HOUSE OF ASSEMBLY

Wednesday 14 February 1979

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

PETITION: CANNABIS

A petition signed by 21 electors of South Australia praying that the House would on no account weaken the law which prohibited use of cannabis was presented by Mr. Allison.

Petition received.

PETITION: MARIJUANA

A petition signed by 81 residents of South Australia praying that the House would not pass legislation seeking to legalise marijuana was presented by Mr. Mathwin.

Petition received.

QUESTION

The SPEAKER: I direct that the following answer to a question be distributed and printed in *Hansard*.

UNEMPLOYMENT

In reply to **Dr. EASTICK** (7 February).

The Hon. J. D. WRIGHT: Discussions with officers of the Commonwealth Department of Employment and Youth Affairs have revealed only very minor differences between the level of new school-leavers registering for employment, as at the end of December 1978, compared to the previous years.

It is evident, however, that school-leavers are registering earlier with the C.E.S. in an effort to obtain employment: the peak of school-leavers' registrations now occurs in December as previously compared to January. This is believed to be because of a response to the publicity surrounding the depressed state of the labour market, and also the counselling received by prospective school-leavers as to the importance of actively seeking employment as early as possible.

It is true to say that persons who leave school at an older age with better academic qualifications have improved employment prospects. A recent survey released by the Australian Statistician in October 1978, titled "Employment Status of Teenagers August 1978" shows that persons aged 15-19 years in August 1978 but who left school when 15 years old had an unemployment rate of 27·6 per cent, while those who left school when 19 years old had an unemployment rate of 13·2 per cent.

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

QUESTION TIME

POKER MACHINES

Mr. TONKIN: Can the Deputy Premier say whether the Government is now considering the introduction of poker machines in South Australia? These machines have been condemned by both Parties in South Australia in the past. However, many concerned authorities have stated that the Instant Money Game differs little from poker machines, because it also depends on compulsive impulse gambling and most prizes can be re-invested immediately. I understand that the Crown Law Department has been asked to give an opinion about whether ticket vending machines, similar to beer ticket machines, can be operated in T.A.B. agencies to help boost the State's flagging economy. It is proposed that prizes from the machines will be available in the form of units for investment on the T.A.B. Because of these developments, has the Government now reversed its policy, espoused by the Premier several times, that his Government would never allow poker machines in South Australia?

The Hon. J. D. CORCORAN: No, sir.

UNEMPLOYED PERSONS

Mr. HEMMINGS: Does the Minister of Labour and Industry believe that the "dole bludger" myth, which has been promoted consistently be sections of the media and by Federal and State Liberal and Country Party members of Parliament, was finally laid to rest at Tea Tree Gully on Monday 12 February? On that day more than 1 000 people attended for an interview as a result of an advertisement placed in the *Advertiser* on the previous Saturday by Target Stores, Australia, for 100 positions that had been created by a plan to build a $17 000 000 store in that area. Those who attended for an interview queued up from 8 a.m. until 4.30 p.m.; the queue stretched for more than 1 kilometre.

The temperature that day was higher than 35°C, and I understand that four St. John ambulances and six police cars were in attendance to assist many people who collapsed from heat exhaustion. An article in the *Advertiser* of the following Tuesday stated that Target executives were very surprised with the response, because they had expected only 300 people to apply.

The Hon. J. D. WRIGHT: I have never supported the myth, which has previously been referred to mainly by members of the Opposition. Statements made by Senator Carrick last week, in which he accused young people of having no motivation, not wanting to work, and making no effort to obtain work, supported this myth. I think for the last time the myth has been laid on its final bed. I was surprised to learn that 1 000 people applied for 100 jobs.

My association with the unemployed has gone on for too long: I am not proud of the fact that it has been a long association. However, it has been an education for me to talk to young, middle-aged and elderly people who are looking for jobs, most of whom really want jobs. Because of the policies and attitudes of the Federal Government, many people cannot obtain work. The Federal Government continually follows policies that prevent people from obtaining jobs. I have had recent contact with students graduating from teachers colleges; nine such students that I interviewed desperately wanted jobs, and were certainly prepared to work. That is the position. If you take nine people and talk with them, surely they ought to represent 100 per cent of the people who, in my opinion, are unemployed today and want to work. If the Federal Government will change its policies—

Members interjecting:

The SPEAKER: Order! There are far too many interjections. The honourable Minister has the floor.

The Hon. J. D. WRIGHT: Thank you, Mr. Speaker, for that protection; I need it from the vultures on the other side of the House.

Members interjecting:

The SPEAKER: Order!

The Hon. J. D. WRIGHT: There is little doubt that I have struck oil on this subject, thanks to the member who asked the question, because there is no doubt that Federal policies could be changed to enable more people to be employed than there are employed today. There is no question about that and, if the Labor Party was in office, more people would be employed. I am not saying that the whole of the unemployment problem would be solved, because it is a dramatic one. At present the Federal Government is taking no action to overcome the position, and that is the difference between the two policies. If the Labor Government were in office—

Members interjecting:

The SPEAKER: Order! Interjections will have to cease or members will have to take the treatment.

The Hon. J. D. WRIGHT: If the Labor Government were in Federal office it would be taking action which would have job creation schemes off the ground and which would employ 100 000 or 200 000 people in this nation. At present the Federal Government is doing the complete opposite; it is trying to keep people out of employment quite deliberately, in order to create a further pool of unemployment.

Mr. Venning: What are you doing?

The SPEAKER: Order! I call the member for Rocky River to order.

Mr. EVANS: On a point of order, Mr. Speaker. In the past you have ruled that, when a Minister is answering a question, he is allowed some leeway. You have also asked the Minister to stay within the bounds of the question and not to start a political debate, or play Party politics. That is what the Minister is doing, and I ask you to require the same restraint that you have exercised in other cases.

The SPEAKER: Order! As I have said before, I do not have any real control over the Minister concerned: I can only ask the Minister not to speak for so long. During the course of the Minister's reply I have heard many interjections from the Opposition. I hope that in future the Minister will not speak for too long.

The Hon. J. D. WRIGHT: Thank you again, Mr. Speaker, for your protection. If there was one place in which I thought I could play politics, it is in Parliament. I am accused of playing politics, but where else does one play it? Does one play it out in the street, or does one play marbles, or something? I thought I was quite at liberty to play it here.

Mr. TONKIN: On a point of order, Mr. Speaker. What has the Minister's playing marbles to do with the answer to this question?

The SPEAKER: There is no point of order, but I hope that the Minister will not speak for too long.

Mr. Goldsworthy: He'll take his marbles home.

The Hon. J. D. WRIGHT: If I carried on with the sort of conduct that the Deputy Leader carried on with last night in this House, I would take my marbles home. I certainly would never bring them back into this House again, if I had that on my record. If one examines *Hansard* today, I do not know why he is laughing.

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

The Hon. J. D. WRIGHT: I am entitled to answer interjections, I think, Mr. Speaker. However, I believe that the motivation to work of young, middle-aged, or old people is as strong as it ever was. I believe that these people want to work and that we ought to encourage them to work. Members on the other side should be adopting the same attitude to this situation as the Labor Party in Australia is taking.

ELECTRICITY USE

Mr. GOLDSWORTHY: Can the Minister of Mines and Energy say whether the introduction of the special levy under the new tariff system for the Electricity Trust has had any effect on the total quantity of electricity used in South Australia, and what percentage of domestic users have been affected? When this system was introduced last year, I think we were told that it was the first time it had been used in Australia. The Minister said that there had been some experience in America of similar systems. In the past we have provided cheaper electricity to attract industry, and I think encouragement has been offered by way of a reverse sort of tariff system. Is this new system working; what savings, if any, have been effected; and what percentage of accounts have been affected?

The Hon. HUGH HUDSON: The arrangement applies only to domestic tariffs. It was struck at a level where only a very small fraction of domestic consumers would be affected and, of course, the extra charge is on only the amount consumed beyond the minimum level. The impact on the actual electricity accounts is relatively minor. I will provide some precise details as to the number of accounts to which it has been applied and the impact it has had on revenue.

Mr. Goldsworthy: Is it worth while?

The Hon. HUGH HUDSON: If the Deputy Leader can contain himself he may get his answer. The tariff was introduced not with the immediate objective of reducing the demand for electricity, but to flag the fact that in future people who use electricity in their houses will have to think a bit more carefully about the type of equipment that they install. It was particularly from that point of view that the change was made. The change was never of a magnitude, nor of a range of impact on domestic consumers, that it could be expected to have had any immediate impact on the demand for electricity.

As I have said, that was not the purpose of the change. The purpose was directed particularly at flagging a situation with respect to electricity supplies and bringing home to people that the kind of equipment that is installed domestically is a matter of some significance in relation to their future electicity bills. Hopefully, with the publicity that there has been about the change, most people have started to rethink what kind of domestic equipment should be used. If that result is achieved, the change will have achieved its principal objective.

LEGAL SERVICES COMMISSION

Mr. GROOM: Will the Attorney-General consider establishing at Glenelg a branch office of the Legal Services Commission? The justification for my request is that at the last census the Glenelg local government area had a population of about 15 000 people. Add to that the surrounding suburbs, and the population is almost

doubled. Of the population at Glenelg, 27 per cent is over 60 years of age, compared with the State average of about 12 per cent. Moreover, the large number of flats suggests a fairly high itinerant population. Glenelg is also above the State average for single-parent families. Glenelg is well served with public transport and Jetty Road is a focus point for other suburbs. The Glenelg Interim Council for Community Development recently conducted a survey and concluded that the provision of such a legal aid service in the local area is necessary to cater adequately for the local population.

The Hon. PETER DUNCAN: I shall be happy to refer this matter to the Legal Services Commission for consideration. I point out to the honourable member and the House that the Legal Services Commission is independent of this Government and of the Commonwealth Government, although it is set up under South Australian legislation. One of the fundamentally important things about the Legal Services Commission, in my view, is the fact that it is independent of Government. Therefore, it can provide legal services to people in need of those services, independent of the Government and regardless of the Government's views on a matter that might be the subject of legal aid.

Therefore, the commission has determined its own priorities within the necessary financial constraints set for it by this Government and by the Commonwealth Government. I know that the commission has been looking at various areas of the State where there is a need for legal services. In particular there are a number of country centres in which it is keen to establish services as soon as possible, especially in the more remote areas, where there are no private legal practitioners, and where not only are those members of the community who are in impecunious circumstances having to do without legal assistance, but also in many cases people who could afford to pay for a lawyer are unable to do so because no legal services are available.

I know that the commission is looking at that matter and that it is developing a programme for regional offices to be opened over the next two or three years. I shall be pleased to refer the honourable member's request to the Director of the Legal Services Commission for consideration by the commission in due course. The proposals at the moment are that the commission would establish principal regional offices and then service various other centres from the resources established at the principal regional centre.

I imagine that, as it is likely that the commission would be establishing a regional office somewhere in the south-western suburbs, no doubt provision could be made for the servicing of the Glenelg area as part of such a programme. I believe that before many months have passed I will be able to announce to the House the details of the programme for regional office establishment to be undertaken by the commission over the next two or three years. This will depend, of course, on the amount of funding available from the Federal Government and the State Government, and within those constraints the commission will be able to establish the offices.

I sound a note of warning. It seems that the amount of funding available from the Federal Government will contract even further than has occurred in the past 12 months. The indications from the Federal Attorney-General for the coming Federal Budget are not good and it seems that, as a result of the further contraction of Federal funding, any programme of regionalisation quite possibly will be set back by some months. However, the Government, the commission in South Australia, and the Commonwealth Legal Aid Advisory Commission are all making representations to the Federal Government, to the Federal Attorney-General, and to the Federal Treasurer, seeking to bring to the attention of the Federal Government the urgent need for the regionalisation of these services, to ensure that they are available to people throughout the State, regardless of geographic factors, and so that all people in this State can share in the important service provided by the commission.

FUEL SHORTAGE

Mr. WILSON: Will the Minister of Mines and Energy outline the Government's latest information regarding the predicted fuel shortage that is likely to eventuate in South Australia, and say what contingency plans the Government has to meet any such emergency? The question of the pending fuel shortage has been canvassed widely in the press over the past few days. A leading article in last Saturday's *Australian* states:

> Saudi Arabia, the Western world's largest oil supplier, has increased the price of some crude oil to major oil companies by 14·5 per cent. The price rise will apply to all the extra oil it has agreed to produce to make up for that which Western companies can no longer buy from Iran. The price rise came as Royal Dutch Shell, one of the world's biggest oil companies, announced it would have to cut supplies to its customers by 15 per cent from 1 March. British Petroleum has decided on a cutback of 45 per cent world-wide, and Esso 10 per cent.
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> The U.S. Energy Secretary, Mr. Schlesinger, and the chairman of BP, Sir David Steel, warned on Friday that because of the Iranian situation and the increasing cost of oil from the Organisation of Petroleum Exporting Countries, the West is facing a graver fuel crisis than in 1973.
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> In Canberra on Friday, the Minister for National Development, Mr. Newman, disclosed he has called oil company executives to a meeting on Tuesday to discuss the deteriorating world supply situation and the effect it may have on Australia.

We know that Mr. Newman had that meeting, the result of which is referred to in this morning's press. I also ask the Minister whether he has heard that service station proprietors in this State have been warned by at least one oil company that they could be without fuel for about six weeks some time during the next eight months.

The Hon. HUGH HUDSON: First, I am not prepared to contribute in any way whatsoever to any panic situation, something the honourable member's question might well have encouraged me to do. Secondly, I point out to him that the Minister of Labour and Industry has been the Minister responsible for the issues involved in the question of the supply of petrol and liquid fuels for industry generally and for the public. I will certainly institute discussions with him on the issues involved, but I point out that, inevitably, the national Government will become involved in questions relating to allocations of crude to various refineries around Australia and that it is likely that the planned cut-back in production from Bass Strait that was to take place relatively shortly will no doubt be postponed.

I am unable to say what impact the situation will have on imports of crude into Australia, because the impact on Australia is largely as a consequence of changes made at

the Kuwait end rather than anything directly involved in Iran. It would have to be change in the oil supply situation from Kuwait, in particular, to Western Europe that had an adverse impact on the Australian situation. Certainly these issues will be considered and arrangements will be made to have detailed discussions with Mr. Newman so that we can be kept fully informed about the situation.

At this stage we have not been notified of anything about the matter by the Federal Government, and certainly I would not be willing to give any currency whatsoever to rumours that may be circulating. I also point out that an interruption to oil supplies occurred in 1973, as a result of the Yom Kippur War at that time, and in 1967, as a result of the Middle East War at that date (there was a price effect on Australia's petrol at that time), and changes took place as a consequence of the various times the Suez Canal has been closed.

I therefore say that we managed to get through those situations without there being any impact on the position of the domestic consumer of petrol. The 1956 and 1967 events occurred at a time when Bass Strait was not in production, and when we were entirely dependent virtually on imported crude. As these situations have arisen previously and we have survived them adequately, I do not think there is a case for suggesting to the domestic consumer here that there is any cause whatever for concern or panic.

PUBLIC EXAMINATIONS

Mr. DRURY: Can the Minister of Education say whether there are proposals to replace the year 12 public examinations? I have been approached by several constituents who have expressed concern that the removal of this examination will cause a decline in educational standards.

The Hon. D. J. HOPGOOD: The honourable member is obviously referring to the report of the investigation into year 12 examinations which is now available and which has been released publicly. The Chairman was the former Director-General, Mr. Jones. I think the people who have approached the honourable member about this matter might have been misled a little by the way in which it was written up in the press, for which I take some responsibility, because when I gave my press conference on this matter the journalists were given only a short time in which to digest the hand-out before asking questions. Clearly, a longer time should have been given for those gentlemen to be able to digest what was a slightly sophisticated arrangement being recommended.

There is to be no abolition of year 12 examinations. In fact, I qualify my remarks by saying there is no Government decision on this matter at this stage. We have released the report for public comment and, once interested people have had the chance to comment, I will be taking an appropriate recommendation to Cabinet. If we confine ourselves not to what might happen but to what is in the report, the substantive recommendation is that the distinction between the present Public Examinations Board system and the Secondary Schools Certificate (the internal examination) system for year 12 be abolished and that there be a modification to the present structure of the P.E.B. and the way in which it operates to enable it to administer both external and internal examinations. I would imagine, if the scheme proceeds, that in the early stage of the scheme the present P.E.B. examinations would continue very much as they do at present and it will be up to schools (private or Government) or the department to take the S.S.C. courses to the new board for accreditation and, if they obtain accreditation from the new board, they would be examinable.

The other substantive recommendation is that we will do away with the concept of whether an individual has or has not matriculated. At present there is a point at which it is stated that the results are such that the individual has matriculated. That is regarded as being unsatisfactory because there are various levels of attainment in various subjects that will satisfy, on the one hand, academic institutions and, on the other hand, various types of employer. To make a particular cut-off point and to divide, if I may use the expression, the sheep from the goats, is not only unfair but also most unrealistic. Therefore, the new certificate, if we proceed with the idea, would simply give the gradings for the various subjects for which an individual has sat and then it is for the academic institution to determine from those gradings whether that particular individual has met the entry requirements. Similarly, it would be for the employer to determine on the basis of those same gradings whether, again, the requirements have been met. That basically is the thrust of the report. It in no way automatically assumes that the external examination will be abolished and, at any rate, it is still open for public comment.

NEAPTR

Mr. CHAPMAN: My question to the Minister of Transport follows his announcement yesterday that the Government will build a l.r.t. line to the north-eastern suburbs. Can the Minister say from which specific source or sources the Government intends to fund that $100 000 000 l.r.t. project, and what are the expected commencement and completion dates of that project? From the Minister's press release yesterday and the assessment papers, the Opposition appreciates the State's overall financial position and Cabinet's agreement for the Minister to embark on a programme of consultation with the associated parties. It seems that there has been an agreement to consult with councils adjacent to the proposed line, that is, councils representing the inner suburbs. It is also intended that the Government shall, by agreement, have further consultation with the Adelaide City Council to arrive at a satisfactory means of entry into the metropolitan city area and certain other environmental protections that are applicable to that proposal. Apart from the undertakings that the Minister has given and announced publicly, could details be provided as soon as possible regarding specific sources of funding?

The Hon. G. T. VIRGO: A paper setting out the funding that would be required was amongst the papers presented to Cabinet last Monday. If the honourable member is interested in this reply, I presume that he will take some notice, instead of talking to the member for Heysen.

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

The Hon. G. T. VIRGO: I am trying to answer the question, if the honourable member is interested enough to hear my answer. Cabinet was presented with a paper setting out the cost of the project and expenditure, in proper costing procedure. Those funds were indexed so that the correct sum that would be required was shown. The ignorance of some people is displayed by the comment that the cost of the scheme has escalated to $100 000 000. In fact, that is the indexation of the existing sum, the 1978 costs on which the e.i.s. was based, and the assessment tape made. It is on that that the Government made its decision.

Mr. Chapman: Are you suggesting I made that statement?

The Hon. G. T. VIRGO: No, I am not suggesting the honourable member made that statement; he did not. I presume that the honourable member has seen and heard statements suggesting the scheme has escalated to $100 000 000, whereas that is proper and sane cost control. I said yesterday, and I have said previously, that South Australia cannot afford not to build the line. Regarding funding, I am preparing a letter to the Federal Minister, outlining the proposals and advising him that South Australia will in due course be applying to the Federal Government for assistance under the urban public transport financial arrangements. Many members opposite would probably ignore those arrangements which were introduced by the Whitlam Government and which have assisted South Australia considerably with many of its public transport improvements. I sincerely hope that we will receive a slice of money from the Federal Government.

Mr. Mathwin: Is that a direct grant?

The Hon. G. T. VIRGO: It will be a direct grant but on a ratio basis. It is not repayable. For the remainder, the funds will come from the normal source of funding of the State Government.

Mr. Chapman: Does that mean direct from general revenue?

The Hon. G. T. VIRGO: Of course, and Loan funds. The point that has been persistently made, as the NEAPTR proposals have proceeded and have been examined closely by the Cabinet sub-committee and subsequently by Cabinet that if we are not going to be able to provide the funds we ought not to be wasting money continuing with the study. The reply always came back that we must find the money because we cannot afford to do without it. At this stage I cannot be specific about exactly how much the Commonwealth will provide. I do not suppose one could reasonably expect Peter Nixon to tell us until the Commonwealth Budget is brought down, but there is legislation which has, I think, another four years life and which provides funds for the States for public transport. The Commonwealth Government is withholding, I think, 20 per cent of that because it says that will be up for grabs. I hope that South Australia will be able to get its hands on one of those grabs and that we will not be disadvantaged on political scores, as we unfortunately are on so many other occasions.

DAMS

Mr. SLATER: Can the Minister of Community Development say what progress has been made towards the construction of water dams at the Mount Lofty Botanic Garden? We are well aware that Bureau of Meteorology reports indicate that Adelaide has experienced the hottest January since 1951. I ask the Minister whether the construction of the dams and the provision of a better water supply to the gardens through the hot weather will give the garden adequate protection?

The Hon. J. C. BANNON: I saw the reports to which the honourable member referred. It is a matter of some pleasure to know that the dams project at the Mount Lofty garden is proceeding so well. Major plantings have been made, and the initial development of the garden, which has taken place over 20 years is nearing completion. It was opened to the public only at the end of 1977. There are further development plans but the one thing that could hold them back is uncertainty about water supply. At present water is stored in two tanks totalling 180 000 gallons which are kept filled by pumping at night. In the hot weather these tanks represent only two days supply of water, so with the present plantings at the garden even in a hot summer, such as that we are experiencing, we will be able to cater adequately for the situation. Fortunately, further development can proceed because work on the dam project, tenders for which closed on 21 December, began on 8 January and is going full steam ahead.

It was possible to get the work under way in a short time only because of the hard work put into the project by the staff and board of the Botanic Gardens over the Christmas period. I also acknowledge the co-operation of the Engineering and Water Supply Department in this matter. If the dams are completed on schedule in May (and it looks as though they will) they should catch the break in the season, the capacity of the garden's water storage will increase seven times, and major development of the garden can proceed. As well as the functional value of the dams in holding water, they will have an enormous aesthetic value, enhancing the beauty of the garden and providing a really splendid facility at Mount Lofty. The garden is unique for the type of climate, plantings, and the developments that have taken place.

NEAPTR SCHEME

Mr. WOTTON: Will the Deputy Premier say whether the north-east area light rail line assessment of the draft e.i.s. that we received today (some of us received it yesterday) is the final Environment Department assessment relating to this project and, if it is, why no consideration has been given in that assessment to public comment about the proposal? The whole purpose of e.i.s. procedures is to allow, and indeed encourage, public participation in the planning of the proposal. In fact, in the Minister of Transport's press release yesterday he stated that the study itself was unique in Australia, in that it was the first truly open transport study conducted in this country. To date, we have seen no consideration that has been made public of the public input in relation to the draft e.i.s., yet the final decision has been made to proceed with the project. It is very difficult to believe that the Environment Department would come out with an assessment that provides very little mention, if any, of alternative routes or plans. Many members—

The SPEAKER: The honourable member is now commenting.

