Having examined the Act, I find it surprising that the board shall, whenever so required by the Minister, and in any case at least once in every year, furnish the Minister with a written report on every prisoner serving a sentence of life imprisonment or a term of indeterminate duration. Also, the board shall, whenever so required by the Minister, furnish a report. It seems, therefore, that we do not even have in the Parliamentary Library an up-to-date report in this respect.

The SPEAKER: Order! The honourable member's time has expired.

Motion carried.

At 10.30 p.m. the House adjourned until Thursday 26 October at 2 p.m.