Mr. WOTTON: The reports that we have received indicate that very little comment is made in regard to facilities to meet the total transport demand of the area that it is supposed to serve. Because the Government came out and made its decision some time ago, it is seen to make the e.i.s. procedures a complete farce. It is made to—

The SPEAKER: The honourable member is still commenting.

Mr. WOTTON: It is generally felt by the public that the Environment Department has once again been made to look like a rubber stamp. If the document we now have is the final assessment, a mockery is made of the entire e.i.s. procedures, and this questions the Government's credibility in handling the Environment Department.

The Hon. J. D. CORCORAN: The honourable member displays an abysmal ignorance of procedures when he rises to explain the reason for his question in the way that he has.

Mr. Wotton: You just give me the answer.

The Hon. J. D. CORCORAN: As the so-called Shadow Minister for the Environment, he should know better. If

he were in the seat, with all those people around him, we would soon see whether he would be a rubber stamp or not. The honourable member would know that the responsibility for the publishing of public comments and so on is that of the proponent, not of the Environment Department. The Environment Department's responsibility ends with the assessment of the impact statement, which then becomes the authorised impact statement. It is then the responsibility of the Minister for Transport to collate those documents and make them public. That will be done, and it is being done at the moment.

The honourable member said that members of the public were given no opportunity to comment; but they were. The draft e.i.s. was made public. The decision's having been taken does not prevent the public from making further submissions, because, as the honourable member knows, qualifications were placed on the decision.

Mr. Wotton: Yes, but—

The Hon. J. D. CORCORAN: "Yes, but"; why doesn't the honourable member listen? The documents to which the honourable member has referred are in the course of being printed and will be made available in a few weeks time. In the further consideration that will be given to the points made in the assessment and accepted by the Minister, the people interested in that will have the opportunity of seeing the final assessment, the public comments and everything else associated with the environmental impact statement.

Mr. Wotton: Will it be made public?

The Hon. J. D. CORCORAN: Of course it will be made public; I told the honourable member that.

The SPEAKER: Order! The honourable member has asked his question and has interjected four times during the course of the reply. The honourable member was heard in silence. Also, the Minister is out of order.

The Hon. J. D. CORCORAN: Volumes are being prepared in connection with the whole project, and they will be available, but they have yet to be printed. That is the Minister of Transport's job.

URANIUM

Mr. GUNN: Will the Minister of Mines and Energy say whether the South Australian Government, and particularly the Mines and Energy Department, intend to encourage those mining companies which have been carrying out work and exploration for uranium in South Australia, especially at Roxby Downs and Plumbago? The Minister will be aware that large sums of money have been spent at Roxby Downs and, to a lesser extent, at Plumbago Station, where there have been encouraging finds of minerals, particularly uranium. It is imperative that further funds be committed but, in view of the ban placed on the mining and export of uranium, it would be fairly unlikely that those companies would be prepared to continue to invest heavily, not knowing what the future has in store for them. Can the Minister say whether the Government will actively encourage these vital projects, which can provide so many jobs for the unemployed in South Australia?

The Hon. HUGH HUDSON: I think honourable members may be interested to know that yesterday I had discussions with Mr. Hugh Morgan, of the Western Mining Corporation. The public generally should know that, even if there were a green light to go ahead on the Roxby Downs project, it would be unlikely that there would be a start-up date for production before 1986, at the earliest. A tremendous amount of further work must be done in the proving up of the ore body before a final decision to proceed with the project can be taken.

Mr. Dean Brown: How much would they—

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

The Hon. HUGH HUDSON: I have little doubt that Western Mining Corporation will be continuing with its exploration effort in the Roxby Downs area. It has had tenders, I think, from prospective joint venture partners, but no determination has been made by W.M.C. on that score. I think it is sufficient for me to say at this stage that I do not think there will be a slackening of effort, that the Government is maintaining its relationship with W.M.C., and that it has regular discussions with the management of that corporation and, of course, with Esso regarding its activities in the Olary province.

CHIRONOMIDS

Mr. KENEALLY: Will the Deputy Premier say whether the Government will take whatever action is necessary to assist in eradicating midge flies from the lagoons at Port Augusta? An extreme problem exists at Port Augusta because of the presence of these midge flies. Members may recognise this insect by its more commonly used name of chironomid. Their great numbers cause severe inconvenience to residents living adjacent to the lagoons and to workers in the nearby business houses. They can be picked up in bucket loads in the morning after a clear night, and they find their way into the houses. On Monday and Tuesday, 22 and 23 January, Mr. Brenton Peters, a biologist with the Engineering and Water Supply Department at Bolivar, undertook a sampling survey of the three lagoons which are the main breeding sites of the midge flies. The sampling device measured 25 square centimetres, which is 1/400 of a square metre. The contents of mud picked up by the sampling device were thoroughly examined with special equipment, and the number of larvae was counted. There were approximately 25 larvae per sample, and this figure was multiplied by 400 to arrive at the estimated number of 10 000 larvae per square metre. As there are more than 1 000 000 square metres of lagoon area, some idea of the magnitude of the problem can be gauged.

The Hon. J. D. CORCORAN: I shall be pleased to do whatever I can to assist in the eradication programme. This is the first I have heard of the problem, but I shall be pleased to make inquiries of the Director and Engineer-in-Chief and to ascertain what I can, and I will let the honourable member know what proposal we have for the eradication of the pests.

MURRAY RIVER AUTHORITY

Mr. ARNOLD: Can the Deputy Premier say whether the Government will support a move, initiated by the Berrigan Shire Council and supported by 25 shire and district councils in Victoria, New South Wales and South Australia situated along the Murray Valley, calling for the establishment of a Murray Valley authority, based on a concept similar to that of the Tennessee Valley Authority in the United States of America? Last year, the Berrigan Shire Council took the initiative of writing to councils along the entire length of the Murray system in the three States calling for their support for this concept. The shire council received virtually unanimous support from all councils in the three States.

Believing it significant that this move has come from a

shire council in New South Wales, I also believe that this will have a considerable bearing on the Victorian and New South Wales Governments if councils in their areas unanimously support the concept. I believe that the concept has an enormous potential. Following the release by the Minister on 31 January of the Murray River salinity control programme, I held discussions with the shire council the following day. I gave the shire council a copy of the report, which it was pleased to receive and which falls into line with its own thinking on this matter.

Does the Minister support this concept, since the Berrigan Shire Council intends to organise a conference of the councils concerned in the three States, together with State and Federal members of Parliament, in an endeavour to bring some influence to bear on the Victorian and New South Wales Governments to achieve this end?

The Hon. J. D. CORCORAN: I shall be pleased to examine the proposal the honourable member has stated to the House. I am not certain exactly what would be the function of the authority or what powers it would have, or things of that nature. That is why I am at this stage reluctant to say that I would support the concept. However, I am delighted with any move on the part of local government, State Governments, or the Federal Government (or a combination of the three) if it will lead to a better control of the Murray River from a quantity point of view, but more particularly from a quality point of view.

I can only see that this would add some weight to what, as the honourable member knows so well, we are trying to do in this State. I was delighted to be associated with the release of the salinity mitigation report, which had taken so long to produce. I am convinced that, whilst we cannot do at once all the things we need to do, this is a move in the right direction. We are going to spend about $23 000 000 (and I hope an even larger sum) over, I hope, no more than five years on this scheme, and this is an indication of how much concern the State Government has for the greatest enemy that faces us at the moment, namely, salinity.

People just do not believe that 1 300 000 tonnes of salt a year is transported down the Murray. However, we know it to be a fact, and we know that, unless we take immediate steps now to mitigate this problem, we will be in serious trouble in years to come. I shall be pleased to look at the question for the honourable member and to provide him with a considered reply.

AIR POLLUTION

The Hon. G. R. BROOMHILL: Will the Minister for the Environment obtain for me a report on the latest air pollution figures for metropolitan Adelaide? It has been noticeable, with the steady weather pattern we have had during the last month, that the visibility on the Adelaide Plains has been good on weekends, but as soon as industry and traffic start moving on Monday mornings visibility on the Plain becomes markedly worse. I am interested to know whether this pattern is only visual or whether there has been any deterioration or improvement in the situation during the past 12 months. I will appreciate any comparisons the Minister can obtain for me.

The Hon. J. D. CORCORAN: I do not have these figures available at the moment, but I shall be pleased to get a report for the honourable member, particularly in relation to whether or not the problem is growing. It is true that, particularly during the last month or so when we have had long stretches of hot and relatively calm weather, in the early morning a pall of pollution is hanging over the city. I shall be pleased to obtain an up-to-date report for the honourable member and bring it down as soon as possible.

NEAPTR

Mrs. ADAMSON: Can the Minister for the Environment say when the Government will release the submission made by the River Torrens Committee in conjunction with Hassell and Partners in response to the draft e.i.s. into the NEAPTR route along the Modbury Corridor? On 21 November 1978, in reply to a question by the member for Torrens, the Minister said that consideration would be given to making the submission public. In view of the Government's decision to proceed with the l.r.t. system along the corridor, and in view of the Minister's indication, in answer to a question a few moments ago, that the proponents of the e.i.s. are responsible for their publication and release, I ask whether this principle will also apply to the River Torrens Committee and, if the submission is not to be released, why not?

The Hon. J. D. CORCORAN: My understanding of the situation is that this submission was made by the committee to the proponent in the period that public comment was called for on the draft e.i.s. I am not quite certain of that, but I think that is so. If that is the case, it will be published along with any other documents that were submitted by any bodies or organisations during that period. I do not see any particular reason why it should not be published, but I will check and let the honourable member know.

HOUSING TRUST

Dr. EASTICK: Can the Minister for Planning say what is the current policy relating to the availability for purchase of Housing Trust houses whether or not the house was originally erected for sale purposes or for rental purposes? On previous occasions the Minister has indicated an attitude of the Government, expressed through the Housing Trust, relating to the sale of Housing Trust houses. An article on page 17 of the *Australian* today, headed "Australians still want to own homes", states:

> Australians still aspire to home ownership with the myriad of benefits, including financial, that follow.

This attitude is expressed by many constituents who are in Housing Trust accommodation and who have sought or are seeking an opportunity to purchase. It is on that basis that I ask the Minister whether the Government has changed its policy recently or whether he could restate exactly what is the policy at the moment.

The Hon. HUGH HUDSON: The question of policy on this matter is still under consideration. The demand for rental accommodation is still strong indeed, and in this State that rental accommodation demand is met mainly by the South Australian Housing Trust, which has more than 40 000 units available for rental. That would be a higher per capita figure for public rental housing than that in any other State, even though the degree of house ownership in this State would be no less than that in any other State.

I think honourable members also ought to be aware (and this information is available in the annual report of the Housing Trust) that the trust accommodates about 5 000 families or units each year, and the current waiting list over all classes of accommodation is about 20 000. Not

all of the people on that waiting list end up moving into Housing Trust rental accommodation, but it is always noticeable that, when economic circumstances deteriorate, the demand for rental accommodation from the Housing Trust tends to go up and the rate at which existing Housing Trust properties are vacated to make them available for people on the waiting list tends to go down slightly. So, difficult economic circumstances and high levels of unemployment such as we have at the present time are not the circumstances in which one would proceed with any radical changes in relation to the sale of rental houses. Anyway, I think I should add that it would be the firm view of the Government and of the Labor Party that there should not be, even if certain rental houses are sold, any reduction in the total number of houses available for rental and, indeed, that the number available for rental should expand each year, particularly while the demand for rental accommodation is so strong.

In recent years we have added to our rental stock by about 1 000 units each year, and that is continuing at the present time. A sale policy would certainly not be instituted which would result in any reduction in the total rental stock or which would lead to stabilisation of the total rental stock. We would not expect, therefore, if policies were altered, to sell more than 100 or 200 houses each year at the most, so with the 1 000 units added to rental stock each year the total rental stock of the Housing Trust would continue to rise. That situation will be necessary for as long as the demand for rental accommodation and the waiting list of the Housing Trust remain at the present level.

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

The SPEAKER: Call on the business of the day.

SOUTH AUSTRALIAN INSTITUTE OF TECHNOLOGY ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

MOTOR BODY REPAIR INDUSTRY BILL

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to provide for the licensing and control of motor body repairers and painters, tow-truck operators and drivers and motor vehicle loss assessors; to amend the Motor Vehicles Act, 1959-1978; and for other purposes. Read a first time.

The Hon. G. T. VIRGO: 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

This Bill gives effect to the recommendations of a Steering Committee appointed to inquire into and make recommendations for the control of the motor body repair industry. The Bill, amongst other things, provides for amendments to the Motor Vehicles Act (Tow-trucks). Certain clauses of that Act will be re-enacted in the new Act.

In summary; the Bill provides for the constitution of a board to licence and control the activities of the motor body repair industry, the towing industry and the motor vehicle loss assessing industry. These three groups are an integral part of the one industry and for that reason should all be subject to licence and control. The industry for which the Bill is intended to cover, is a multi-million dollar industry within this State and has reached a stage where operational controls are necessary. The Steering Committee has found that a number of dubious and even illegal practices are carried out in the industry and must, for the protection of the public and the industry itself, be curtailed. This evidence before the Steering Committee came from members of the public, members of the industry itself and from the Steering Committee's own investigations.

Motor Body Repair Industry: Throughout the State of South Australia, as far as can be ascertained, there are between 500-600 motor body repair workshops operating and between 50-75 workshops exclusively engaged on automotive spray painting.

There are numerous problems within this industry which arise from fierce competition for the lucrative work of repairing damaged motor vehicles and in many instances the work produced by the shops is not of an acceptable standard.

It is proposed:

(1) that licensed workshops shall have minimum plant and equipment as determined by the board, in order that they can satisfactorily repair vehicles;

(2) that where a motor body repair business has four or more employees who are being paid tradesmen's rates of pay, they shall employ one apprentice. It is considered such action will increase the number of tradesmen in this vital industry and ensure in the long term higher work standards;

(3) that machinery for the settlement of disputes between the workshops and their customers concerning the standard of work in the industry be set up. The administration will be in a similar manner to that provided under the Builder's Licensing Act in relation to disputes about the standards of builders' work.

Towing Industry: The Bill provides for the licensing and control of tow-truck proprietors referred to in the Bill as tow-truck operators and tow-truck drivers. Applicants for licences will be closely checked in order that the board can determine whether they are fit and proper persons to be licensed in the industry. The Bill also provides for a zoning and roster system under which tow-trucks licensed to attend the scenes of accidents will be required to abide. The zoning system means that the metropolitan area of Adelaide will be divided into a number of zones and tow-truck operators will be given the right to work within certain of the zones. A roster system will be drawn up for each zone and will be handled and controlled by the South Australian Police Department. The administration of the roster will be audited by the board.

It is proposed that when a person requires the services of a tow-truck he may contact the South Australian Police Department and they will send a rostered tow-truck to the scene of the accident. Nothing is contained in the Bill to prohibit any person not wishing to use the police tow-truck roster system, from making his own arrangements and contacting a tow-truck operator himself directly. However, the Bill provides that it will be an offence for a tow-truck to attend the scene of an accident unless it has been requested to do so by the police, through the roster system, or it has been called by the owner of the vehicle. The Bill further provides for the board to determine that indemnity insurance shall be taken out by tow-truck proprietors to cover legal liability arising out of damage to

a vehicle whilst being towed, damage to a vehicle whilst in storage at the proprietor's premises, or loss or theft of parts or valuables from the vehicle. A number of tow-truck proprietors already have this form of insurance, but the majority have not and clearly in order that the consumer is protected, proprietors will be required to have such a policy to indemnify themselves from claims.

Motor Vehicle Loss Assessing Industry: The motor vehicle loss assessing industry is divided into two categories: the majority of motor vehicle loss assessors are qualified tradesmen, but a minority have a non-trade background. The Bill provides for acceptance of all present loss assessors in the industry, but future loss assessors will be required to be tradesmen or have experience deemed equivalent by the board. The Bill also provides that motor vehicle loss assessors cannot have a pecuniary interest in any motor body repair workshop.

General Comments: The Bill provides for the board to investigate and inquire into the activities of its licensees and complaints against its licensees. The board will have disciplinary powers which may include the imposing of a fine, suspension or termination of a licence. Decisions of the board in these circumstances shall be subject to appeal to an appellant tribunal constituted by a Judge of the South Australian Industrial Court.

The overall objective of the Bill is to provide for a Licensing Board to licence and control the members of this industry in order that the standard of repairs can be policed and hopefully, improved, that the fierce competition at present apparent in the tow-truck industry will be restricted in order that all tow-truck proprietors obtain a fair share of the work and the accident chasing tow-truck proprietors will have their activities curtailed. The Bill also proposes to oversee the activities of the motor vehicle loss assessor, who, in many respects, is the hub of the industry because of their almost absolute authority of costing allowed for the repair contracts.

Clause 1 is formal. Clause 2 provides that the Act shall come into operation on a day to be fixed by proclamation except in case of provisions in respect of which provision is made for a different commencement date. Clause 3 sets out the arrangement of the measure. Clause 4 provides for the repeal of Part IIIc of the Motor Vehicles Act which presently regulates tow-trucks. Clause 5 sets out the definitions of terms used in the Bill. Clause 6 provides for exemption from the application of the Act by means of proclamations. Clause 7 provides for the appointment of inspectors. Clause 8 sets out the powers of inspectors. Clause 9 prohibits the impersonation of inspectors.

Clause 10 provides for the establishment of a Motor Body Repairs Industry Licensing Board. The board, under the clause, is to be constituted of seven members of whom four will be representative of the Royal Automobile Association of South Australia, the South Australian Automobile Chamber of Commerce, the United Trades and Labor Council and the insurance industry, respectively. Clause 11 provides for the terms and conditions of office of members of the board. Clause 12 regulates the procedure for meetings of the board. Clause 13 ensures the validity of acts of the board notwithstanding defects in the appointment of any member. Clause 14 provides for the remuneration of members of the board. Clause 15 sets out the functions of the board. Clause 16 provides for delegation by the board. Clause 17 empowers the board to employ legal practitioners and other persons to assist it in the performance of its functions.

Clause 18 provides for the appointment of a secretary of the board. Clause 19 provides that the secretary is to keep a register of licence and permit holders. Clause 20 requires the board to make an annual report upon the administration of the Act. Clause 21 defines "licence" for the purposes of Division I of Part III of the measure which relates to motor body repairers' licences. Clause 22 provides that it shall be an offence to carry on business as a motor body repairer after the expiration of three months from the commencement of the measure without a licence. A motor body repairer is defined by the Bill as being any person who carries on a business that involves the repairing of damage to the bodywork or structure of a motor vehicle. Subclause (2) of this clause provides that a person who is licensed as a motor body painter is not required to be licensed as a motor body repairer unless he carries out motor body repairing other than motor body painting.

Clause 23 provides for applications for motor body repairers' licences. Clause 24 provides that the board may grant a licence in its discretion, but must be satisfied that the applicant is a fit and proper person before granting a licence. Clause 25 provides that persons who apply for a licence within the period of three months from the commencement of the Act and who have carried on business as motor body repairers from the first day of January 1979 until the date of the application are entitled to be granted licences. Clause 26 provides for the imposition of conditions upon licences. Clause 27 provides for annual renewal of licences. Clause 28 defines "licence" for the purposes of Division II of Part III of the measure, which relates to motor body painters' licences.

Clause 29 provides that it shall be an offence to carry on business as a motor body painter after the expiration of three months from the commencement of the measure without a licence. A motor body painter is defined as a person who carries on a business that includes the painting (including the stopping up, rubbing down, masking, cleaning and polishing) of the bodywork of a motor vehicle in the course of the repairing of damage to the vehicle but does not include any other form of motor body repairing. Subclause (2) of the clause provides that a licensed motor body repairer is not required to hold a motor body painter's licence. Clause 30 provides for applications for motor body painters' licences. Clause 31 provides that the board may grant or refuse a licence in its discretion, but that it is to satisfy itself as to whether the applicant is a fit and proper person in determining whether to grant a licence. Clause 32 provides that any person who applies for a motor body painter's licence within the period of three months from the commencement of the measure and who has carried on business as a motor body painter from the first day of January 1979, until the date of the application shall be entitled to be granted a licence.

Clause 33 empowers the board to impose conditions upon motor body painters' licences. Clause 34 provides for annual renewal of motor body painters' licences. Clause 35 provides that the provisions of Division III of Part III which regulate the conduct of motor body repairers and painters shall come into operation on the expiration of three months from the commencement of the measure. Clause 36 regulates the form of, and provides a cooling-off period in respect of a motor body repairs contract in respect of a vehicle damaged in an accident where the contract is entered within twenty-four hours after the vehicle is removed from the scene of the accident. This clause corresponds to the present section 98k of the Motor Vehicles Act.

Clause 37 prohibits any person from soliciting a contract of repair, or a contract for the quotation of the cost of repair, in respect of a motor vehicle involved in an accident that occurs within the declared area within six hours after the vehicle is removed from the scene of the accident. The declared area is defined in clause 5 of the

Bill, but is essentially the greater metropolitan area of Adelaide. Clause 38 requires any person who has a motor vehicle in his possession for any purpose connected with the motor body repair of the vehicle to deliver it to the owner or agent of the owner upon request and payment of any amounts lawfully payable to that person in connection with the vehicle. Clause 39 prohibits motor body repairers from engaging in what are known in the business as "off the-hook" transactions. These amount to the payment of any moneys or the giving of any benefit to a tow-truck driver or tow-truck operator for making a damaged motor vehicle available to a motor body repairer for the purpose of repairing the vehicle.

Clause 40 provides that the board may make rules with the approval of the Minister regulating the motor body repairing and painting industry. Amongst other things, the board is empowered to make rules as to the standards of motor body repairs or painting workshops and their equipment, the management of such workshops by qualified and experienced tradesmen and the employment of not less than one apprentice at large workshops which will be defined in the rules. Clause 41 defines "licence" for the purposes of Part IV of the Bill which deals with motor vehicle towing. Clause 42 provides that it shall be an offence to carry on business as tow-truck operators after the expiration of three months from the commencement of this Act without a licence. A tow-truck operator is defined as a person who carries on a business that includes towing motor vehicles by means of a tow-truck. Subclause (2) of the clause provides a licence is not required unless motor vehicle towing is carried on by the tow-truck operator within the declared area.

Clause 43 provides for applications for tow-truck operators' licences. Clause 44 provides that the Board may grant or refuse to grant a tow-truck operator's licence at its discretion. Clause 45 provides that a person who applies for a tow-truck operator's licence within the period of three months from the commencement of the Act and who has carried on business as a tow-truck operator from the first day of July, 1979, until the date of the application shall be entitled to a licence. Clause 46 empowers the board to impose conditions upon tow-truck operators' licences. Clause 47 provides for annual renewal of tow-truck operators' licences. Clause 48 defines "permit" for the puposes of Part IV as a permit to act as a tow-truck driver. Clause 49 provides that it shall be an offence to act for fee or reward as a tow-truck driver within the declared area without a permit.

Clause 50 provides for applications for tow-truck drivers' permits. Clause 51 provides that the grant of tow-truck drivers' permits shall be at the discretion of the board. The board must, under the clause, in determining whether to grant a permit satisfy itself as to whether the applicant is a fit and proper person, over the age of 18 years, the holder of a valid driver's licence authorising him to drive tow-trucks, and proficient in driving and operating tow-trucks. Clause 52 provides that a person who applies for a permit within the three month period after the commencement of the measure and who is the holder of a tow-truck certificate granted under Part IIIc of the Motor Vehicles Act shall be entitled to a permit. Clause 53 provides for annual renewal of tow-truck drivers' permits.

Clause 54 provides for the grant by the board of temporary tow-truck drivers' permits. Clause 55 empowers the board to impose conditions upon the grant of tow-truck drivers' certificates. Clause 56 provides that a tow-truck driver's permit shall be suspended for any period for which the permit holder does not hold a valid driver's licence under the Motor Vehicles Act. Clause 57 requires a permit holder to carry his permit with him at all times at which he is driving or operating a tow-truck. Clause 58 provides that the provisions of Division III of Part IV of the Bill which regulate the conduct of tow-truck operators and tow-truck drivers shall come into operation on the expiration of three months from the commencement of the measure. Clause 59 provides that no person shall drive a tow-truck to or be present at the scene of an accident that occurs within the declared area except pursuant to a request made by a member of the police or the owner or person in charge of a vehicle involved in the accident or for a purpose not connected with the towing of a vehicle involved in the accident. The "scene of an accident" is defined by clause 5 to include any point within two hundred metres of a vehicle that was involved in the accident.

Clause 60 provides that a tow-truck operator shall not direct a tow-truck to proceed to the scene of an accident that occurs within the declared area except pursuant to a request made by a member of the police force or the owner or person in charge of a vehicle involved in the accident. Clause 61 prohibits the soliciting of requests for a tow-truck to proceed to the scene of an accident that occurs within the declared area. Clause 62 prohibits a tow-truck driver from having passengers in the tow-truck except the driver or passenger of a vehicle being towed while it is being towed. The clause also makes it an offence to be a passenger in a tow-truck except in those circumstances.

Clause 63 provides that it shall be an offence to remove a motor vehicle from the scene of an accident that occurs within the declared area for fee or reward unless certain conditions are met. These conditions are that the person removing the vehicle must be a tow-truck driver permit holder and a licensed tow-truck operator or employee of a licensed tow-truck operator, must have been requested to remove the vehicle by a member of the police force or the owner or person in charge of the vehicle, must be using a tow-truck registered by the board for the purpose and must obtain an authority to tow from the owner or person in charge of the vehicle or from an Inspector or member of the police force. The clause provides for the form of authority to tow and procedure in relation to its execution and how it is subsequently dealt with. Clause 64 prohibits interference with the removal of a motor vehicle pursuant to an authority to tow. Clause 65 empowers an inspector or member of the police force to require a person to leave the scene of an accident if he believes on reasonable grounds that the person has contravened any provision of the measure.

Clauses 66 and 67 prohibit tow-truck operators and drivers respectively, from engaging in "off-the-hook" transactions. Clauses 68 and 69 require tow-truck operators and drivers, respectively, to comply with the Wireless Telegraphy Act of the Commonwealth. Clause 70 provides that a tow-truck operator must deliver a motor vehicle to its owner or his agent upon request and payment of all amounts that may be lawfully claimed by the tow-truck operator in respect of the vehicle. Clause 71 empowers the board to make rules in respect of motor vehicle towing. Under this provision the board may make rules establishing a zoning and rostering system for the direction by the police force of tow-trucks to accidents that occur within the declared area. Clause 72 empowers the Governor to make regulations defining the duties of the police force in relation to the zoning and rostering system.

Clause 73 defines "licence" for the purposes of Part V of the Bill as a licence to act as a motor vehicle loss assessor. Clause 74 provides that no person may act as a motor vehicle loss assessor for fee or reward after the expiration of the period of three months from the commencement of

the measure without a licence. A motor vehicle loss assessor is, by clause 5, defined in a similar way to the way in which loss assessor is presently defined in the Commercial and Private Agents Act, but is limited to loss assessing in respect of property damage to motor vehicles and at the same time extended to motor vehicle loss assessors in the employment of, for example, insurance companies. It is proposed that such loss assessors will be exempted by proclamation from the application of the Commercial and Private Agents Act. Clause 75 provides for applications for motor vehicle loss assessors' licences.

Clause 76 provides for the grant by the board of motor vehicle loss assessors' licences. It is proposed that new licences will be granted only to applicants with expertise in assessing the cost of motor body repairs to vehicles. Clause 77 provides that a person who applies for a motor vehicle loss assessor's licence before the expiration of three months from the commencement of this Act and who, either, has held a loss assessor's licence under the Commercial and Private Agents Act since the first day of January, 1979, or has been employed as a motor vehicle loss assessor under a contract of service since that date shall be entitled to a licence. Clause 78 empowers the board to impose conditions upon motor vehicle loss assessors' licences. Clause 79 provides for the annual renewal of motor vehicle loss assessors' licences. Clause 80 requires corporations licensed as motor vehicle loss assessors to be managed by licensed motor vehicle loss assessors.

Clause 81 provides that the provisions of Division III of Part V that regulate the conduct of motor vehicle loss assessors shall come into operation on the expiration of three months from the commencement of the measure. Clause 82 provides that a motor vehicle loss assessor's licence does not confer any additional authority upon the licensee and that the licensee is not to use the licence in order to induce any person to believe that it does confer additional authority. Clause 83 prohibits motor vehicle loss assessors from having any direct or indirect financial interest in any motor body repairing, tow-truck or motor vehicle wrecking business. Clause 84 provides that motor vehicle loss assessors shall not seek or receive any benefit whether financial or otherwise for making a motor vehicle available to a motor body repairer for repairs or for providing any other service connected with a motor body repairer's business.

Clause 85 prohibits a motor vehicle loss assessor from making any misrepresentation designed to induce a person to settle a claim. Clause 86 provides that a motor vehicle loss assessor shall not settle a claim once proceedings have been commenced in any court in respect of the claim. Clause 87 empowers the board to make rules regulating motor vehicle loss assessing. Clauses 88 and 89 provide for investigations by the board, the Secretary of the Board and inspectors. Clause 90 provides for inquiries by the board, the disciplinary powers of the board with respect to licence and permit holders and the grounds for disciplinary action. Clause 91 provides for investigations and inquiries by the board into the standard of workmanship of motor body repairers and empowers the board to order motor body repairers to make good any defective work.

Clause 92 regulates the procedures with respect to inquiries by the board. Clause 93 sets out the powers of the board upon an inquiry. Clause 94 provides for the ordering of costs by the board in relation to any inquiry. Clause 95 provides for the establishment of an Appeal Tribunal constituted of an Industrial Court Judge. Clause 96 provides for appeals to the Appeal Tribunal in respect of any disciplinary action taken by the board against a licence or permit holder. Clause 97 provides for the suspension of an order made by the board where an appeal is made against the order. Clause 98 empowers the board to grant conditional or unconditional exemptions to licence or permit holders. Clause 99 permits the business of a licensee to be carried on for a maximum of six months after the death of the licensee.

Clause 100 provides that licences and permits shall not be transferrable. Clause 101 provides that an unlicensed person is not entitled to any fees or other consideration for any service in respect of which he is required to hold a licence. Clause 102 requires a licence or permit holder to produce his licence or permit upon demand by the Secretary or any inspector or member of the Police Force. Clause 103 requires the return of any licence or permit that is cancelled or suspended. Clause 104 prohibits the provision of false information that is required to be provided under the measure. Clause 105 provides for service of documents. Clause 106 requires the Commissioner of Police and Registrar of Motor Vehicles to furnish information to the board that is necessary for the administration of the measure.

Clause 107 protects the board, members of the board, inspectors, the Secretary and the Appeal Tribunal from liability for acts done in good faith in the administration of the measure. Clause 108 is an evidentiary provision. Clause 109 provides that an officer of a corporation shall be guilty of an offence if the corporation is guilty of an offence which he could have prevented by the exercise of reasonable diligence. Clause 110 provides for continuing offences. Clause 111 provides a general penalty for contravention by persons who are not licence or permit holders of any provision of the measure. Clause 112 provides for the summary disposal of proceedings for offences against the measure. Clause 113 provides for a general rule-making power in the board.

Mr. EVANS secured the adjournment of the debate.

SOUTH AUSTRALIAN WASTE MANAGEMENT COMMISSION BILL

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

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to provide for the management of industrial, commercial, domestic and other waste; to establish the South Australian Waste Management Commission; to define its powers and functions; and for other purposes. Read first time.

The Hon. G. T. VIRGO: 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 purpose of this Bill is to fulfill a commitment made by the South Australian Government in 1973 to legislate for the establishment of a Waste Management Commission to promote efficient, safe and appropriate waste management policies and practices throughout the whole State, having due regard for reducing waste generation, energy and resource conservation, health and well-being, environmental protection and improvement, economic

factors and the preservation of local and area responsibility for the provision of waste management services.

In 1976 the Government appointed a Waste Disposal Committee to report on an organisation, its structure and terms of reference, which would be most appropriate and economic to manage waste disposal within the metropolitan area and other areas of the State as determined. That Committee's report was submitted in 1977 and all members have received a copy. The Interim Waste Management Committee was appointed in April 1978 to, among other things, prepare legislation to establish a South Australian Waste Management Commission and in addition that Committee has been involved in working with Government agencies, councils and private enterprise for the rationalisation, coordination and improvement of waste management services. The committee was also charged with the responsibility of considering the views of local government, private enterprise and the general public on the recommendations contained in the report of the Waste Disposal Committee.

In all, 68 submissions were lodged with the Interim Waste Management Committee and these submissions, wherever possible, have been taken into consideration in the preparation of legislation.

Clauses 1, 2 and 3 are formal. Clause 4 sets out the objects of the Act and provides specifically that the Act is based upon principles that wherever possible allow for the reduction of waste generation, the conservation of energy and resources including increased voluntary activities for the recycling and re-use of waste, maintaining and improving the health and well-being of the community, the protection of the environment, the preservation of local and area responsibility for the provision of waste management services and that all aspects of waste management should be self-supporting financially with costs shared equitably amongst waste generators.

Clause 5 defines the terms and expressions used within the body of the Act. Clause 6 sets out how the Act may be applied. Clauses 7, 8, 9, 10, 11, 12, 13 and 14 provide for the establishment of the commission, how the membership shall be appointed, the terms and conditions of the office of members, the allowance for members, the procedures to be adopted at meetings and the validity of the acts of the commission.

The Bill provides that the commission shall be a body corporate with perpetual succession, that the membership shall consist of seven members, that no member shall be appointed for a term of office exceeding three years and establishes the criteria for the removal of a member and reasons why the office of the member shall become vacant. It provides that the decisions of the commission shall be by a majority of votes by members present at a meeting and that the Chairman or person presiding at the meeting shall in the equality of votes have a casting vote only. It provides for the disclosure by any member of a financial interest in any matter before the commission for decision and the execution of documents by the commission.

Clauses 15, 16, 17 and 18 provide for the establishment of a Waste Management Technical Committee to assist the commission in its decisions, and set out the membership of the committee and its functions. They also provide the ability for the Minister to establish such other committees as he may consider necessary for the administration of the Act. Clauses 19, 20 and 21 empower the commission to appoint such employees as are required for the administration of the Act, and provide that the employees will not be bound by the provisions of the Public Service Act, but that the commission must seek the approval of the Public Service Board with regard to the terms and conditions of such employees. They provide for the superannuation rights of employees and give the commission the ability to use the services of existing public servants with the approval of the appropriate Minister.

Clause 22 provides for the licensing and control of any premises used for the reception, storage, treatment or disposal of waste. Clause 23 provides for the licensing of any person who collects or transports waste for fee or reward. Clause 24 provides for the licensing of any industrial of commercial process which produces waste.

Clauses 25, 26, 27, 28, 29 and 30 provide for the general procedures to be adopted for the application and granting of licences, for the renewal and transfer of licences, for the varying of conditions by the commission and for the revoking of any licence. The commission will be required to cause a register to be kept of all licences granted under the Act and such register shall be available for public inspection.

Clause 31 empowers the commission to place an order on any person if that person has failed to comply with the provisions of the Act and in consequence of that non-compliance a nuisance or offensive condition or conditions injurious to health or safety or damage to the environment has been caused or is threatened. Clauses 32, 33, and 34 provide for the establishment and management of depots by the commission and before that action can be taken the Minister will be required to give the public reasonable opportunity to make representations in the matter and the Minister must be satisfied that existing facilities are inadequate or that the establishment of a depot is required in the public interest. The depots will be under the direct control of the commission and the commission may receive waste at these depots upon such terms and conditions as may be determined from time to time. All waste received at the depots will remain the property of the commission.

Clauses 35, 36, 37, 38 and 39 cover the financial provisions applicable to the operation of the commission and in particular set out the accounts which must be kept, the audit of these accounts and the ability of the commission to borrow money for any purposes of the Act from the Treasurer or from any other person. The Bill also provides for the investment of surplus funds by the commission with the approval of the Treasurer. Clause 40 gives any person the right of appeal against a decision of the commission and such appeal shall be lodged with the Minister within 28 days of the decision of the commission and for the purpose of determining the appeal the Minister is required to appoint an arbitrator.

Clause 41 enables the commission to hold an inquiry in any matter related to the production of waste or waste management generally and the obligation of persons to provide information and documentation to enable the commission to conduct its inquiry. Clause 42 provides the power for a person authorised by the commission to enter premises (not being a dwellinghouse) for the purpose of inspection, making tests, or sampling wastes. It also provides for an authorised person to stop vehicles, make inspections, take samples and direct that vehicle to dispose of its load of waste at a designated location.

Clause 43 provides for a penalty for the disclosure of any information gained by a member of the commission or an employee in the course of their business. Clauses 44 and 45 provide the proceeding for offences against the Act and also for a penalty for a continuing offence. Clause 46 requires the commission to submit an annual report to the Minister, who shall in turn cause copies of the report to be laid before both Houses of Parliament. Clause 47 provides for the matters for which regulations may be made to administer the provisions of the Act.

Mr. WOTTON secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to amend the Local Government Act, 1934-1978. Read a first time.

The Hon. G. T. VIRGO: 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 principal object of this Bill is to clarify and amplify the regulation-making power that was inserted in the Local Government Act in 1978, relating to the parking and standing of vehicles. Over the past months, the regulations for this purpose have been drafted and it has become apparent that certain of the heads of power set out in new section 475a of the Act should be expanded so that all necessary points can be covered by the regulations.

Further consideration has also been given to the question of who should be liable for parking offences. At the moment, the Act provides that the owner of a vehicle is the person presumed to have parked the vehicle contrary to the Act. Difficulty has often been experienced in obtaining convictions, for it is only too easy for the owner to deny the allegations and, in the absence of any other evidence, he is then acquitted. The Bill provides that in every case, the owner and the driver will each be liable for the offence. The regulations will provide a defence for either the owner or the driver in the case where the other of them has been convicted of the offence. Several other evidentiary provisions have been amplified, in view of the difficulties often faced by the prosecution in this area.

Clause 1 is formal. Clause 2 provides for commencement upon a proclaimed day. Clause 3 amends the regulation-making power contained in section 475a. A council may only regulate, restrict or prohibit the parking or standing of vehicles by resolution. A council may create parking spaces as well as areas and zones.

A council may install any device for the collection of parking fees. The regulations will set out the way in which various signs, roadmarkings and other devices will denote or apply to parking areas, etc. The Road Traffic Board will be empowered to make a code of signs and roadmarkings that councils must comply with. The clerk of a council can make provision in any way he thinks fit for denoting temporary control measures. New paragraph (ja) provides that the owner and the driver shall each be guilty of an offence where the owner's car is parked contrary to the regulations. Defences may be prescribed by the regulations. The regulations may preserve the areas, zones, parking spaces, etc., that may be in operation at the commencement of the regulations.

Clause 4 deletes a reference to Road Traffic Act regulations, as the signs and roadmarkings to be used by councils will be provided for under the Local Government Act parking regulations. Clause 5 amplifies several evidentiary provisions. Paragraph *(d)* is broadened to include reference to devices other than signs and roadmarkings, and to parking spaces. The so-called "owner onus" provision in subsection (2) is repealed. It is further provided that the prosecution does not have to prove the validity of certain specified council actions. It is made clear that subsection (4) relates to the defendent in any proceedings, and that he cannot tender evidence as to the existence or non-existence of any council resolution.

Clause 6 widens the definition of "public place" for the purposes of this Part. It is intended that parking on parklands, etc., should be governed by these regulations, and should not be dealt with by individual council by-laws. The definition of "vehicle" makes it clear that these regulations do not apply to trains or trams. Clause 7 is consequential upon the amended definition of "public place". The power to make by-laws for the parking of vehicles on parklands, etc., is repealed.

Clause 8 provides a solution to a problem that arose out of the two amending Acts of 1978. Section 679 of the principal Act was enacted by the Local Government Act Amendment Act, 1978, in a form that included an incorrect passage. This passage was deleted by the Local Government Act Amendment Act (No. 2), 1978, but unfortunately this latter Act came into operation several months after the first amending Act. This clause provides that the amendment so effected shall be deemed to have come into operation at the same time as the commencement of the first amending Act.

Clause 9 provides that the repeal of a by-law does not affect a resolution passed under the repealed by-law where the substituted by-law has substantially the same provisions as the repealed by-law. Clause 10 provides that the system of expiation under this section may apply to prescribed offences under other Acts. It is provided that a council may accept late payment of an expiation fee upon payment of any legal costs that may have been incurred. Clause 11 provides that proceedings for parking offences must be commenced within one year of the offence being committed. At the moment, such proceedings must be commenced within six months by virtue of the Justices Act provisions. Six months has proved to be too short a period of time.

Mr. RUSSACK secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

The Hon. G T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act, 1961-1976. Read a first time.

The Hon. G. T. VIRGO: 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 object of this Bill is to effect certain amendments that are consequential upon the Local Government Act Amendment Bill (No. 2), 1979. It is proposed to repeal certain sections that deal with the standing of vehicles, and to provide for the same matters in the Road Traffic Act regulations. Some uniformity may then be achieved between the Road Traffic Act regulations and the Local Government Act regulations in relation to parking offences. (The Road Traffic Act regulations of course apply in areas of the State that are not covered by councils).

Clause 1 is formal. Clause 2 provides for commencement upon a proclaimed day. Clause 3 repeals three sections of the Act dealing with the standing of vehicles in certain specified places. Clause 4 widens the regulation-making power so as to cover the parking of vehicles as well as the standing of vehicles. It is provided that the owner and the driver of a vehicle parked contrary to the regulations shall each be guilty of an offence. Defences

may be prescribed. These two provisions are similar to provisions in the Local Government Act Amendment Bill (No. 2), 1979. The penalty for an offence against the regulations is increased from $100 to $200—a more realistic maximum, and the same amount as is provided for the Local Government Act regulations and by-laws. Prosecutions for parking offences must not be commenced without the approval of the Commissioner of Police. This restriction already applies in relation to parking offences under the Local Government Act regulations.

Mr. RUSSACK secured the adjournment of the debate.

POLICE OFFENCES ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Police Offences Act, 1953-1978. Read a first time.

The Hon. G. T. VIRGO: 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 object of this Bill is to effect an amendment that is consequential upon the Local Government Act Amendment Bill (No. 2), 1979. The latter Bill widens the provision dealing with the expiation of offences so as to cover prescribed offences under other Acts than the Local Government Act. The provision in the Police Offences Act dealing with the expiation of local government offences is therefore redundant. Clause 1 is formal. Clause 2 provides for commencement upon a proclaimed day. Clause 3 repeals section 64 of the Act.

Mr. RUSSACK secured the adjournment of the debate.

SUPPLY BILL (No. 1)

Adjourned debate on the question:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole.

(Continued from 13 February. Page 2593.)

Mr. MATHWIN (Glenelg): I congratulate the Minister of Transport and his advisers for completely baffling the people who travel on metropolitan buses, which come under the control of the State Transport Authority. I also congratulate the Minister for causing hardship, worry and upset, particularly to older people. This is nothing short of a shocking disgrace. People who have to travel to areas with which they are not familiar find it impossible to know where they are going. Many people who ask bus drivers for directions find that the drivers, too, have little knowledge of the districts into which they are driving their vehicles.

Dr. Eastick: They don't know where they are going until they get there.

Mr. MATHWIN: That is right. The bus drivers have little knowledge of the areas into which their buses are travelling. How can a person find out which route a bus takes? How can people be expected to know the destinations of buses by means of a number on the bus? Destination signs have been taken off all the buses. I have had numerous complaints from people in my electorate (I do not know whether the member for Morphett has received complaints) who are concerned about the situation, which causes problems, especially for older people.

One would have to be a genius to work out a method of making it impossible for people to know how the system works. I am not the first person to call the Minister a genius; he was given that title when the driving school on Oaklands Road was opened. However, since then, the halo has slipped slightly. The State Transport Authority should encourage people to use buses and other public transport. How can you tell from a number where a bus is going? I suspect that most members would know little about the buses that go through their own territory, let alone buses that travel wider afield. Under the new system people are expected to have a mind like a computer memory bank.

Air-conditioned coaches and the latest articulated buses from Sweden have been supplied; however, the numbers affixed to those vehicles mean nothing to most passengers. I was told by a constituent of mine that she travelled from Glenelg to the territory of the member for Gilles and became completely lost. She did not know where the bus was going. When the bus driver was asked, he did not know either, and eventually she was advised to get off the bus at the next stop.

This lady was a senior citizen. It was a hot day. Eventually she had to go to the nearest telephone box and phone a taxi to take her to her friend's house. So much for the great transport scheme introduced by the Minister and his advisers. I suppose the Minister would say that the destination is shown on a board at some of the bus stops, but those signs are invariably scratched or broken by vandals, and no information can be gleaned from them. Apart from that, they are in ordinary type. Most people who use the buses in the day time are senior citizens, and many of them have trouble with their eyesight and would find those boards difficult to read. This is causing a considerable problem for many people.

I wonder what is the reason for the change. Was it the cost of the buses? Was it that showing the destination on a big blind was costing too much? Was it considered that it would make it easier for commuters to know where they were going? Was the reason for the change to encourage people to use buses, or perhaps make a little game of it so that when they stand waiting for a bus and see the number on the front and no explanation they have a game with a friend or somebody in the queue waiting for the bus as to just which number goes where? Perhaps that is the reasoning the Minister of Transport used when he changed the method of showing on the buses the destination of those buses?

It is time the Minister got down to the level of people who have to use buses. It would not do the Minister any harm to do a half-day bus tour around the suburbs, without the aid of his public relations man or chauffeur. Let us see whether the Minister knows exactly where they are going. I say that it is about time that the system was changed and we returned to the original system of having reasonable destination signs on buses. That would help a great number of people in my district who are having trouble with this ridiculous system where buses are only known by their numbers.

Mr. BLACKER (Flinders): I take this opportunity to raise an issue I raised in the House yesterday about prawn authority fees. We all recall that last year there was considerable public debate and negotiation among the department, the fishing industry, the Minister and the Premier about the issue of prawn licence fees. The original

announcement was that prawn fishermen were to pay fees in excess of $9 000. That created quite an outburst, and rightly so. However, it also showed up some situations across the State and the nation. As a result of the announcement of a massive increase in prawn fees a full investigation was made of the situation in other States. It was found that the maximum fee paid for any prawn authority in relation to any vessel was about 1 per cent of the gross catch of the vessel.

After much haggling between the department and the prawn fishermen, an interim fee arrangement was agreed upon. There were provisos to that agreement that were widely published. The Government gave an undertaking that it would look into the transferability of prawn licences, and a number of other undertakings were given. An arrangement was made that, for the present licensing year, a licence fee of $1 830 would be agreed upon. The agreement for that licence was arrived at by virtue of the fact that it represented 1 per cent of the gross catch of the prawn fishermen. As a full years statistics were not available for 1977-78, the amount was arrived at by using the previous years statistics. A full statistical analysis of the value of the catch for that year was made available. In that year, the total harvest by South Australian prawn fishermen was $9 727 000, and an interim fee was arrived at based on that figure. However, the debates that took place at that time revolved around the fact that there was a decrease in the prawn catch. There was a massive increase in the fishing effort, but a decrease in the catch.

The conclusion to be reached from that is that we have reached the maximum sustainable yield of the prawn beds in the gulf. We have passed that figure and are now finding that the fishermen have to put in 20 to 30 per cent extra time to get a gross return some 27 per cent less than previously, so the catch effort is going up and the catch rate is coming down. In the past couple of weeks, the Commonwealth Bureau of Statistics released figures relating to the 1977-78 catch. As a result, it is clearly demonstrated that the value of the prawn catch for 1977-78 was $7 062 000, which represents a 27·4 per cent drop in that catch.

The point I make is that, if the Government is genuine in its interim arrangement with the fishermen, it should be prepared to meet them and agree that the figure upon which it made its assessment was grossly inflated and, as a result, it should reduce the fee accordingly. I made the suggestion in my question (and I appreciate the implications) that the fee should be reduced by a like amount, that is, 27·4 per cent. I make this specific request of the Minister and the Government because, if they are going to be bound by their word, they should look at this proposal seriously. No doubt that issue will be further debated when answers to questions are returned to this House.

Another matter that worries me is the decline in the number of people in South Australia. It has been hotly debated, and it has been said that we are not experiencing a net decline, but that the net population figures are in fact still climbing. That is clarified in yesterday's *News*, which states that South Australia's population rate is dropping behind that of all States in the Commonwealth, and our net growth is comparatively small when looking at other sections of the community. What worries me (and I wish to relate this specifically to my own electorate) is that we are seeing a massive exodus of primary producers from the country areas of this State. In last week's *Port Lincoln Times* 28 clearing sales were advertised for the month of February. That means that 28 farms have changed hands, and a vast majority of the farmers concerned are going interstate. I personally know dozens of people who are leaving South Australia to go to Western Australia, Queensland and to northern New South Wales. The unfortunate part about this is that not only are we losing farmers but also we are losing considerable capital. I put forward a hypothetical situation of an average farm property worth about $200 000 (and that is probably a conservative figure), including stock and plant.

The Hon. D. W. Simmons: He is leaving the farm behind, though.

Mr. BLACKER: I am glad the Minister has raised that subject. The problem is that the person replacing the farmer is purchasing the farm on borrowed money. Not only is the farmer taking out a known $200 000, but it is being replaced by a debt of at least $100 000 on the same property. That means we have a net loss of about $300 000 on that one transaction. The Minister might say we have new blood because we have a new farmer, but there is no new blood in the majority of cases, because the land is usually bought by a neighbouring farmer to increase his holdings. This results in a reduction in manpower and, generally speaking, there is a decline in population. As an example I put forward the case of Cresco Farms last year. No doubt members would have seen the big announcement of massive land deals that took place. In those transactions, seven farms changed hands, and six of those were bought by neighbours. Not one new farmer was involved in the purchase of that land at all. The houses have been rented out, but for accommodation only. Out of those seven transactions, only one farmer has gone into the Eyre Peninsula region.

We are losing our farmers in droves, and nobody can argue that this situation is not serious. I have never known a previous time when a local paper has advertised 28 clearing sales for one calendar month. As everyone would know, the clearing sale season goes on for about four months, so with a little bit of mental arithmetic members will see just how much capital, how many assets and how much farmer expertise are leaving South Australia. This situation is serious, and it must be halted at the earliest opportunity.

Mr. VENNING (Rocky River): I would like to comment about the lack of interest shown by this Government in country areas. I have listened with great interest to the member for Flinders highlight another aspect of the problems in the rural areas. I do not know how some of those problems can be solved, but I do know that many people are leaving South Australia for many reasons that can be highlighted. Succession duties are driving people away from this State to Queensland, New South Wales and Western Australia. The Governments of those States have seen the wisdom of introducing legislation either to wipe out State succession duties forthwith or phase them out during the life of the present Parliament. This is one of the main reasons why people are saying that South Australia is a good State not to be associated with, and they are disposing of their properties and going to other States where the Governments are more sympathetic to rural people. I am concerned that this Government has not woken up to many of the problems associated with the rural areas of this State.

The Government is not doing anything to make any inroads into the excessive cost of fuel and all costs associated with country areas. I can buy petrol in Adelaide from a bowser more cheaply than if I bought it as a primary producer in the country. At one time, that situation was never heard of. The discount pricing of fuel is a definite advantage to city people, and it does not apply to rural areas.

Recently I attended a funeral at Karoonda, an area

outside my electorate. The chap who died had been a local man but had moved to the Karoonda area to carry on farming. His widow, because she cannot not drive a motor car, has decided to stay at Karoonda for the rest of her days. There is no way that this lady can get from Karoonda to Adelaide. In the country areas, there are no bus services or passenger services, and there are very limited freight services.

This Government has lost contact with the needs of the country area. It sold out our railways to the Australian National Railways, and it is bitching because the Federal authorities are looking to close these lines. Had this Government retained control of the railways, it would have endeavoured to do just what the Commonwealth is proposing. It is with tongue in cheek that it complains very bitterly about the Federal Minister and the action he is taking with regard to some of the country lines.

The Government of this State is responsible for governing. The Minister of Labour and Industry was asked a question on employment today, and he made a great display of blaming the Commonwealth. The Minister and the Government are responsible for governing South Australia, and it is up to them to give some lead as to what should be done to provide further employment in this State. It is as easy as falling off a log to see what the problems are, but the Government will not face up to them. Some members opposite are ex-union members, so surely to goodness they can see that the demands of unions today are doing others out of a job. However, they just laugh about it and do not take any action to try to rectify some of the problems.

I commend any private enterprise organisation that is able to put on additional staff today. I refer to private enterprise, because the Government is putting on people left, right and centre, as it does not mean a thing to the Government whether it is paying its way or not. However, private enterprise has to pay its way; otherwise, it will be curtains in the near future.

We heard the Minister today expressing his concern about unemployment in South Australia, saying what the Commonwealth should do, when he, as a Minister, could do something about it here. What is the Government doing? What is the Minister doing? He is a former union man, a strong representative of a strong union in this State, and he could have had the situation in his own hands if he had had the fortitude to do something about it. These are the problems with which South Australia is confronted, and not until the Government is changed will there be any improvement. Meanwhile, the people of South Australia suffer.

I am not sure whether the decision to release the biological control beetle for the eradication of salvation jane in South Australia was a Ministerial decision or a Cabinet decision, but it is appalling to think that our Minister of Agriculture went to Agricultural Council and committed South Australia to this measure when the presence of salvation jane means so much to a large area of the State. This is the driest State in the driest continent. Salvation jane, true to its name, has been the salvation of many of our outback areas, providing feed for stock, yet the Minister has agreed at Agricultural Council to the biological control beetle being set free to destroy salvation jane.

It is not necessary for me to remind the House of the value to South Australia of the bee industry. I read with interest the speech made by my colleague the member for Light last year, when he outlined the importance of the bee industry to the State and the Commonwealth, and the significance of salvation jane to the bee. If this plan comes to fruition, the sampling of Golden North honey as we know it today will be a thing of the past. Let me warn you, Sir, to get your stocks in if you want to be able to eat Golden North honey, produced fundamentally from salvation jane.

These are some of the many problems confronting South Australia. The only way to remedy them is to change the Government as soon as possible.

Mr. ARNOLD (Chaffey): During the debate on the motion to go into Committee on the Appropriation Bill yesterday, the member for Morphett brought to the attention of the House the immense difficulties that the increased excise duty on brandy have created for the brandy industry. I support his comments about the industry 100 per cent. The 85 per cent brandy excise increase, added to the 231 per cent increase brought into effect by the previous Federal Government, involves an enormous load for the industry to carry, and it has virtually annihilated the brandy industry in Australia. The member for Morphett rightly pointed out that 90 per cent of the brandy industry is in South Australia, in the Riverland district. I agree with him completely. When the 85 per cent increase is added to the 231 per cent increase brought in by the Whitlam Government, it is almost impossible for the industry to operate on a viable basis.

The South Australian wine industry has disadvantages that the wine industry in the Eastern States does not have; it has the additional burden of pay-roll tax. On 27 September 1973, when I first raised this matter in the House, I called on the Premier to introduce legislation similar to the Victorian Decentralised Industries Incentives Pay-roll Tax Rebates Act, which was enacted in 1972, and which enabled industry outside a radius of 50 miles from Melbourne to apply for pay-roll tax rebates as a decentralised industries incentive.

All the wineries in Victoria receive this advantage, but the South Australian Government has not afforded the South Australian wineries the same advantages as those provided by the Victorian Government. The wineries in this State must continue to pay that additional 5 per cent on pay-roll to the State Government; that is 5 per cent more wages in equivalent than is paid by the wineries in Victoria and N.S.W. South Australian wineries therefore are at a real disadvantage when compared to those in the Eastern States. On that basis, on 18 August 1976 I moved in this House the following motion:

> That, in the opinion of this House, the Government should introduce a Bill to provide for a Decentralised Industry Incentives Pay-roll Tax Rebates Act as a matter of urgency, to assist in alleviating the financial plight of industries in rural areas, and to provide incentives for further development of decentralised industries.

Since then, the State Government has brought in a selective refund of pay-roll tax in certain instances and in certain parts of South Australia. The wineries, however, are not included in that provision. The Riverland Development Fund, which is a fund containing pay-roll tax rebates provided by the South Australian Government, does not include the wineries. The wine industry in South Australia must carry this additional burden over and above that of the brandy excise which must be paid by all wineries and distilleries.

The South Australian industry is distinctly disadvantaged. The major market for our products is in the Eastern States, particularly Melbourne and Sydney, giving an added advantage to the wineries closer to those major markets. We are faced with this additional cost problem of production, pay-roll tax. Until the State Government gives incentives to the wine industry in South Australia similar to those provided by the Governments of Victoria and

New South Wales, the health and welfare of our wine industry will continue to decline, whilst Victoria and New South Wales gain the benefits of the pay-roll tax rebates being provided in those States.

I refer now to the wholesale marketing of fruit and vegetables in South Australia. Some time ago the State Government embarked on an investigation to determine whether or not the East End wholesale fruit and vegetable market should be resited. This study was completed. It was reported on to the Government by the committee and, since then, absolutely nothing has happened. I believe that the Government should seriously consider introducing in South Australia a dual marketing system for fruit and vegetables. Western Australia has a dual marketing system. One system is for wholesale fruit and vegetable merchants, and the other is an auction system which operates in competition with the wholesale fruit and vegetable merchants. One system keeps the other honest.

As in free enterprise, the competition between those involved in the same industry gives the maximum advantages to those participating in it. Not only is this system working in Perth, but the total marketing system in Auckland is based on the auction system. Turner and Growers handle all the fruit and vegetable marketing in the city and near surrounds of Auckland. At the same time as Auckland developed this method of marketing, the same system developed independently in Tokyo. In a city such as Auckland, which is similar in size to Adelaide, and in Tokyo, which is perhaps the largest city in the world, exactly the same system works extremely well. If the system works on a small and large scale, I believe that it must have much going for it.

The Western Australian Government has enabled a dual system to operate, and I believe that a dual system in this State would be to the advantage of all concerned. Many a time growers have delivered fruit or vegetables, and the return has been absolutely nil. Sometimes the quality of the fruit is not what it should be, and in other instances I believe that the correct return has not been made to the grower. The auction system is self-regulating since, if a grower sends low-quality fruit or vegetables to the market, he can expect his return to be affected when the produce is auctioned on the floor of that market.

The system has many advantages, but the main advantage is that a dual system will enable a competitive environment, which is essential if we are going to achieve efficiency in any business. I call on the Government to examine closely a dual system of fruit and vegetable marketing in South Australia, and suggest that the auction system should be introduced as an alternative that would work in competition with the wholesale fruit and vegetable marketing method that currently exists in South Australia.

Dr. EASTICK (Light): Members will recognise that, over a period, I have addressed myself to the electoral numbers situation in this State. There are those who have suggested that it has been a preoccupation with me, but I believe that several significant lessons can be learned from the changing electoral pattern in this State, more particularly when that changing pattern is related to the decisions of the Electoral Commissioners in June 1976.

On 6 February, as reported at page 2349 of *Hansard*, I sought from the Attorney-General an indication of the electoral enrolments during the 1978 period. Indeed, he provided those figures for August, September, October and November 1978. They indicated, as have previous lists that are recorded, dramatic changes in the number of electors in each electorate. Much of this change has been brought about by the cleansing process that has been taking place as a result of visits by Commonwealth electoral officers to determine whether the people listed on a property were still resident and to determine whether those who were resident were on the roll.

I think that all members would appreciate that there has been, on the detail made available from time to time, a considerable shift in the representation within their electorate. The information contained in the reply I received last week indicated in alphabetical electoral order the number of electors. I will take only the enrolments shown for November 1978, and I have prepared a listing of the electorate numbers in descending order of number. It is statistical information, and I seek leave, Mr. Deputy Speaker, to have it included in *Hansard*.

The DEPUTY SPEAKER: If the information is purely statistical, the honourable member may seek leave.

Leave granted.

DESCENDING ORDER OF ELECTORAL ENROLMENT

(*Hansard*, page 2349, 6 February 1979)

	Enrolment November 1978
Mawson	20 670
Baudin	20 509
Salisbury	20 508
Newland	19 995
Fisher	19 448
Brighton	19 044
Todd	18 652
Elizabeth	18 370
Coles	18 353
Hartley	18 331
Henley Beach	18 287
Alexandra	18 000
Playford	17 957
Chaffey	17 891
Semaphore	17 875
Albert Park	17 745
Florey	17 736
Mount Gambier	17 686
Davenport	17 664
Murray	17 660
Kavel	17 655
Hansen	17 561
Bragg	17 444
Glenelg	17 411
Torrens	17 408
Whyalla	17 333
Gilles	17 306
Norwood	17 121
Rocky River	17 105
Mitchell	17 026
Stuart	17 022
Peake	17 016
Mitcham	16 997
Morphett	16 988
Adelaide	16 943
Napier	16 909
Goyder	16 883
Ascot Park	16 814
Ross Smith	16 501
Unley	16 391
Price	16 255
Light	16 203
Spence	16 197
Flinders	15 941
Victoria	15 605
Mallee	15 508
Eyre	15 437

Dr. EASTICK: The table shows, for example, that the highest electorate number is 20 670 for Mawson, closely followed by 20 509 for Baudin. A number of 17 561 would be the simple average for each electorate in South

Australia at present. Indeed, if the electoral Commissioners were to work on these figures, we would have a figure of plus or minus 10 per cent on 17 561, whilst we maintained a House of 47 electorates. Sitting right on the mean is the electorate of Hanson, and 22 of the 47 electorates are either on or above the mean, whereas 25 electorates have less than the mean number. They work down to the point where we have Flinders with 15 941, Victoria with 15 605, Mallee with 15 508, and Eyre with 15 437.

I believe that those figures for those four electorates indicate that the decisions taken by the electoral Commissioners in 1976 were correct because those, without doubt, are by far the largest of the country electorates, and there should be, in the opinion of the Opposition (and I believe that it is agreed to by Government members) a lower number of electors relative to the vast distances involved. As the figures I have introduced are interesting, I recommend them to members.

The other matter I raise follows the public airing in the media that there may be a change in the number of electorates in South Australia, this being one of the only means of altering the electorate situation in the immediate future. On the basis of the 1976 figures, for 47 electorates the mean was 16 785, plus or minus 10 per cent, giving a variance of 18 463 down to 15 107. The figures I have included produce a mean of 17 561, plus or minus 10 per cent, a variance of 19 317 down to 15 805.

If we had the situation that was suggested in one of the recent media presentations that the size of the House be increased to 53 (and there was a suggestion that it would have to be 49, 51 or 53, the tenor of the article inclining more towards 53), we would find that the mean on the November 1978 figures would have been 15 573 plus or minus 10 per cent. We would have had a range then from 17 130 down to 14 016 electors. Those figures are interesting. They suggest, for example, that, at 14 016, being the lower extremity of the minus 10 per cent on the House of 53, the number of electors of Flinders, Victoria, Mallee, and Eyre, and possibly one or two others, would be able to be reduced considerably from the present figure.

This could conceivably mean a marked reduction in the size of the area those members would have to service and certainly, in the case of the member for Eyre, that would be highly desirable, because it is not in the interests of any member to have to travel so far, so quickly, and so often to be in contact with his electors. If members will read the table I have had inserted into *Hansard*, they will see that many districts whose boundaries were not changed at the last distribution still have the low figures. It is quite clear that whenever an alteration is made to district boundaries the Electoral Commissioners (and the Government preceding that event) will have to consider seriously an alteration to or a complete removal of the criterion which says that existing boundaries will be altered as little as possible.

The Hon. D. W. Simmons: That would affect your colleague from Mount Gambier!

Dr. EASTICK: I am not suggesting that at all. I believe the Minister will find the member for Mount Gambier will be coming here for many years to come because he is truly identified with the electorate, being based as he is in the centre of the Mount Gambier township. Let us not digress. I believe the Electoral Commissioners, when deciding on electoral redistributions in the future, should not be forced to comply with the provision that the electoral boundaries will be altered as little as possible.

If we are to have what the present Government would call a true reflection of a one vote one value redistribution, we must make sure that the redistribution will produce districts which give a clear indication of that premise and that the results will be significantly different from those achieved by the 1976 redistribution. Mawson, Baudin, Salisbury, Newland, Fisher, Brighton, Todd, Elizabeth, Coles, Hartley, Henley Beach, and Alexandra are all districts with a massive increase in the number of electors and the relief that was supposed to have been given by the last redistribution to the then members for Mawson, Tea Tree Gully, Elizabeth, Florey, and so on, has not eventuated.

The SPEAKER: Order! The honourable member's time has expired.

Mr. RODDA (Victoria): I want to continue my remarks from last evening in relation to the decreasing population in rural areas. I endorse what the member for Flinders had to say about this depletion. He referred to the fact that 28 clearing sales were advertised in his district for the month of February and unfortunately that is the scene right across rural South Australia. The situation is as serious as the member for Flinders pointed out. He has put his finger on the pulse of the situation when he said that we still have the farm. True, we still have the farm but we have it in changed circumstances. As I pointed out last evening, we are seeing the subdivision of valuable farms, some of which make existing farms bigger and some make existing farms smaller.

People with limited capital are entering the rural scene. Quite often two farms are now being operated where there was once one farm. Where that does happen, quite often an unbalanced production results because in one area there should be summer country, winter country and a general utility country. I endorse the point made by the member for Flinders that people are leaving South Australia not because they do not like the place, but because they have seen their neighbours facing these iniquities of high capital taxation. If the Government wants to stop these people from leaving the State, it should be doing what the Cabinets in the other States of Australia are doing. We do not blame these people for leaving; there is not much that can be done to encourage them to stay on.

I have already pointed out two anomalies that some of these people are facing when they are making their arrangements to leave. As the member for Flinders pointed out, we are losing expertise. I know that some of these people who are going to other areas will have teething troubles, as does a farmer moving into a new area, because it takes time to gain local knowledge. When I was a junior officer in the Lands Department and we were developing the western district of the South-East for soldier settlement, Dr. Callaghan, an acknowledged expert on farming, gave me some good advice. He said, "It is not a bad thing to look at the good farmers; it won't take long, since there are not many of them." This was highlighted by the member for Flinders. It takes a long time to gather expertise—

Mr. Venning: What did he mean by saying "look at the good farmers"?

Mr. RODDA: —and the member for Rocky River has that expertise. If you went to Crystal Brook it would not take long to see from what the member for Rocky River is doing that he is one of the good farmers. That is the point Dr. Callaghan was making. The rural scene is a simple one but it does not put up for long with things that are not going right, and they are not going right at the moment. I understand it is time for the Chief Secretary to leave his exalted rank. If he wants to make a lasting monument to the farmers of this State, he will use his great influence on

his colleagues to do something about capital taxation, because this State is the poorer for the present position and some unhappy situations are arising from it.

I was interested to hear my colleague talk about salvation jane. Far be it for me to disagree with the member for Rocky River, but there is a grey area in relation to this plant. I would be the last one to deny that it does do some good in some areas, but it kills the stock in my area. There is an anomaly between areas. Biological control is being instituted.

Mr. Venning: We haven't seen it killing many stock in your area.

Mr. RODDA: Stock has been brought in from the north and they are affected by salvation jane when they meet the cold conditions of the South-East.

Mr. Venning: You're sure it's not the soursobs?

Mr. RODDA: Stock has been lost because of soursobs, too. Salvation jane is a vigorous feeder and loves nitrogen. When it gets into the lush spring and summer clover country of the South-East, with its northern vigour, it goes mad. We only have to look at the honourable member to see what northern vigour is.

Mr. Venning: Do you think the north should secede from the south?

Mr. RODDA: As long as it keeps its salvation jane. At a recent meeting of the Stockowners Association, both sides of the argument were explained. There is no doubt that opinions differ on this issue. In five years, I hope, the wogs are not as bad as the member for Rocky River thinks they will be, but I also hope they are successful. That is the grey area. The honourable member supports his electors strongly.

Sunflower crops and long-bill corellas are thriving this year.

The Hon. G. R. Broomhill: Have you tried talking to them?

Mr. RODDA: There is no need to. They speak with a plum in their mouth. They have a beak as long as a back hoe. These creatures destroy crops, and the Government protects them.

The SPEAKER: Order! The honourable member's time has expired.

Mr. BECKER (Hanson): It is disappointing to interrupt the member for Victoria, who gave an interesting example of the problems affecting the rural industry. We are grateful for the success of the rural industry because, if there was not one, there would be almost nothing in South Australia. Greater attention will have to be given to this industry in the future. If the drought conditions had persisted, the consequences would have been felt in the metropolitan area.

I have been annoyed over the past few years at the indiscriminate plastering of posters over bus shelters. My attention has been drawn particularly to bus stop 22 on Henley Beach Road at Fulham, over which promoters of the Evel Knievel show have pasted five posters measuring about 2ft. by 3ft. in such a way as to destroy the appearance of the bus shelter. The West Torrens council, the Henley and Grange council and the Glenelg council have been waging a war on poster stickers for many years, and they are becoming irate because workmen have to clean, and sometimes repaint, bus shelters. The shelters are becoming a liability. In the future it will be difficult to justify building more shelters for those who wish to use them. People who say they are environmentalists and conservationists, but who insist on pasting up posters, will find that no more shelters will be built in the future. The environment that they are saying in their posters that they are trying to protect is being destroyed.

Private operators like the promoters of the Evel Knievel show must be able to afford advertising space, and should display their posters in an appropriate place. Under the provisions of the Imprint Act 1863-1935, the name and address of the printer must be printed on posters. I have written a letter to the Minister, part of which states:

> The notice I referred to did not display the name and address of the printer and I therefore request that the Police Department be authorised to take appropriate action against the promoters of Evel Knievel. The notice read "Superman is superman but Evel Knievel is real. Here soon".

I hope to hell he gets fined plenty. That letter was written on 12 February, so I will not ask the Minister whether anyone has been apprehended. I hope the promoters get the message loud and clear that they cannot plaster posters on public property in the metropolitan area.

The Hon. G. R. Broomhill: There might have been some of your election stickers—

Mr. BECKER: It is not true. I thought the member for Henley Beach would say that he had seen my election stickers all over the place. Early in 1970, someone got hold of some bumper stickers and plastered them on a bus shelter in the Henley Beach area, much to my embarrassment. However, it has not happened since then. If we could reach an agreement with the Government, I would agree to banning election signs altogether; they are more nuisance than they are worth. Properties have been damaged by people ripping the posters off. This type of election campaigning and protesting should be banned. The ball is now in the Minister's court to take action against the promoters of Evel Knievel; if necessary, he can be sent back to America.

I was delighted to see the headlines in this afternoon's *News*, which stated "$20 000 000 turnover 'lost' to T.A.B.: big crackdown on S.P. bookies." On 12 October 1972, I made a statement in the House, which was followed up in the *News* under the heading "S.A. Police deny $20 000 000 S.P. bets." The report stated:

> Superintendent E. L. Calder, officer-in-charge of the Vice Squad, said: "We have cut S.P. bookmaking back to an irreducible minimum in this State. I don't know how Mr. Becker estimated S.P. bookmakers turn over $20 000 000 a year. I doubt if it is anywhere near that figure."

I can remember on that occasion receiving a nice sort of bucketing for having made the statement that S.P. betting in South Australia in 1972 was running at about $20 000 000 a year. During the debate concerning the establishment of the T.A.B., it was alleged that estimated illegal betting turnover was $40 000 000 a year. We have seen the success of the T.A.B., where the current estimate of turnover is $96 000 000 this financial year, but we still have the T.A.B. spokesman and the police now launching a blitz against S.P. bookmakers.

I would like to know from the Chief Secretary, what has suddenly changed minds in the Police Department. What has suddenly made the police go out and do something about illegal bookmaking in South Australia?

The Hon. D. W. Simmons: Are you suggesting that $20 000 000 in 1972 is the same as $20 000 000 in 1979?

Mr. BECKER: I am glad the Minister asked that, because my estimate of $20 000 000 was based on a figure given in this House by the Minister of Mines and Energy who was, *de facto,* the gambling Minister for the Government anyway. I read his speech in which he made that estimate, and I was being very conservative in 1972 regarding the $20 000 000. I think the $20 000 000 is still an estimate, an educated guess about the amount of illegal betting in South Australia. We appreciate that, with the involvement of the T.A.B. computer and the problems the T.A.B. has experienced, particularly with telephone

betting, if there has been any increase in S.P. betting in recent times, it could be because of the problems that the T.A.B. has experienced. S.P. betting has been here for a long time. Illegal gambling has been here since the first settlers arrived in this State, and it will be with us forever.

However, I wish the police every success in their crackdown on illegal betting. One thing that does disturb me is that presently the T.A.B. is considering another means of raising income from its operation. I believe it is considering installing ticket dispensing machines similar to beer ticket machines so that persons visiting the T.A.B. who have time on their hands (and they will have with this computer betting) will be able to place 20 cents in a machine and receive a ticket. If they win, instead of winning a prize they will be given the equivalent in units to be placed on the T.A.B. The ticket must be cashed at the T.A.B. desk and reinvested through the T.A.B. The Crown Law Department looked into this matter and there is nothing illegal about this type of operation. The question asked of the Deputy Premier about the matter this afternoon was answered in the negative because an approach has not yet been made to the Government, but the situation is being investigated at the moment.

Mr. DEAN BROWN (Davenport): I wish to grieve on the subject of land acquisitions made by the Highways Department. The State Government Land acquisition procedures for road widening are causing considerable hardship, particularly in my electorate. I believe that the Government should immediately alter its procedures so that the unnecessary human hardship and suffering which is occurring can be stopped. A number of people are unable to sell their homes, even at well below the market value, because the Highways Department has indicated that a portion of the land may be required for future road-widening purposes. At least two home owners in my area on Upper Sturt Road, Upper Sturt, have houses for sale. They have been told by the Highways Department that there is a vague possibility that a portion of their land may be required some time in the distant future. Although such a vague possibility has rendered the houses almost unsaleable the Minister of Transport has refused to purchase the houses. Both home owners have been unable to sell their homes, although they have been on the market for a period of at least 12 months. All potential buyers have walked away when shown the letter from the Highways Department indicating possible road widening proposals.

Both home owners need the money from the sale of their property, and both have been caused considerable hardship because they cannot get that ready money from the sale of their homes. The possibility of widening Upper Sturt Road is based on the 1962 Development Plan, a plan that is now 17 years old. The Highways Department has indicated that no decision is expected within the next few years as to whether widening will proceed. No improvement to the road is expected before 1992. However, the home owners have to inform potential buyers that the possibility exists that the road will be widened. One letter from the Highways Department indicates that the Metropolitan Adelaide Road Widening Plan shows that up to 34 metres of one property may be purchased for widening purposes. In the same letter it has indicated that it is unlikely that any land will be required from that property. With such conflicting statements potential buyers are confused and afraid to purchase the home, especially as the house stands on the 34 metre strip of land that may be required by the Government. I will read a portion of the letter that the Commissioner of Highways sent to the resident who lives on Upper Sturt Road. It is dated 1 May 1978 and states:

> I refer to your letter of 10 April 1978 concerning Lot 7 Upper Sturt Road, Upper Sturt as contained in C.T. 3411/131. I advise that Upper Sturt Road forms part of one of several alternative alignments being investigated for a future road link between Crafers and the southern suburbs of Adelaide. These investigations will require the detailed study of many factors and it is not expected that a decision will be taken within the next few years. It is likely that no such improvements will be required for a number of years; probably not within the period up to 1992. However, in the event of Upper Sturt Road being selected for improvement, it is unlikely that any land would be required from the subject property.
>
> Meanwhile, the Metropolitan Adelaide Road Widening Plan shows that a strip of land adjacent to Upper Sturt Road up to 34 metres wide may be required from the above property for future roadworks, and my consent is required under the Metropolitan Adelaide Road Widening Plan Act 1972-76 to all building work on or within six metres of the possible future boundary, as shown on the plan. In the circumstances, it is probable that the required consent would be given. This property is not affected by any requirements under Part IIA of the Highways Act, 1926 (as amended) nor by any other road proposal of this department.

I think that letter clearly indicates the conflict. First, the Commissioner of Highways is indicating that up to 34 metres of the property may be required under the Metropolitan Adelaide Road Widening Plan. Secondly, he states that no decision will be taken within the next few years and that certainly the roadworks will not proceed before 1992. Having stated that and created the uncertainity, he then states that there is little likelihood of the land being required for road-widening purposes.

I have a number of letters which indicate the difficulty owners have had trying to sell their property. I will read a letter from an agent to one person. This person has now had four or five land agents attempt to sell the property. He has had a number of serious potential buyers come to him but all have turned down the chance to buy the home because of the letter written by the Highways Department. A letter he received from a land agent states:

> In the five weeks that this company has had your property for sale we have received some three or four inquiries either from newspaper advertisements or the For Sale sign. The reduced price of $39 000 has helped inquiries but the possibility of a highways widening proposal has frustrated any further interest.

I have similar letters from people who are interested in buying the other property. But once they found that the Highways Department might, at some time after 1992, require a certain portion of the land, they turned down the offer. That highlights the frustration that many people are facing, especially people living along Upper Sturt Road; they cannot sell their houses because of this nebulous long-term plan of the Highways Department under which it may acquire the property for its purposes. Having stated that long-term nebulous intention that there is some possibility of purchasing this land (that intention is based on a 1962 metropolitan plan, which is now 17 years out of date), the Minister of Transport is not prepared to go ahead and purchase the properties when these people cannot sell them. They are in a complete dilemma, because they have a home that they cannot sell. They need the money for their own purposes, the Minister will not purchase the homes, and there is no requirement for him to do so.

The Highways Act grants the Minister the power to purchase properties where hardship will be caused by proposed road widening. The decision to purchase,

however, is left to the Minister, and there is no right of appeal against the Minister's decision. In this case the Minister has given an answer: he has said "No".

These people are left completely high and dry. The Highways Department should indicate only where land will be definitely purchased by the Highways Department. In addition, the Highways Act should be amended to allow the property owners to appeal against the decision of the Minister not to purchase whole properties where hardship is caused by the potential road widening.

It is appropriate that I relate to the House another incident that occurred because of road widening. The Theatre 62 restaurant property on Burbridge Road, which was owned by Mr. John Ceruto, is a classic case of the inconsistency that exists in this area. That property was put up for auction by the owner. However, on the morning of the auction the Highways Department stopped the auction and acquired the property for road widening. This was the only property on the whole of Burbridge Road that was wholly acquired. I understand that only 9ft. of that property was required for road widening purposes, yet the entire property was purchased. It is interesting to note that the Highways Department, having stopped the auction and purchased the property, then leased the property back to Mr. Ceruto. It should be remembered that Mr. Ceruto is a close personal friend of the Premier. This reveals the arbitrary nature of decisions on the acquisition of properties and the manner in which some of the previous acquisitions have been carried out. It is also interesting to see that in 1974 the Highways Department acquired the whole of the property adjacent to the property to which I have referred. Although it acquired the whole property, it is not prepared to acquire the adjacent property, and I presume about the same amount of land will be required in 1979.

Mrs. ADAMSON (Coles): I want to talk about the fact that February is poverty month for primary schools within the South Australian education system. This poverty has been imposed upon them by the State Labor Government in the form of a withdrawal of half of the money which would normally be allocated to them in the form of equipment grants. The grants are based on a formula of $75 per school, plus $3·90 for every child enrolled at the school. The grant is usually made in two payments. The first payment is made in February and the second in July. Last year the Minister announced that, in order to save $600 000, no payment of the equipment grant would be made in February to Government schools in South Australia. This is posing very serious problems for primary schools throughout South Australia. The grant money is controlled jointly by school councils and school principals.

The Athelstone Primary School is among many schools which have written to me to say that the non-payment of this money in February will mean that the school will have to turn to the parents of the children enrolled in order to make up the shortfall of the money that they had been given in the past. Mr. Neil Mason, the Acting President of the Primary Principals Association, said:

> The State Government, in saving $600 000, has shifted the financial load on to the parents. The Government is virtually pressuring parents into paying for school services that should be the responsibility of the Government.

There would not be a parent or teacher in my electorate, and I think throughout South Australia, who would not agree with that statement. Before Government members start to pass the buck and claim that these cuts are the responsibility of some other Government, it should be made known quite clearly and without qualification that the responsibility for school equipment grants rests clearly with the State Government. It should also be made known that the Commonwealth Government's untied general recurrent grants for Government schools in South Australia in 1979, through the Schools Commission programme, amounted to $17 800 000 (estimated in December 1977 prices), representing an increase over 1978 of 1·4 per cent in real terms for South Australia, compared with an overall increase of only 1 per cent for Government schools in all other States. It is clear that South Australia could have used some of these increased funds for equipment grants if it chose to do so. The question which I ask of the Minister and which parents of children throughout South Australia will be asking of the Minister is why the Government did not choose to do so. Over a period most State Governments have been able to balance their Budgets, cut taxes and increase expenditure in schools. In South Australia, the position is reversed. The Budget is not balanced, the taxes are not cut, but spending in Government schools is cut.

I have received several letters from primary schools in my electorate, detailing the effect that these cuts will have on individual schools. In a letter to the Minister, the Secretary of the Magill Primary School Council Inc. said:

> In our case, your Government's action in halving this school's equipment grant for 1979 means that we will lose over $1 500 next year as well as a loss due to inflation. Magill is piloting the new social studies course being introduced into primary schools. This new course will involve the purchase of much new teaching material to upgrade resources in our library resource centre to a level considered as standard in Australia. Parents are not going to appreciate being asked to bear the increased financial load.
>
> The total grant to primary schools made by the Education Department for curriculum materials, administration and grounds upkeep amounts to approximately $11 per head. This is now to drop to $9 per head, the difference having to be made up by parents.
>
> This $2 cut is particularly hard to bear when your recent circular advised us that the grant for secondary books and materials was to be increased by $2 per enrolled student but not for the primary book allowance. Thus, instead of the cut being uniformly applied across year levels reception to 12, we find that primary schools are again bearing the heavier loss. We consider primary schools are treated as the Cinderella of our department. In our view, the formative years of reception to 7 in a primary school are most critical in the personal, social and educational development of a child.

In a letter, the Stradbroke Primary School said:

> We wish to express our extreme concern, as these cuts will seriously prejudice and impede a number of developments that have been initiated both within the Stradbroke Primary and Junior Primary Schools. Obviously, considering what effort and forethought has gone into long-range planning for these developments whereby both teachers and parents, and the needs of our students have always been to the forefront. The school is one of the few primary schools in South Australia which at this time has a full-time physical education teacher appointed to it; consequently, additional physical education equipment is urgently needed. The school is a pilot school for the introduction of the new primary school social studies curriculum. Because of the different approach and content used, new and additional resources are needed.
>
> The school is in the process of introducing new curriculum in science and outdoor education, these areas will require additional materials and equipment for further development.
>
> The junior primary school is a pilot school for the new social studies curriculum and an associate school for the development of drama.

Consequently, resources will obviously be needed in all these areas. The letter makes the following point:

> The Stradbroke school has a large ethnic population, particularly Italian, and, although attempts have been made to take this into consideration, much more must be done.

That was in terms of language, art, and development. The parents at the school have readily supported this school in the past, but there is a limit to what parents can be asked to do, especially when they are bearing the responsibility that should be carried by Government. The Paradise Primary School, a beautiful school and comparatively new, opened officially this year, has problems peculiar to new schools, over and above the financial burden placed on established schools. The letter from the school council to the Minister states:

> The equipment grants have been used in establishing a reasonable standard of educational aids for a new school and we will have to continue during 1979 and 1980 to build on this base. Council will face a special, almost one time cost of $2 000, in order to provide satisfactory lawn cutting, watering and other gardening equipment.

Curtains will need to be provided to protect books and equipment in the library. The school has only 100 families, and that is a very heavy burden for such a small number of parents to bear. The letter from the Thorndon Park Primary School states:

> In no way can a school of our size afford a 50 per cent cut-back in a grant which in 1978 represented $1 857 (30 per cent of our total school budget). School council is being pressured into raising these lost funds either by:
>
> (1) raising overall levies, fees (already causing some parents concern); or
>
> (2) fund raising (becoming increasingly more difficult and less profitable and often inequitable in terms of parent support).

The letter continues:

> At a time when community involvement in schools is being encouraged, this forcing of parents to meet the short-fall of grant moneys due to the Government's decision to reduce drastically its contribution to primary education is totally unrealistic and unacceptable.
>
> Council representing the parents of the school urges that a new look be taken at the priorities in the Education Department budget allocation and that the moneys for primary school equipment grants be retained at 1977-78 levels, and made realistic in terms of economic change over the 1978 financial year.

I have not with me any of the specific proposals made by the Campbelltown Primary School Council to the Minister, but I have no doubt that they were in terms similar to those outlined by the other schools. The needs of the children at Campbelltown Primary School are no different from, and certainly no less than, those of the children at the other schools I have mentioned. The burden that will be placed on the parents will be just as heavy as, if not heavier than, that from the other schools. It is absolutely unnecessary. The Federal Government has provided increased funds. Why has not the State Government allocated them to the area of need, where they have been allocated in the past, and where they should still be directed? It is reprehensible—

The SPEAKER: Order!

Mrs. ADAMSON: —that the State Government has failed—

The SPEAKER: Order!

Mrs. ADAMSON: —in its responsibility to primary children.

The SPEAKER: Order! The honourable member is out of order. I call on the honourable member for Alexandra.

Mr. CHAPMAN (Alexandra): In recent days, and certainly in the last 24 hours since the Minister of Transport announced the intention of the Government to proceed with the l.r.t. line to the north-eastern suburbs, many questions have been raised in this House and articles have appeared in our newspapers in relation to the matter. It has constituted a subject of great interest and, in some respects, of great concern to residents of our near city suburbs. The Liberal Party has been somewhat concerned about the impact on the community of the overall proposal. We have studied the material made available to us by the Government, and those members, in particular those associated with the environment, with councils and community groups immediately adjacent to the proposed line, and I, in my capacity acting for the Party as spokesman on transport, have been keen to follow this exercise. It was with some interest that I found yesterday, amongst all the other problems the Government was experiencing at this time, that the Minister was making this announcement.

I think that it is even more incredible that the Minister should make such a statement, quite clearly before he has completed the relevant homework. He made it without giving the public or this Parliament an opportunity to look at the final assessment report that was interchanged between the Environment Department and the Transport Department. To this date, it is my understanding that that final assessment report is not readily available to the public. I managed to get a copy during the interim period, and I am more concerned than I was yesterday.

I asked the Minister this afternoon if he could explain to the Parliament the source or sources of funding from which he hoped to finance this project to the extent of an estimated $100 000 000. I think members would appreciate from his reply that quite clearly the Government has not done its homework in that regard. I said in June last year that there was grave doubt in my mind about whether the Government could afford to proceed with the proposal, even if it was required.

During that time, the Liberal Party has set out to make its position clear, based on the evidence made available to it. We make no apologies for our stand in the first instance in relation to the acceptance of the overall concept of light rapid rail. We make no apologies for our attitude toward the need to link the residents of the north-eastern suburbs with the metropolitan area by such a rapid rail service. Neither have we been critical about the basic route along the Modbury Corridor, because it seems, from the evidence that has been available, that that is the most economical and practical route for such a scheme to follow. However, we have been very vocal about the anticipated impact that such a rail scheme would have on the inner city environment, particularly if light rail tracks were to be reintroduced into King William Street.

Yesterday, I spoke briefly about the lack of evidence to justify the need for this overall rapid transit scheme to connect with the Glenelg tramline, and neither the Minister nor any of his officers throughout this period have been able to come up with sufficient evidence to justify that. I do not know where they got the idea but, during the course of its promotion, the Government has received a violent reaction from the Adelaide City Council. It seems that, even at this stage since the announcement, the Minister is still faced, in accordance with the final impact study, with proceeding to negotiate with the city council on the matter.

As I said during Question Time this afternoon, certain other firm recommendations that have been made by the Environment Department and accepted by the Government's Cabinet should be undertaken prior to the commencement of the work. Overall, the final assessment,

which was apparently produced by the Environment Department, seems very difficult to absorb. I think it almost unbelievable that the final document that would give the go ahead or knock on the head to a scheme of this magnitude should ignore a whole load of evidence referring to the environmental impact on Adelaide's park lands and the city itself. It is unbelievable that, although the committee in its paper states that some environmental disadvantages are envisaged, for example, impact on hydrology, fauna and flora, as well as noise, social, and land use, it is not considered, in the writer's opinion, that these factors are of such magnitude as to affect the decision on the proposal. "It is recommended", and so the paper goes on. It seems unbelievable, from the massive public reaction and the massive information, as I understand it, that was fed into that department, that the Environment Department would come out with a final paper of such a negative nature.

I am unable to question whether other material is available, but I have a strong feeling about this matter, and I suspect that there might be other information which is held by the department but which has not at this stage come to the attention of the Minister, and certainly it has not come to our attention. It may be that some information is being collated by the department and provided to the Minister of Transport. It could well be that that information, being contrary to the overall adamant intent of the Government, has not been reproduced and may never see the light of day. I am concerned at the negative line that has been taken in the overall paper, because, frankly, I expected, when the paper was produced by the Environment Department as the final assessment for the State Transport Authority, that it would be more critical of the inner or near city portion of this overall scheme. I find that the only comment that refers to that end is the recommendation for further consultation with the respective councils *en route* and further consultation with the Adelaide City Council for the purposes of determining the actual entry and the track in King William Street.

I share with a number of my colleagues concern for the lack of availability of this material and the lack of opportunity to question the respective Ministers about it. I question the Environment Department, through its Minister, as to whether it is the whole of the evidence or whether it reflects the whole of the evidence brought to its attention, and whether it is the only paper available or likely to be available to us on that subject.

Mr. WOTTON (Murray): I will speak on a number of matters relating particularly to welfare, because I am concerned, as I believe are most people in this State, at the cost of welfare generally. Much of the blame for this must lie on the present State Government, because it has developed South Australia into a welfare State. I would be the first to agree that people who need and deserve assistance should receive such assistance, but, because of the welfare State as we know it at present, we have developed into a selfish and self-centred society.

It is virtually impossible to find dedicated people who are prepared to serve the community voluntarily. The days of the majority of activities in a community being served by volunteers have finished. I believe that that, again, is a direct result of the policies that have been introduced by this Government, because there is no doubt that the Government has gone to great lengths to affect those who have previously worked as volunteers. As I have spoken about this matter in the House before, I do not intend to go into much detail of that side of it. One has only to speak to people who have worked in school canteens generally to realise that pressures are being placed on them, and that those pressures are coming from the Government.

The Hon. D. W. Simmons: Rubbish!

Mr. WOTTON: It is all right for members opposite to say "rubbish"; that shows how much involvement they have had in voluntary work in the community. If Government members were involved, they would know the pressures being placed on such people at present.

Mr. Klunder: Give us some examples.

Mr. WOTTON: I cite the example of the Mount Barker Primary School, which my son attends. The council of that school is particularly concerned in relation to the work that volunteers are trying to do in the school canteen system.

Mr. Klunder: So what!

Mr. WOTTON: Well, I could go on, but I have other matters about which I want to speak. I refer particularly to the situation in which some people find themselves. Indeed, I can speak personally in this regard. I have found it necessary to employ a person to housekeep and to mind my children. We have had much trouble in trying to find suitable people who are willing to do this kind of work. When one looks back, one realises that it is not long ago that there was an abundance of young widows or divorced women who found it necessary to do this type of work. They found that they enjoyed such work. However, with the welfare system we have at present, it is no longer necessary. I hasten to add that there are many people who cannot work, and they are the ones who should be assisted under the welfare scheme, but many others should be given the opportunity and encouraged and given the incentive to do that type of work.

I have been somewhat concerned, too, when attending various sporting activities and various clubs and associations in my district. As an example, I refer to sporting activities, particularly where these days it is virtually impossible to attend a football game or cricket match without someone from the association saying, "Look, what can our association do about getting some financial assistance from the Government?" Some associations are not in need, but they have come to expect this financial assistance. If you make the point that probably some of these associations could raise the money themselves, the representative says, "Look, why shouldn't we have our share? The basketball club down the road has been given $5 000." We have reached the stage where people expect to be financially assisted by the Government, and this matter concerns me.

Mr. Mathwin: It's the welfare State.

Mr. WOTTON: Yes, this is a welfare State. I am also concerned about single parents, particularly single mothers. I believe that in most cases these people deserve the assistance they are given. However, when I was door knocking recently I was tackled by a single mother of two children about the need for more financial assistance. In the discussion with her I asked whether she had decided she wanted to be a single mother as part of an alternative lifestyle. I suggest, that if such people want to be single parents, that is their business. I believe that people who decide to live in an alternative lifestyle should not expect the community to support them. Last evening we debated the sum being spent by this Government in supporting sole parents, and I believe this matter should be looked into. Genuine cases should be assisted and those who decide to live in an alternative lifestyle should be expected to help themselves.

I wish to refer to the changes in the welfare pattern resulting from the decline in the birth rate, because things are in the process of change at the moment. I believe we should look closely at the possibility of young people being

employed by local councils to assist in helping our senior citizens to remain in their own homes by working, for example, with domiciliary care and with district nurses to avoid the mistake of building expensive institutions, villages and units which in a few years will be far more than we will require and far too expensive to maintain, particularly if the present trend continues. I refer especially to the labour costs involved.

People who are much more experienced than I am in the field of caring for the elderly suggest that it is of great benefit to people if they are able to remain in their own homes rather than to be institutionalised. I believe that, if young people, particularly those who are unemployed at the present time, were helped to give assistance in this way to help to keep elderly people in their own homes, it would be an advantage to the people concerned and to the community generally. The Government should consider this matter closely.

Mr. WILSON (Torrens): Today I received by courtesy of the Minister of Transport a preview copy of the North-East area light rail line assessment of the draft environmental impact study, and I take this opportunity to thank the Minister for letting me have this advance copy, especially as it is not yet in its final form. Obviously, I have not had time to study the report completely, but I would like to mention one or two matters concerning it.

The recommendations and conclusions at the end of the report mention that the Government should further study one or two areas picked out from the e.i.s. draft. Two of these areas are that the proposed light rail line should go underneath King William Street (the report makes strong play of this), and also that consideration should be given by Government planners to separation at grade level on certain arterial roads. The NEAPTR scheme as it is known at the moment crosses Frome Road, Stephen Terrace (Walkerville), Portrush Road (Walkerville), and one or two other streets at grade level with the aid of boom gates. It must be remembered that this rapid transit system is to run every three minutes at peak times. When one considers that boom gates will have to open and close every three minutes at peak times on busy roads such as Portrush Road, Lower Portrush Road and Frome Road the mind boggles.

That is not really the point I wish to make; I wish to make the point that, if the Government accepts these recommendations and, after further consideration, decides to put the line underground and to provide over-passes or under-passes on these arterial roads, we are looking at a vastly increased cost than the $100 000 000 presently expected. I submit that if all these recommendations were carried out we would be looking at an all-out cost of about $170 000 000, and well over half of that would be for the undergrounding, as the report calls it, along King William Street.

At a quick glance, the report seems to have provided the Government with what it wants. In the report the environmental assessors say that the Northfield rail option provides only minimally less environmental impact on the surroundings than does the l.r.t. down the Modbury Corridor. That is a patently ridiculous statement and, if that is the tenor of the whole report (and I have not yet had a chance to read it all), it appears to me to be a whitewash.

I want to provide something constructive to this NEAPTR debate, and I am particularly concerned at the cost of this rapid transit facility. As I have said, if these other options are included in the scheme, we are looking at a cost of well over $150 000 000 and probably nearer $170 000 000. Before that sum is spent I submit that the Government should carry out a pilot scheme to see whether the people will use such an l.r.t. facility. When the infamous *This Day Tonight* debate took place last year I said to the Minister of Transport, in asking him a question, that one of the supposed reasons for the NEAPTR scheme was that by having an l.r.t. facility fewer people would use their cars to travel to the city. In fact the NEAPTR report itself negates this and says that fewer people will not use their cars. The report says it may have some long-term effect on the number of motor vehicles travelling along the North-East Road but certainly the planners could not point to any significant effect. However, in answer to me the Minister of Transport said that he could not say whether or not people would use the scheme, and that is the whole problem with this scheme: we do not know whether people will use it. This applies particularly when, for the scheme to be successful, people will have to use feeder buses. We have no idea whether people will be prepared to use feeder buses.

My proposal is that a pilot scheme should be instituted at little cost. I propose it should be done in the following way: the present Northfield line between Cavan and Northfield should be upgraded. The Minister of Transport has already said that it is likely that the Government will go ahead with the Northfield line extension to Ingle Farm, anyway, so this would not be an extra cost to that of upgrading. The Northfield line should be upgraded and some of the Minister's new rolling stock, which we understand is late in arriving but will be coming, should be used to provide a 10-minute express service from the Northfield railway station to the city.

I travelled from Northfield station to the city on the present rolling stock and it took me 23 minutes to get to the city, stopping 10 times. It was a most appalling journey, and it was very slow. Feeder buses should be instituted from Tea Tree Plaza and perhaps Ingle Farm shopping centre to Northfield to match up with trains. Wright Road is a direct road link with the Northfield station and Tea Tree Plaza; it is a straight-through road. Feeder buses could leave Tea Tree Plaza, travel express to the Northfield station, where passengers could change into a train on the same ticket, which would cover the two journeys, and they would be in the city within 30 minutes.

This would be only a pilot scheme but the Government could thus ascertain whether people were prepared to use a connecting service of buses and trains. Many people from the electorate of Newland would be using the l.r.t. and they would have to use feeder buses to get to Tea Tree Plaza. This is an unknown quantity.

Mr. Klunder: Do you expect them to change to get to Tea Tree Plaza, then to go to Northfield, and then to the city?

Mr. WILSON: I am putting this forward as a pilot scheme before the Government spends over $100 000 000. The Minister said today that he was not certain where the money came from. If the Federal Government is going to use this environmental impact assessment to base its decision on whether to grant funds to South Australia for urban public transport, the scheme may well be in doubt. The pilot plan is a constructive suggestion. It would involve a 10-minutes service of new rolling stock from Northfield to the city, with a system of feeder buses from Tea Tree Plaza and Ingle Farm to Northfield, where passengers would change. The city could be reached within 30 minutes. I will say more at another time about the scheme in relation to the electorate of Torrens, the only electorate adversely affected by this scheme.

Mr. RUSSACK (Goyder): I have previously spoken about the water supply from Bolivar to the Adelaide

Plains, and I do not apologise for bringing this matter forward today, because some progress has been made, and that is greatly appreciated. There are many market gardens in this important area, the products from which are readily accepted not only in South Australia but also interstate. Some years ago it was claimed that the area housed a $15 000 000 industry. It is a unique area. The ground formation has a resistance to salinity, and its structure provides adequate and acceptable conditions for growing vegetables and other commodities.

For many years the Government was hesitant to release any of the reclaimed Bolivar water for any purpose, and this water was allowed to flow into the sea at the rate of millions of gallons a day. A letter dated 30 October 1978 from the Minister of Works states, in part:

> In December 1977 I announced that the Government had accepted the advice of the S.A. Water Resources Council not to seek Commonwealth funds for the scheme, prepared by consultants, to reticulate Bolivar effluent water to existing market gardens on the Plains as a means of reducing the over-use of underground water. The statement acknowledged sympathy for the desire of the Northern Adelaide Plains Water Resources Advisory Committee for the effluent to be used in a manner which would assist in the conservation of the over-exploited underground water resource. Reference was made to the fact that the Government had accepted the conclusion of the council, which has the responsibility for examining water resource problems in the context of the management of all the water resources of the State, that the high capital expenditure on that very uneconomic scheme could not be justified. The fact that the Government had previously determined that underground water allotments in the Northern Adelaide Plains would not be reviewed before July 1981 was restated.

That decision is very rigid. An application was recently made by a husband and wife partnership at Virginia for an underground water allotment. They already had a bore for domestic and stock purposes. The application was rejected and two appeals were not upheld because the decision referred to above was adhered to firmly. The letter from the Minister further states:

> I also announced that the Government had determined, after considering the views of the Advisory Committee and the council, that the most beneficial use of the effluent was for it to be utilised for certain industrial, irrigation and other agricultural enterprises and for recreational purposes without the need for further treatment, provided that appropriate health and environmental safeguards were implemented.

The Minister arranged a meeting and called for applications from market gardeners to apply for an allocation of the reclaimed water from Bolivar. His letter continues:

> There were 38 applications, indicating a demand of 155 Ml/day, of which 68 Ml/day was in respect of a non-landholder applicant. In the circumstances it was not considered appropriate to take that applicant into account. The location of many of the applicants was remote from the outfall channel and these could not be considered, for economic reasons, as likely users of effluent unless an 8·2 km pipeline and terminal storage were provided at a point east of Virginia.
>
> The S.A. Water Resources Council endorsed the Northern Adelaide Plains Water Resources Advisory Committee opinion that, in the present economic climate, the Government not be asked to fund the total scheme immediately. It supported the implementation of the scheme, however, at such time as funds are available and appropriate demand is proven.

I am pleased that the Government has decided that, even though it cannot provide funds for the total scheme, some progress can be made. The important factor is the reference to "a point east of Virginia". The Port Wakefield Road runs north and south through Virginia and will by-pass Virginia in the future.

In answer to my question, the Minister answered that work will commence in 1979-80 and be completed in the year 1981-82. I asked other questions as follows:

> 1. In designing the new Highway No. 1 from the existing dual highway near Waterloo Corner to the upgraded highway north of Two Wells, and including the Virginia and Two Wells by-passes, has provision been made, particularly in the vicinity of Virginia, to provide for pipe underpasses as may be required, in the future, for reclaimed water from Bolivar?
>
> 2. If no provision has been made, will consideration now be given to this important facility?

The answers I received were as follows:

> 1. No.
>
> 2. The Highways Department will give consideration to requests for these facilities.

I assure the Minister that every effort will be made so that a request is forwarded to him. I hope that that request will be approved. I cannot stress too greatly the importance of that matter. If the road was established and approval were then given it would cost many hundreds of thousands of dollars to put the necessary pipes through to take the water. If the pipes were placed there, even if the scheme cannot be implemented at the moment, that would mean a great saving and a great benefit. I hope that that will be done so that ultimately there will be a storage at a point east of Virginia.

Certain recommendations were made by the South Australian Water Resources Council that the Government adopted. I will read only one of them, as follows:

> Dependent upon the location of further demand, and that demand being verified, the question of the allocation of the remaining capacity of 40 megalitres a day be examined including a re-examination of the economic feasibility of a pipeline and a storage east of Virginia.

I am imploring the Government to give sincere consideration to the request when it is made to the Minister that those necessary pipes be placed under that roadway when the by-pass is established in the next year or so. The Minister concludes his letter as follows:

> I am pleased to be able to announce that these proposals—

The SPEAKER: Order! The honourable member's time has expired.

Mr. GUNN (Eyre): I rise to bring to the attention of the House a matter that has concerned me for some time, namely, the condition of the Coober Pedy airfield. Members will recall that prior to the previous State election the Leader announced that if a Liberal Government were elected it would provide the necessary funds to upgrade and seal the airstrip at that centre. The House would be aware that Coober Pedy is not only a large mining centre but that it also attracts many tourists from all over the world, and this brings much money to this State.

Owing to the distance from Adelaide it is essential that residents have the opportunity to avail themselves of the best possible air transport. The condition of the airfield leaves much to be desired. I was prompted to bring this matter to the attention of the House because a few weeks ago the Minister of Transport had the audacity and gall to blame the Commonwealth Government for its failure to provide money to seal this airstrip. The first point that must be made quite clear is that the Liberal Party in this State gave its guarantee unconditionally, independent of any Federal funds whatever, that it would provide funds for this airstrip.

Secondly, the matter has been referred to the Outback Areas Community Development Trust. It is fairly obvious that this has been used as a stalling tactic. To try to clear up the matter, I placed a Question On Notice (No. 922) asking the Minister of Transport what was the delay in providing funds from the Outback Areas Community Development Trust for the sealing of the community airstrip. I received the following reply:

> The trust is awaiting acceptance by the Commonwealth Department of Transport of a responsibility under the Aerodrome Local Ownership Plan.

The second question I asked was as follows:

> If agreement is not reached with the Commonwealth under local ownership arrangements will the Outback Areas Community Development Trust proceed with the sealing of the airstrip?

The answer I received was:

> This is hypothetical.

This is certainly not hypothetical so far as my constituents or members on this side of the House are concerned. This was a classic example of the Government not having the courage to answer the question. The Government has absolutely wasted and squandered money around the State and mixed up its priorities. It can find $300 000 for recreation dams in the Adelaide Hills or millions of dollars to spend on the Festival Theatre, yet it cannot find $200 000 to seal this airstrip, which is vital to my constituents. My third question was as follows:

> Will the local community be required to provide any finance from their own resources towards this very important project?

The answer was as follows:

> This is normal practice.

Having received that answer from the Premier, I wrote to the Federal Minister, Mr. Nixon, and received a reply dated 6 February as follows:

> I refer to your recent letter to my colleague, the Hon. J. E. McLeay, M.P., Minister for Administrative Services, concerning the sealing of the Coober Pedy airstrip, which he forwarded to me for reply. The financial assistance which can be provided by my department under the Commonwealth's Aerodrome Local Ownership Plan (ALOP) is limited to 50 per cent grants towards approved development and maintenance works on licensed aerodromes owned by properly constituted local government authorities and 50 per cent grants towards approved maintenance works on privately owned licensed aerodromes with regular public air services.
>
> Because no such local authority exists at Coober Pedy which is able to assume ownership of the airstrip, it has not been possible to provide such Commonwealth financial assistance. However, my department is currently investigating the possibility of the South Australia Outback Areas Community Development Trust assuming ownership of Coober Pedy aerodrome. If this proposal eventuates, financial assistance will then be able to be provided, subject to normal departmental programming and budgetary arrangements, for approved works sponsored by the trust. If you require any further information on this matter, the department's Director, South Australia/Northern Territory Region, will be able to assist.

Contrary to what Mr. Virgo had to say, the Commonwealth has not refused; it is obviously happy to assist when normal arrangements can be met. It ill behoves the Minister to set out, as he always does, to launch a personal attack on the Commonwealth Government without any foundation at all. The sad situation is that during the past 18 months while this State Government has messed around and criticised people, the airstrip has remained unsealed.

I believe that the Government should immediately provide funds to the trust so that the airstrip can be sealed and lights installed so that aircraft can land and take off at night, an added benefit. I am pleased that the member for Mitcham is in the Chamber because I, like other members, received a letter from him (he was not here yesterday).

Mr. Millhouse: Yes, I was; check the roll.

Mr. GUNN: For a few minutes.

The DEPUTY SPEAKER: Order!

Mr. GUNN: I received a letter in relation to certain courses of action he intends to take. My answer will be "No".

Mr. Millhouse: I'll say a few eloquent words about that in a moment.

Mr. GUNN: I do not set out to be a hypocrite as the member for Mitcham does. He wants all the benefits of this place but is the first one to rush out and abuse his colleagues. If he was a sincere and genuine member of Parliament, he would remain in this House when Parliament and other members of this place are giving their attention to the legislation put before it, instead of rushing down to the courts and supplementing his income in a way that other members cannot do.

Mr. Millhouse: Maybe you should sell your farm.

Mr. GUNN: I ask the honourable member to be patient. A number of members in this House have outside incomes, but we do not criticise Parliamentary increases, and we do not criticise other benefits that are provided. The outside interests that we have do not interfere and take us away from this place when it is in session, and they do not interfere with our representing our constituents. I am not sitting on my farm when this House is debating legislation, nor are other members. If the member for Mitcham is sincere, he will tell the House and the people of this State how many hours he spends at the court each month and how many briefs he takes during the time Parliament is in session. I am sure that the House and the people of South Australia would be interested in this information.

I am pleased that the difficult drought conditions that we had over much of South Australia last year have been replaced by one of the best harvests we have had on record in South Australia. I am pleased to say that most parts of my electorate, which suffered greatly because of the very dry conditions, have improved and in many cases there have been record crops. That will have a significant effect on the economy of South Australia. I believe that the very good agricultural implement manufacturers we have in South Australia will gain a great deal from the buoyant conditions which we have just had in agricultural areas. I sincerely hope that the Government is fully aware of the benefits which will accrue to all sections of the South Australian economy because of the good conditions that now apply in agricultural areas. I hope that the Government does not set out to be unrealistic. If the Government really wanted to take a course of action that would assist all sections of primary industry in this State, it should get rid of the Minister of Agriculture, and the Premier should get rid of his agricultural adviser, which would be a positive step. Furthermore, if the Government wanted to help the fishing industry, it should take some action with regard to an administrative officer within the Fisheries Department. I am referring to the disgraceful conduct at Streaky Bay when craypots, including craypots from pensioners, were seized.

Mr. MILLHOUSE (Mitcham): It is curious to hear the member for Eyre talking in the disparaging way he did about me. It is not curious to hear him being disparaging about me, because that often happens. However, it is

curious to hear what he said, because it is a funny thing that only about a week ago I spent two days in court and guess who my opponent happened to be? It was the Hon. John Burdett, the Liberal so-called shadow Attorney-General.

The member for Eyre criticises me for accepting a brief whenever I can get one, but he says nothing about their sole lawyer in this Parliament, the Hon. John Burdett, also taking briefs in the same way as the Right Hon. Sir Billy Snedden takes briefs. I make no apology for that, and I suggest that the member for Eyre should discuss the matter with members of his own Party and see whether he is not criticising them at the same time as he criticises me.

The subject I want to discuss, at the tail end of this debate, is Parliamentary superannuation. The present situation is an absolute disgrace and a scandal, and I say that deliberately. I will not reflect on the vote of the House, but I want to tell the House the effect of what we did when the Parliamentary Superannuation Act Amendment Bill was put through. I started to do this last Wednesday, when the member for Flinders and I attempted to have this matter reopened by way of a motion. We failed in that attempt, although I am glad to say that 15 of the Liberals supported us in a division, albeit rather grudgingly. When I spoke on the suspension of Standing Orders I mentioned some of the enormous increases that have been voted by Parliament and which will come entirely out of the public purse. The Deputy Public Actuary has prepared figures for me on those members who we know are retiring at the next election. Those figures are now before me, and were conveyed to me by letter.

Mr. Max Brown: When are you retiring?

Mr. MILLHOUSE: I know that members of the Liberal Party and Labor Party are at one in hoping that it will be at the next election, but we will see about that. I have not included myself in these figures, and maybe that is presumptuous of me, because my figures are already well known. The figures I have relate to some gentlemen and one lady who we know will be retiring at the next election. The figures are necessarily hypothetical. The best you can do until the event happens is strike a date, and the date struck is 1 July 1979. If there is any increase in Parliamentary salaries in the meantime, the figures will be higher than are now shown. Certainly, they will never be any lower than this, and they will keep on increasing. For the 10 members, who it is known are retiring, the annual increase voted without any extra contribution, is about $110 000. Mr. Deputy Speaker, I hope you will allow me to give the names of the members and not their electorates. If you pull me up, I will do my best to remember which electorate is which, but some of the members are from another place, so I will not have any trouble about them.

The Hon. T. M. Casey will receive an increase of $5 624 to an annual pension of $24 865. The Hon. D. H. L. Banfield will receive an increase of $4 278 to an annual pension of $21 214. The Hon. Mr. Virgo, the Minister of Transport, will receive an increase of $3 754, to an annual pension of $18 636. The member for the Mallee will receive an increase of $1 941 to an annual pension of $17 745, and he was the member who led for the Liberal Party in the debate. The Hon. Mrs. Cooper, who it is anticipated is retiring, will receive an increase of $852 to an annual pension of $15 932. The Chief Secretary will receive an increase of $2 186 to an annual pension of $15 035. The member for Florey, one of the most estimable members of the House, if I may say so, will receive an increase of $1 473 to an annual pension of $11 688. The member for Albert Park will receive an increase of $1 521 to an annual pension of $11 692. The member for Salisbury will receive an increase of $1 287 to an annual pension of $11 437 and the member for Semaphore will receive an increase of $473 to an annual pension of $9 661. On my quick arithmetic, that means that those members, when they retire, will receive as a direct result of the Bill, unless they renounce, over $110 000 per annum. That money will be contributed by the fund, that is, by the Government. Not a cent will be contributed by members of Parliament.

I have not got the figures here on the position if there is a commutation of pension, but I have got them downstairs, and they fair take your breath away! I have not got time to go through them. I believe this was a most scandalous situation. I was very glad the other day to get some support from members on this side of the House.

Mr. Goldsworthy: Only to let you talk.

Mr. MILLHOUSE: Yes, but when the Bill went through the honourable member did not want to talk about it. The Liberals did not want anyone to talk about it—whizz it straight through both Houses in the one day. They have had a bit of a change of heart, probably because I wrote to Mr. Olsen, the President of their Party. I have written to him again, and, because in my view this is above Party politics, I have written to the member for Price in his capacity as President of the Labor Party.

Mr. Max Brown: He's not President of the Party, is he?

Mr. MILLHOUSE: Someone told me that he was. I asked that he use his influence with lay members of his Party, who must have some say in these matters, to have this whole matter reviewed. I believe that the reputation of Parliament hangs in the balance on this matter. I do not intend to let the matter rest, because I believe that what was done was wrong and must be undone. I will keep on at it until that happens, and I want the support of everyone in the Labor Party and in the Liberal Party to do that. I have already got the Country Party and the Australian Democrats—no problems about that. As a result of the encouraging support I got last week, I wrote a letter to the Leader of the Opposition. My letter states—

Mr. Whitten: That's the second time you've read it.

Mr. MILLHOUSE: I have not read it at all yet. The letter states:

> My dear David—

Members interjecting:

The DEPUTY SPEAKER: Order! The honourable member for Mitcham has little time left. He should be heard in silence.

Mr. MILLHOUSE: I will start the letter. I know that that applause was to make sure that I did not get it all in. The letter states:

> I was pleased to have your support, and that of most of your Party, for Peter Blacker and me on Wednesday and our motion to have repealed the Parliamentary Superannuation Act Amendment Act (No. 2) 1978. I must admit, though, that at the time I thought it was given rather grudgingly, especially in view of your letter of 24 November 1978 in which, as you may remember, you made it quite clear that you would take everything you can get by way of superannuation. However, I am prepared to take the support at face value, to accept that it was quite genuine and that you have had a change of heart since you supported so strongly the increases last November.
>
> Indeed, I am encouraged by the support that we had to ask you, as a mark of your sincerity—

The DEPUTY SPEAKER: Order! The honourable member's time has expired.

Mr. EVANS (Fisher): I am amazed in one way, although not in another, because it is typical of the member for

Mitcham to talk of honesty and sincerity and to expect members of Parliament to act in that way, implying that he also acts in that way. I do not believe that he does. He addresses me not as "My dear Stan" but as "My dear Stanley", and I suppose one will be "My dearest Stanley", and that really will worry me!

The member for Eyre spoke about his attitude towards the member for Mitcham's earning a salary whilst Parliament was sitting, supplementing his Parliamentary salary by receiving high legal fees earned as a barrister or as an advocate in the courts whilst Parliament was sitting. I believe that the member for Eyre was justified in making that criticism. The member for Flinders, who supports the member for Mitcham, has never made an attack on anyone about his attitude. He has supported the member for Mitcham in hoping to have the matter debated, and I suppose he would like to see it corrected in the way he would like to see the legislation. He knows that he earns some income from other interests while a member of Parliament, but he does not do it while Parliament is sitting.

I can give the House a guarantee that the accusation made by the member for Mitcham about the shadow Attorney-General, the Hon. John Burdett, is inaccurate in that at no time has he appeared in court and earned an income from that appearance while Parliament has been sitting. The member for Mitcham tried to put over that implication quite dishonestly earlier in this debate.

Mr. MILLHOUSE: On a point of order, Mr. Deputy Speaker; for the member to say that I had been dishonest is unparliamentary, and I ask that it be withdrawn.

Members interjecting:

Mr. Millhouse: There was no such implication in what I said.

The DEPUTY SPEAKER: I accept the point of order. The honourable member for Fisher should not impute motives to other honourable members.

Mr. EVANS: I am not sure how to interpret what I should impute. I have an opinion, which I shall hold, that the member for Mitcham made a most unfair statement when he deliberately attempted to get over a misrepresentation of the situation regarding the shadow Attorney-General. It is no good for him to shake his head. That was the only allegation the member for Eyre made against him—that he earned these fees whilst Parliament was sitting. No accusation was made by the member for Eyre about any fees earned when Parliament was not sitting.

Mr. Millhouse: He wanted to know how many briefs I had every month.

Mr. EVANS: If he had listened, the member for Mitcham would have found out that the member for Eyre qualified it by saying "when the House was sitting".

Mr. Millhouse: No, he didn't.

Mr. EVANS: If the member for Mitcham reads *Hansard*, he will find that is the case. The member for Mitcham also implied that the Liberal Party supported him—he thought grudgingly—in his endeavours to have this matter debated on Wednesday last. We believe in freedom of speech. We believe that, if someone thinks he has something of importance that needs debating, and if he thinks that that matter should be raised within the Parliament, we will support that. There was no grudging attitude. We believed that he should have that right, as should the member for Flinders if he so chose.

I have been told that one Bill appearing on the Notice Paper will not proceed. I refer to the Hotels Commission Bill. I will not talk about that, because I would not be allowed to do so. I believe the Government has said that, in the next session, it will introduce a revised Bill for a Hotels Commission. I hope it is not the Government's intention to bring that matter back into the Parliament and to interfere with the tourist industry after the industry has stood up to the Government and has proved that it does not want public enterprise in the tourist industry. It does not want free enterprise interfered with any more. It wants the opportunity to tell developers that they can build hotels, motels, or restaurants in South Australia without fear of Government intrusion. That is what the private enterprise sector wants.

If the Premier does not make such a statement immediately, these people still have the sword of Damocles hanging over their heads, because they believe they will be under the threat of unfair competition from the Government. We need jobs in South Australia. If the Premier will say that the Government will leave the industry alone and free from Government competition or from any commission, the private sector will move ahead with projects.

I believe that, within 12 months, a major 200-room project would be under way if the Government would give that undertaking. Anyone who wishes to spend millions of dollars would be foolish to think about building a complex while there was still the threat of a Bill being brought in in the next session, so that the Government would be able to direct, through the Tourist Bureau, as much business as it wished to Government enterprise. Every time anyone came to South Australia from overseas, anyone tied to the Government or distinguished visitors, he would be directed to the Government enterprise. We would have the unfair competition of Government departments directing business to the Government enterprise. What hope would private enterprise have? Who would think of building in this State? Already, many industries are leaving the State. Why would we want to frighten the tourist industry out of the State?

I hope that the private enterprise sector comes out of the holes and dark alleys where it has hidden in the darkness like rats and mice, because it has been frightened of what the Government would do to it, as individuals, by stopping its business contacts wherever it could. Hitherto, men in the private sector have hidden in dark alleys and holes, because they are frightened of a socialist Government, but the tourist industry has come out in the open. The private sector should come out and show its colours and say to the people of South Australia that we are short of jobs and of opportunities for people to progress. If it does not do so, it will pay the penalty.

Some top businessmen in the State have snuggled up alongside the Premier and his colleagues at every opportunity to receive benefits and favours. They rub shoulders with us and say, "We really support you, but we do not want to go against the Government, because it might kick us where it hurts most." They are afraid. If our own local people are afraid, what do those people over the borders think, those who read the tourist industry's travel news throughout Australia and see that the Government wants to move into that field? Does one think that industry would come to this State? Why are Joh Bjelke-Petersen and his group laughing all the way to the bank? They are doing so because they are getting such a massive increase in business and job opportunities in their State? Why is the New South Wales Government (an A.L.P. Government) prepared to cut taxes for the tourist industry for any new accommodation, not just one project?

The New South Wales domestic intrastate airlines have introduced a three-week ticket for $100 for any tourist coming to the State to use. Why has the Government not negotiated with our intrastate airline to achieve the same thing? It knows that it could not, because private enterprise is afraid of it. We have in this State not genuine

A.L.P. people in power (although a few on the back benches are truly worker representatives) but highly intellectual socialists dedicated to one cause: destroying free enterprise at every opportunity. That is what they are setting out to do.

The tourist industry woke up to it in time, but other sectors of private industry will need to be on their toes. They should rally together and show by every means possible that the Government must co-operate with private enterprise and create job opportunities, or South Australians who own assets will not be able to capitalise on them so as to start in another State. We will become an island of stagnation in a sea of prosperity, and that is what we are rapidly becoming now.

Motion carried.

Bill taken through its remaining stages.

CONTRACTS REVIEW BILL

Returned from the Legislative Council with amendments.

LEGAL SERVICES COMMISSION ACT AMENDMENT BILL

(Adjourned debate on second reading.)

(Continued from 9 November. Page 1883.)

Mr. GOLDSWORTHY (Kavel): I support the Bill, which makes a number of amendments to the recently enacted legislation setting up the Legal Services Commission. The Bill is in line with those of other States, in that a Commonwealth-wide organisation rather than disparate State organisations would be available for legal aid. The provisions have been explained by the Minister in his second reading explanation.

Clause 4 increases the size of the commission by one, to include an employee of the commission on the commission; that accords with Government policy, no doubt, and is part of the Government's worker participation scheme. The provision will increase the size of the commission from, I think, 10 to 11, and I do not know that there is any particular objection to it in this regard. The Bill also seeks to enable the appointment of deputy members to the commission. I do not believe that this should be necessary. If one establishes a commission and appoints commissioners, it seems to me that it is necessary that there be some continuity in the commission's deliberations and that, indeed, if the commissioners cannot attend, they ought to be replaced, or should not have been appointed in the first instance, particularly if they come from South Australia.

I understand that one of the commissioners is a nominee of the Commonwealth Government. I can envisage circumstances in which it could be difficult for the nominee of the Commonwealth Government to attend a meeting of the South Australian Legal Services Commission, particularly if the same person is a member of more than one of the State Legal Services Commissions. In my view, the operation of clause 4 *(b)* should be such as to allow for the appointment of a deputy in the case of the member of the commission appointed by the Commonwealth Government, and in no other case. It seems to me silly if other members of the commission appointed locally will have deputies who can come in and go out of the commission. It makes a farce of setting up the commission in the first instance and a farce of appointing a commissioner, if he must have a deputy, as in the case of local commissioners.

It has been put to me that it was at the request of the Commonwealth Government that this provision was included. I see some sense in having a deputy for the Commonwealth commissioner, because he might not be able to attend if he has to fly to the various States and Canberra, and a deputy in that case would be warranted. The clause, as presently drafted, does not seem to me to be satisfactory.

Clause 5 refers to the term of office of a commissioner. On looking at the original Act, it is apparent to me that a commissioner, in the normal course of events, was appointed for three years, and provision was made for the staggering of appointments in the first instance. Clause 5 seeks to supersede that provision in the principal Act. I believe that a commissioner should be appointed for a fixed term, not for a term at the whim of the Government.

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

Mr. GOLDSWORTHY: Clause 4 of this Bill could be improved. Regarding clause 5, the intent of the original Bill was that the commissioner should have a fixed term of three years. Allowance was made for the initial commissioners to have their terms staggered, but this Bill gives the Government the power to appoint them for any term, and this is undesirable. The Government should not be given the power to appoint commissioners for other than a fixed term, namely three years.

The rest of the Bill is non-controversial. Clause 6 seeks to provide for co-operation between the State Legal Services Commission and the Federal Commonwealth Legal Aid Commission. This is sensible, desirable and necessary. The federal agency would need to collate information on a national basis, and for this to be done the States must co-operate. Clause 7 is a rewording of the earlier provisions in the Bill.

Regarding secrecy, if people are to be represented by officers of the Legal Services Commission, the circumstances under which they are represented should be as close as possible to those which apply in the case of persons having private legal assistance. Some clauses of the Bill, for instance clause 15, seek to ensure that assisted persons are treated in the same way as people who are represented by private legal practitioners. I have no serious complaints about the Bill, but I believe it can and should be improved, in the two areas to which I have referred. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Constitution of Legal Services Commission".

Mr. GOLDSWORTHY: I move:

Page 2, lines 2 to 8—Leave out subsection (5) and insert subsection as follows:

(5) The Governor may, on the nomination of the Attorney-General for the Commonwealth, appoint a person or persons to be a deputy or deputies of the member appointed on the nomination of the Attorney-General for the Commonwealth and a deputy of that member (or where there is more than one deputy of that member, one of those deputies) may act as a member of the Commission in the absence of that member.

Paragraph *(b)* of this clause is unnecessary in its present form. It is unusual to allow commissioners to nominate deputies. However, regarding the commissioner from the Commonwealth, there may be some difficulty in his attending, and there is some sense in having that member nominate a person as his deputy, particularly if that

commissioner has to attend meetings all around Australia. This is the only case where there is any need to appoint a deputy.

Amendment carried; clause as amended passed.

Clause 5—"Terms and conditions of office."

Mr. GOLDSWORTHY: I move:

Page 2, lines 12 and 13—Leave out "(not exceeding three years) specified in the instrument of his appointment" and insert "of three years".

There was some debate in another place, I understand, regarding the terms of appointment for commissioners. It is undesirable to give the Government the power to appoint commissioners for any term up to three years. Commissioners are either appointed for three years or they are not. There is sense in appointing a commissioner for fewer than three years at initial appointment because appointments would then be staggered, and there would be regularity in the appointment of commissioners over a time. Once the commission is functioning, the term of appointment for commissioners is either three years or it is not.

The Hon. PETER DUNCAN (Attorney-General): The Commonwealth Attorney-General, in a letter of November 1977, requested this provision, and the Government acceded to that request. There is nothing wrong with the suggestion, which was in the original Bill, after consultation with the Commonwealth, and I think it should stay.

Amendment negatived; clause passed.

Clauses 6 to 10 passed.

New clause 10a—"The Legal Services Fund."

The Hon. PETER DUNCAN: I move:

Page 4—After clause 10, insert new clause as follows:

10a. Section 23 of the principal Act is amended by inserting after the passage "as legal costs" in paragraph *(c)* of subsection (1) the passage ", or on account of legal costs,".

This provision corrects a minor drafting error in the Bill as printed.

New clause inserted.

Clause 11 passed.

New clause 11a—"Manner in which commission is to deal with trust moneys."

The Hon. PETER DUNCAN: I move:

Page 4—After clause 11, insert new clause as follows:

11a Section 26 of the principal Act is repealed and the following section is enacted and inserted in its place:

26. (1) The provisions of Divisions I and II of Part IV of the Legal Practitioners Act, 1936-1977, and of the rules and regulations under those Divisions, shall, with such modification as may be prescribed, apply to the Commission as if it were a legal practitioner.

(2) The provisions referred to in subsection (1) of this section do not apply to moneys paid to the Commission in pursuance of this Act on account of legal costs.

This clause is intended to ensure that the Legal Services Commission deals with moneys Acts as a trustee, as would a private practitioner.

New clause inserted.

Remaining clauses (12 to 16) and title passed.

Bill read a third time and passed.

EVIDENCE ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from 16 November. Page 2079.)

Mr. ALLISON (Mount Gambier): I support this Bill. This is one of those rare Bills introduced by the Attorney-General that contains practically nothing contentious. Most of it seems to have been legislated for at the request of the Law Society and others. Clause 3 is simply to establish proof of Orders in Council by a simpler method than the old one of introducing the whole copy of the *Gazette* into court. Now an additional provision is inserted in the Act providing for a copy of a page of the *Gazette* to be produced in court providing adequate evidence. Also, the dating of that copy will be regarded as sufficient evidence instead of having to produce the complete *Gazette*.

Clause 4 provides for the United Kingdom Imperial Orders in Council to be proved in court in a similar manner since the laws of the United Kingdom are occasionally relevant to proceedings in this State. Clauses 5 and 6 correct an obvious omission in the original Act whereby the word "whom" was omitted. That is now inserted. Clause 7 is considerably more significant because it alters section 59b of the principal Act by inserting after the word "civil" the words "or criminal". This means that computer-based evidence will now be admissible in criminal cases in South Australia when this legislation is passed.

When one considers that a defendant's liberty may be at stake and that the admission of computer-based evidence can be critical as to whether the defendant is convicted or acquitted, and when one considers the occasional unreliability of computers in processing simple matters such as commercial accounts, one has to have second thoughts about the admissibility of such evidence in court.

Section 59b of the Act carries a whole range of rather stringent measures which have to be observed by the court. There are about 10 provisions on which the court must satisfy itself before it does, in fact, acknowledge that the computer-based evidence is admissible.

Section 59b provides:

(2) The court must be satisfied—

(a) that the computer is correctly programmed and regularly used to produce output of the same kind as that tendered in evidence pursuant to this section;

(b) that the data from which the output is produced by the computer is systematically prepared upon the basis of information that would normally be acceptable in a court of law as evidence of the statements or representations contained in or constituted by the output;

(d) that the computer has not, during a period extending from the time of the introduction of the data to that of the production of the output, been subject to a malfunction that might reasonably be expected to affect the accuracy of the output;

There are quite a few additional provisions that lead one to the conclusion that if the court has any doubt at all about the accuracy of computer-based evidence it has the right to reject it.

Clause 8 repeals section 61 of the principal Act. I was wondering why this had not been left in because it seems to be relevant, but on further investigation I found that it has been replaced by a similar section in the Justices Act. Clause 9 is an additional clause enabling foreign authorities to take evidence and administer oaths to any witnesses in the State of South Australia. This precludes the necessity of taking hosts of witnesses interstate when the evidence might be much more simply obtained in South Australia when evidence is needed for cases being heard interstate or overseas. Clause 10 repeals section 69 of the principal Act and a new section is enacted and inserted in its place. The only comment I make about that

clause is that there seems to be either an error of omission or a deliberate omission. This new section is similar to the old one in its re-enactment.

The new section omits the old ground that the evidence offends public decency. One is tempted to ask why, since public decency is generally construed according to present-day standards, so there would be no real change of interpretation from one court to the next. They would always assess the question of whether the evidence offended public decency when deciding to suppress it or not. That provision has been omitted from the new section and perhaps the Attorney can make comment on that later. There is provision in addition regarding the suppression or releasing of evidence to the public. There is provision for either party to appeal against the decision of the court, whether it has in fact ordered the evidence to be suppressed or released.

Clause 11 is simply consequential on clause 10 providing punishment for anyone in breach of the new section enacted under this Bill. The matters contained in the new Bill are not contentious. They are quite sensible amendments and we support the legislation.

Bill read a second time.

In Committee.

Clause 1 passed.

New clause 1a—"Interpretation."

The Hon. PETER DUNCAN (Attorney-General): I move:

Page 1—After clause 1, insert new clause as follows:

1a Section 4 of the principal Act is amended by striking out from the definitions of "electric telegraph" and "telegraph station" the passage "Postmaster-General of the Commonwealth" wherever it occurs and inserting in lieu thereof, in each case, the passage "Australian Telecommunication Commission".

New clause inserted.

Clauses 2 to 8 passed.

New clause 8a—"Reference by court to books, official certificates, etc."

The Hon. PETER DUNCAN: I move:

Page 2—After clause 8, insert new clause as follows:

8a. Section 65 of the principal Act is amended by striking out from paragraph *(a)* the passage "Post and Telegraph Department" and inserting in lieu thereof the passage "Australian Postal Commission".

New clause inserted.

Remaining clauses (9 to 11) and title passed.

Bill read a third time and passed.

LEGAL PRACTITIONERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 November. Page 2080.)

Mr. GOLDSWORTHY (Kavel): I support this short Bill, which does not require much comment. It appears to me that the operative clause is clause 3*(a)* which simply cuts out a repetition of some words. Paragraph *(b)* allows the Commissioner for Corporate Affairs to appear as well as officers of the commission. I support the Bill.

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

DOOR TO DOOR SALES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 16 November. Page 2081.)

Mrs. ADAMSON (Coles): In theory, this Bill purports to provide additional protection for the consumer, but in practice I believe it will effectively put an end to door-to-door sales requiring contracts or agreement by prohibiting any payment during the cooling-off period. It will thus double sales costs by requiring door-to-door salesmen to return at the end of the cooling-off period to confirm the sale. If the principles inherent in new sections 8 and 8c were accepted by this Parliament, normal retail transactions would become completely untenable propositions in South Australia. If those principles were accepted in relation to door-to-door sales ultimately there would be an inevitable flow-on in relation to normal retail sales. Is this what consumers want in South Australia?

What we are really discussing in this Bill is the philosophical question of how far you go to protect people from themselves. It is interesting to look back to the debate on the original Act and see the reactions expressed at that time. On this occasion, the Attorney-General has put forward amendments to a Bill that has been on the Notice Paper since early November. The original Bill put forward by the then Attorney-General (Mr. King) was placed on the Notice Paper in August and not debated until October. Substantial amendments were moved by the Attorney-General when the Bill was debated and the Opposition had not had time to study them. Consequently, the whole principles inherent in the original Bill were altered by the Attorney-General when it was debated in Committee. It seems times may change, but Labor Attorneys-General do not.

Before debating the substance of the Bill, it is worth looking at the principles that we should be aiming to achieve when we are enacting legislation of this kind. I refer to a report to the Standing Committee of State and Commonwealth Attorneys-General on the law relating to consumer credit and money lending that was released on 25 February 1969. Quite obviously, we are not now talking about money lending or consumer credit, but nevertheless some basic premises adopted by that committee are, I believe, applicable to the Bill we are now debating. Those basic premises are set out in the report which in part reads as follows:

> Any report on the state of the law must reflect the basic philosophy and approach of its framers. We therefore set down the principles which have guided us, and the aims which we have set out to achieve, namely, the law should be simply stated and easy to ascertain. Its rules should be easy to apply, and cheap to enforce.

In terms of that first principle, that the law should be simply stated and easy to ascertain, this Bill certainly does not qualify. I doubt whether anyone, who was not a trained lawyer, could read this Bill with ease. I certainly doubt whether the average door-to-door salesman could read it with ease and understand it quickly. I also doubt whether the average consumer, who buys products from door-to-door salesmen, could read it with ease. I realise that legislation does not have to be framed in what the member for Mitcham describes as terms of superficial clarity for the benefit of the layman, but I agree with the report that the law should be simply stated and easy to ascertain and I do not believe this Bill meets that criteria. The report continues:

> The law should be functional. It should provide rules which will help and not hinder the carrying on of the transactions which it regulates.

Again, on that count I do not believe that this Bill qualifies. The report continues:

> The law should not favour one class of lender as against another, but should be such as to reward efficiency.

That is point 8 of a series of nine points. Point 9 is interesting and reads:

> The law should not be so favourable to the consumer that it would either encourage evasion of his responsibilities or indirectly make it difficult for him to obtain credit. It should however deal sympathetically with cases of genuine unforseen inability to keep people to agreements.

I certainly agree with that. A pamphlet on fair trading and consumer protection in Britain, on matters of principle, reads as follows:

> The growth of a consumer movement, and the pressure it can bring to bear through public opinion, creates an incentive for businesses to establish voluntary codes of practice and for individual traders to give undertakings to abandon a particular course of action, to improve the quality or value of goods and services, or to agree on simple conciliation procedures.

I believe that is what the Liberal Party would subscribe to as a thoroughly sensible approach to consumer legislation, namely that self-regulation is the best, the cheapest and most efficient and in the long run the most satisfactory form. Admittedly, it has to be reinforced by the law. However, the sellers of goods should not be so constrained by the law that their activities are virtually forced in some instances to cease entirely.

It is worth noting the description of the consumer which appears in *The Consumer Society*, edited by Harris and Reckie. The book refers to the sovereignty of the consumer in the market place, the sovereignty which enables him to select the goods he wants, to reject those he does not, and, very importantly, to refrain from consumption altogether if he so desires.

There are almost 100 Acts on the South Australian Statute book which protect the consumer, and the present Door to Door Sales Act appears to have worked reasonably well. Let us look now at what this Bill is trying to do. We should be seeking, I think, to achieve a fair balance between the rights of the consumer to reasonable protection and the rights of the vendor to act according to acceptable commercial standards of practice, without being so constrained that ultimately the consumer suffers as a result of increased cost of goods, an inability to provide proper services, or a lack of availability of goods simply because some businesses have been forced out of business.

I think the Bill goes beyond what is reasonable. Clause 4 defines a cooling-off period of 14 days for prescribed contracts or agreements and eight days for agreements or contracts which are not prescribed. That, of course, becomes one of the key clauses. Clause 4 also brings life insurance under the Act. For the first time, the definition of "goods" in clause 4 refers to rights arising from a policy of life insurance and any rights or interests of a prescribed kind. If life insurance is to be brought under this Act, it will have a profound effect on the consumers of life insurance and on the insurance industry in South Australia. It should be noted that legislation controlling life insurance is the Federal Life Insurance Act, 1945-1973. That Act provides for registration of life companies, financial regulation of their affairs, creates the office of Life Insurance Commissioner and defines his powers and duties, and contains some consumer protection provisions.

Section 54 provides that the Life Insurance Commissioner may demand from any life insurer information relating to any matter in connection with its business. Section 55 permits the commissioner to investigate the whole or any part of the life insurance business of an insurer. Section 56 permits the commissioner or an inspector appointed by him to require production of documents or evidence on oath in the course of an investigation. Section 58 permits the commissioner, having completed an investigation, to give directions to a life insurer.

Pursuant to section 77, the commissioner may require that any proposal or policy or other document used by an insurer in respect of his life business be submitted to him. If the form contains anything likely to mislead the proponent or policy holder, the commissioner shall object to the form, and the insurer may not then use that form. It is important to note this, because it indicates what a close degree of control exists already over the life insurance industry.

The commissioner receives complaints from members of the public, and investigates them. It is unusual for the commissioner to exercise his statutory powers, and this is mainly because the life offices themselves regulate their affairs so that coercive action by the commissioner is unnecessary. It is almost always sufficient for the commissioner merely to draw a matter to the attention of the life offices, and the life offices themselves will invariably attend to the matter in a fair and satisfactory manner and to the satisfaction of the commissioner and the consumer.

If any life office were to refuse to take such action it could be compelled to do so by a direction from the commissioner, and it is the existence of this power of coercion by the commissioner that is sufficient to ensure that it very rarely needs to be exercised.

It should be noted that, whilst consumer protection provisions in the Life Insurance Act are limited, the powers of the Life Insurance Commissioner to investigate complaints and to give directions ordering remedial action are virtually unlimited. The Life Insurance Commissioner, therefore, has power to see that any improper practice on the part of a life insurer is corrected.

I think the House should note the remarks of the Law Reform Commission in its discussion paper on the insurance industry, which states:

> In pursuing its aims, the commission should ensure that interference with the insurance industry, whether of a legislative or an administrative nature, is kept to a minimum. The stability of the industry and the maintenance of its competitiveness and of its investment capacity are of great importance to the Australian economy and should not lightly be interfered with. Regulation for its own sake is unacceptable.

It is suggested that legislation to control the sale of policies of life insurance should not be introduced unless there is a clear need for such control. Let us see whether in fact there is a clear need for the control the Attorney-General obviously envisages in this Bill. In his report for the year ended 31 December 1976, the Federal Life Insurance Commissioner lists the numbers of complaints against life offices received during the years 1972, 1973, 1974, 1975, 1976, and 1977. For the number of new policies, one has only to refer to the 32nd report of the Life Insurance Commissioner, table 9, page 64. In 1977, the total number of new policies in the four categories listed was 454 711. Most of these policies would have resulted from approaches by agents of life offices to persons at their place of residence or employment, as defined in the Bill.

The total number of complaints increased from 180 in 1972 to 401 in 1977. However, the overwhelming majority of complaints concerned claims and surrender of policies. Complaints concerning the door to door sale of policies would have fallen into the class of complaint described by the commissioner as miscellaneous. The number of miscellaneous complaints was two; in 1977 it was 24. At least some of those complaints must have concerned miscellaneous matters other than the sale of policies.

It seems that there is no evidence of widespread malpractice, or indeed of any malpractice of any

significance, or of unfair dealing by life offices or their agents in the sale of their policies on a door to door basis which would require legislative control of their activities of the kind envisaged in the Bill. All life offices carrying on business in South Australia, except S.G.I.C., also carry on business in other States, and the number and value of new policies issued in South Australia each year is about 10 per cent of the total for the whole of Australia.

If this Bill were to be enacted, it would mean that the South Australian life offices would have to adapt all their documentation and business procedures and practices and make them different and separate from those which they practice in the other States. For an industry which is conducted on a national basis and which is of national importance, I think that is extremely undesirable. I think that view is certainly endorsed by the Law Reform Commission and the Life Insurance Commissioner, neither of whom consider it necessary to control the door to door sale of life insurance.

Again, I think we should look at the nature of life insurance and see in what ways it differs markedly from the kinds of goods normally sold door to door. The making of a life insurance contract is not similar to the way in which other contracts to provide goods might be made. It is a unique type of agreement moulded by some centuries of world-wide law and practice. The Life Offices Association of South Australia says that the method of making the contract is unique, and it is not possible for a quick sale technique to be used. The customer and the life office characteristically go through a process of carefully assessing, on the one hand, the cost and benefits, and on the other hand of thoroughly appraising the actuarial risk.

In the normal situation, an agent will call on a prospective customer, often after a telephone call or some preliminary kind of contact. I propose to go through the procedures used. It will certainly take the time of the House, but I think it important that members understand that the situation as it presently exists guarantees protection to the consumer and works efficiently, and, therefore, is in the interests of the consumer. In the case of business men or persons living on isolated sites, such as farmers, there is often no possibility of the prospective customer being able to go to the agent's own office. The agent explains the benefits and the costs of a life policy to the prospective customer, if possible in the presence of the latter's wife or, in reverse, if the policy is for the wife, in the presence of the husband or parents so that he or she understands fully the benefits and obligations of a life policy. The customer may then or later fill in a proposal form, and the agent will send it on to the life office, more often than not accompanied by the premium, on the expectation that the proposer will be considered a standard risk.

The life office assesses the proposal and, if thought necessary, will arrange for a medical examination. If they decide to accept the proposal and the premium offered, some offices will send back a notice of acceptance, but all will prepare and issue a policy shortly afterwards. The policy is usually accompanied by a letter advising the policy holder to read the document carefully for his own protection.

If the life office is unwilling to accept the risk without some change to the conditions of the policy or the amount of premium, it will notify the proposer of the terms on which it is prepared to issue a policy. The proposer has then a choice of accepting the altered terms or of not taking out a policy at all. It is the policy document that is the contract of insurance. Most policies incorporate into the contract the proposal and personal statement completed by the proposer. The incorporation of these documents is usually done by reference to them in the policy, without setting out such documents in full. In the case of the mutual assurance societies, the policies in some cases also incorporate into the contract by reference only the act of incorporation of the society and also the rules of the society. This is done because the person who takes out a policy with that society not only becomes a policy holder and a member of the society but also has rights analogous to those of a shareholder.

If the above documents were set out in full in each policy, the policy document would become lengthy and so technically complicated as to be unintelligible to most persons. I suggest that the Bill falls into the category of being unintelligible to most persons. It is not only the insurance industry that will be affected, but also organisations that come under the category of prescribed interests. One of those is South Australian Perpetual Forests Limited. In the second reading explanation, the Attorney-General said:

> The attention of the Government has been drawn to undesirable practices involving, for example, the door to door sales of interests in pine and eucalyptus plantations. The application of the Act to the door to door sale of such interests would enable the purchasers to exercise the option provided by the Act of terminating the contracts during the cooling-off period under the Act.

There is no objection to a cooling-off period, but there is a strong objection to the fact that the agents selling the covenants are unable to collect a deposit or payment or any kind of commitment from the customer that he or she intends to purchase. If you look at the case of the South Australian Perpetual Forests Limited, you will see what constraints the Bill, if enacted, will impose on an extremely reputable company. Its prospectus states that it was incorporated under the Companies Act, 1892, of the State of South Australia on 6 February 1926. Its directors are people of repute and are well known to most South Australians. The prospectus lists directors, the nominal capital, the subscribed capital, the paid-up capital, the bankers, solicitors, and auditors. It also states that the company is one of the oldest and largest of the radiata pine plantation management companies in Australia. The paid-up capital of the company and SAPFOR Timber Mills Limited amounts to $2 392 000. It is a company like that which will suffer under the constraints of the Bill, and I will demonstrate that when we get to clause 6 (8).

Clause 4 defines "sale" as including hiring, granting, conferring or assignment of rights or interests; it also fixes monetary limits by regulation instead of $20, as under the original Act. That is a grave disadvantage, because it means that people will have to go to the regulations, which can be changed from time to time, and they will not have a clear understanding of what the limit is, as it applies to them. Clause 5 *(a)*, to which I have no objection, covers contracts drawn up interstate, and unsolicited inquiries. I understand that it was interstate companies selling pine and eucalyptus interest which prompted the inclusion of this group in the Bill. Nevertheless, the inclusion is made in such a way as to penalise those companies that are operating legitimately and, to my knowledge at least, have never had any complaint lodged against them.

Clause 5 also repeals the Book Purchasers Protection Act, and that is a logical consequence of the Bill, if enacted. Clause 6 is fine and common sense. It requires door to door sales contracts to be sent out in a prescribed form, with the cooling-off period printed in 18 point Times face or 10 point if in the form of the schedule.

The vendor must sign the contract before the purchaser does, and provide a duplicate for the purchaser; all of that is perfectly sound and reasonable. I believe that the

increase in the penalty for breaching this provision, from $200 to $500, is steep and I would like to hear from the Attorney-General, in Committee, as to the reason why the penalty has been increased and how many people have been fined at the level of $200 under the existing Act. The real problem arises under new section 8, which provides:

> Any vendor or dealer who accepts or receives from the purchaser under a contract or agreement to which this Act applies or under a contract or agreement collateral or ancillary thereto any deposit or other consideration whether monetary or otherwise paid or given during the cooling-off period shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars.

Leaving aside the penalty and looking at the effects of the clause, we come to the part where this clause would virtually double the sales costs involved in the selling of prescribed interests or any other goods, and certainly insurance. New section 8a (1) compounds the difficulties, by providing:

> A contract or agreement to which this Act applies that is of the prescribed class shall not be enforceable unless or until the purchaser notifies the vendor by notice in writing signed by the purchaser and given to the vendor before the expiration of the cooling-off period but not less than five days after the commencement of the cooling-off period that he confirms the contract or agreement and where such notice is not given the contract or agreement shall be void.

That means that the customer is actually prohibited from buying, receiving, or ordering goods within the five-day period. It also means that the onus is on the customer to re-approach the agent or salesman, following the expiration of the period, to confirm the sale. This will cause immense problems to reputable companies that sell goods or service in people's homes or at places of employment.

Mr. Groom: You can leave the goods there.

Mrs. ADAMSON: Yes, but one cannot pay for them. The member for Morphett seems to treat this lightly.

Mr. Groom: Profits aren't everything.

Mrs. ADAMSON: In South Australia they are starting to become nothing, and that is the very reason for the mess the State is in. Legislation of this kind is causing that problem. I shall remember that statement, as will every member on this side of the House. Profits are not everything! That is a memorable quote. It can go on the member for Morphett's political tombstone.

The Hon. G. R. Broomhill: Are you suggesting that profits are everything?

Mrs. ADAMSON: Profits are very important to the livelihood and prosperity of the people of South Australia and should not be disregarded and cast aside as lightly as the member for Morphett chooses to do. Profit is a dirty word to the Labor Party and everyone on this side of the House knows it.

Mr. Mathwin: No profits, no industry.

Mrs. ADAMSON: Very well put. The Life Offices Association has stated that new section 8 will mean that any insurer accepting a premium within the cooling-off period will commit an offence. If the regulations under the Act provide that rights arising from a policy of life insurance shall be prescribed goods, new section 8a would render a contract void unless the person notifies a company in writing not sooner than five days after the contract is made, or not more than 14 days after the contract is made, if he wishes to confirm that contract.

The insurer may not provide the insured with a form or document suitable for giving the notification necessary to confirm the contract, nor may it obtain or attempt to obtain such notification. That will put a severe constraint on the life insurance industry in South Australia and also on bodies like South Australian Perpetual Forests. This clause requires the client to take positive action to confirm the contract, whereas the subsequent clauses require no positive action to deny the contract.

Mr. Groom: What's the matter with that?

Mrs. ADAMSON: Most people, once they have made up their minds, like to settle and confirm the sale by paying a deposit, which acts as a sign of commitment, either on the spot or in the near future. They like to take the initiative. They do not like to call the agent back to their house to sign a fresh document, or write a letter that involves another set of arrangements, another procedure and more costs. The whole thing could be resolved by the procedure in reverse, that is enabling the purchaser to opt out of the purchase during the cooling-off period, not to opt into the purchase at the end of the call-off period. That is the principle on which the Opposition objects to the Bill. If this principle were accepted, it would flow on and make normal retail transactions in South Australian untenable.

The main results of the amending Bill in relation to sales of life insurance in summary as detailed by the Life Offices Association, are as follows:

> The policy would have to be signed by the insured.

That occurs in any event. It continues:

> Following that, it would be necessary for the policy to have been signed by the insurer before it is represented to the insured for signature. The insurer would not be able to collect any premium until the cooling-off period had expired, despite the possible wish of the insured to pay that premium.
>
> If the regulations made under the Act provide that the life insurance shall be prescribed goods, then the contract shall be void unless the insured person, not sooner than five days nor more than 14 days after he signed the policy, notifies the insurer in writing that he confirms the policy.

It further says that the company cannot provide the customer with any form of notification; that will be illegal under the Bill. The customers will have to find their own notepaper and organise it themselves, but they are supplied with documents that enable them to refuse to go ahead with the deal. It is made difficult for the customer to proceed but easy to opt out. One cannot avoid getting the impression that all of this is designed to limit the operations of non-Government insurance companies and to maximise the operations of the State Government Insurance Office. There is no other conclusion that can be formed when one examines these clauses and looks at the situation in South Australia, where the Attorney-General and the Government want to take unto themselves every possible opportunity for Government control of investment and industry in South Australia. As the member for Morphett says, profit is not everything, and profit will be reduced to almost nothing if that attitude prevails in South Australia.

Regarding South Australian Perpetual Forests, there are practical difficulties of a different kind. Those difficulties that I have already described apply, but where a series of covenants have been sold for a certain acreage of plantings and there are just a few remaining covenants, the company has to keep selling, not knowing how many people are opting out. The company may sell more or less than it has available, and may still be left with some, simply because it cannot at any given time be sure how many people are buying covenants and how many are opting out. It has had no firm commitment of any kind. If the principle inherent in new section 8c (2) *(a)* were accepted, it would have an extremely damaging effect on retail sales and on the general attitude of consumers. It provides:

> Where goods have been delivered to a purchaser under a contract or agreement that, in pursuance of this Act,

becomes void by virtue of non-confirmation or rescission (being rescission under subsection (3) of section 8a of this Act), the purchaser shall—

(a) upon demand by the vendor or dealer made within twenty-eight days after the goods were delivered to the purchaser, make the goods available for return to the vendor at the place at which they were delivered to the purchaser;

The cooling-off period is 14 days but the purchaser can keep the goods for 28 days. All the purchaser has to do is take reasonable care of the goods until the expiration of the period or, where such demand has been made, until the return of the goods. A purchaser can use the goods and decide he does not want them, or does not like them. There is no requirement to keep them in perfect order; one merely has to take reasonable care. That provision would provide a field day for lawyers. What is "reasonable care"? To one person it means one thing and to another person it could mean gross abuse of goods or services.

Mr. Millhouse: It's an easily understood term by a layman.

Mrs. ADAMSON: It is, but each layman would interpret it differently, I venture to say.

Mr. Millhouse: That is why it is better to have precise language.

Mrs. ADAMSON: I come now to precise language that should please the member for Mitcham. New section 8c (3) provides:

Where a vendor or dealer does not exercise the right to demand the return of goods under subsection (2) of this section, the goods shall become the property of the purchaser free of any right, title, interest, lien or charge.

In other words, you can choose to buy something, change your mind and if the vendor does not repossess it within 28 days it is yours by law and there is no way that the vendor can get it back. New subsection (4) provides:

Where a vendor or dealer demands the return of the goods in accordance with subsection (2) of this section, the vendor or dealer shall be deemed to have the same remedies at law and in equity against the purchaser in relation to the goods as he would have had, had there been no contract or agreement and had the purchaser been a voluntary bailee of the goods.

In other words, the consumer can keep the goods after 28 days and the law says that he can. But if he keeps them when he should have returned them and the vendor demands that he return them the vendor has to resort to the courts; he is not protected by this legislation. New subsection (5) provides:

(5) Where goods have been delivered to a purchaser under a contract or agreement that, in pursuance of this Act, becomes void by virtue of rescission under subsection (4) of section 8a of this Act, any amount recoverable under subsection (1) of this section shall, unless the purchaser has made the goods available for return to the vendor or dealer in their original condition, be reduced by an amount equal to the value of the use or benefit, if any, derived by the purchaser from the goods.

That really means that the vendor gets the secondhand price of the goods which might well be, in practical terms, worth absolutely nothing because they have been used. This means that retailers and manufacturers could be saddled, if there were a high level of irresponsibility among consumers, with masses of secondhand goods which they would find difficult to dispose of.

If this principle were accepted and its consequence flowed on to other sales and into retail sales, the whole of commerce in South Australia could grind to a halt because it would put all vendors in an impossible position. I think that most reasonable people looking at the effect of this bill would feel that it implies that the consumer is lilly white and can do no wrong and that all door-to-door salesmen are crooks and can do no right. Somewhere between those two extremes the truth lies, and reasonable protection must be given to both parties.

I believe that, because this Bill has clauses in it that are based on unacceptable principles, it should be withdrawn and resubmitted in a form that makes it acceptable to those industries that are operating reputably. In reply to this the Attorney might say that it is not designed for them; it is designed for those indulging in bad practices. The point is that it penalises those whose practice is beyond reproach and who have served their clients impeccably, in many cases for decades.

The penalty for failing to identify the name, business address of the business, and nature of the goods is increased from $200 to $500. There is no argument with that, because I think that it is essential that, if people choose to sell from door to door, they must identify themselves, the nature of their goods, and the fact that they intend to sell them to you. The penalty for coercion and harassment is set at $1 000. I would be interested to know how many complaints the Attorney has received of coercion and harassment, how serious they have been and what justification there is for the inclusion of this provision.

The concept of vicarious responsibility is introduced in clause 10. I support it, because I believe that implicit in that concept is the solution to many of the problems that the Attorney-General claims are solved by other clauses in the Bill. If the principals of an organisation are to be responsible in law for the actions of their agents, they will certainly ensure that they select people of integrity and responsibility, and that is what we are seeking to achieve, so I have no quarrel with clause 10 and support it. The other alteration is that 12 months is allowed for commencement of proceedings instead of their being summarily disposed of as under the original Act. If the principles set out in the Rogerson Report, from which I quoted, were contained in this Bill there would be no quarrel with it by the Opposition but, framed as it is, and including the life assurance industry as it does, it is unacceptable and we oppose it.

Mr. GROOM (Morphett): I did not intend to speak in this debate but I was somewhat amazed by the attitude by the member for Coles. She is evidently prepared to protect South Australian families from drugs and pornography but she is prepared to see those same families financially ruined by high pressure sales techniques and ultimately destroyed by uranium mining with a lack of proper safeguards.

Members interjecting:

The DEPUTY SPEAKER: Order! I will give the honourable member for Rocky River and the honourable member for Hanson the call if they wish to reply in this debate.

Mr. GROOM: I suggest that the member for Coles comes out of the nineteenth century and opens her eyes to what takes place in the twentieth century in the advertising world and of the high pressure sales techniques to which housewives are subjected.

On the honourable member's reasoning profits come first and housewives come second. She seems to think that the door-to-door salesman should have an advantage over the housewife. If the product is such a good one, why cannot that salesman wait the extra few days for the cooling-off period and then consummate the contract. I suggest that the member for Coles puts housewives second and profits first. I suggest that the honourable member go to the U.J.S. court on Thursday of each week and talk to

some of the impoverished families who have been subjected to high-pressure door-to-door sales techniques. Let her talk to some housewives if she wants to get a proper perspective.

The member for Coles sees no need to protect families from high pressure sales techniques, excessive profits and exploitation at the door, yet she is prepared to get up inside this House, outside of it, and preach inside this State and outside of this State that those same families should be protected from drugs and pornography. She is prepared to protect families and children in South Australia from those things, yet she will see the same families destroyed by radiation and ruined by excessive profits. What a hypocritical attitude has the member for Coles.

Members interjecting:

The SPEAKER: Order! I think I remember that the honourable member for Coles was heard almost in silence.

Members interjecting:

The SPEAKER: Order! The honourable member for Morphett is entitled to speak.

Mr. GROOM: In dealing with a particular clause of the Bill, I think clause 6, which inserts new section 8, the honourable member said that this provision would double the sales costs involved. In fact, the provision does nothing of the kind. The member for Coles would rather see that advantage given to the door-to-door salesman at the door over the housewife. She would rather see the housewife have to part with money out of her housekeeping or whatever savings a wage-earning family has. The honourable member would rather see that person give that money to the door-to-door salesman because she says otherwise that would double the sales costs involved. That is the precise example of the way in which the member for Coles protects housewives and families in this State and claims she is representing them. It is clear she has not understood this legislation, because there are two separate categories, and she will have an opportunity when regulations are prepared to decide which goods come into which category.

There is one category under new section 8a in which the contract, of a prescribed class, must be confirmed in writing. What is to stop a door-to-door salesman leaving an example letter and a stamped addressed envelope? In that class it requires only one simple act of posting a letter as every housewife does probably a dozen times each week. That is the simple act required to consummate these contracts. The member for Coles will oppose this provision because she is prepared to see the door-to-door salesman—

The SPEAKER: Order! It is the "honourable member", not "she".

Mr. GROOM: Well, the honourable member, too, Mr. Speaker. The honourable member is prepared to see the door-to-door high-pressure salesman have this advantage over the housewife. There is another class which is described as being not of the prescribed class and such a contract automatically becomes consummated if the contract is not rescinded. There is nothing in this legislation that is prejudicial to business in this State. As I have said, the member for Coles should come out of the nineteenth century and go down to the U.J.S. court and talk to the housewives who have to appear there.

Mr. Becker interjecting:

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

The Hon. G. R. Broomhill interjecting:

Mr. GROOM: As the honourable member for Henley Beach has informed me, I believe that members opposite do sneer about these people who appear in the U.J.S. court. They think they are fair game and can be exploited.

I do not propose to say anything further about this legislation. It is fair legislation for the twentieth century, although it might not be fair legislation for the nineteenth century, the century in which members opposite are still dwelling. The only remaining matter involves life assurance and I will leave that to the competence of the Attorney-General to deal with.

Mr. MATHWIN (Glenelg): That was certainly a very fast outburst from a contender for the front bench in the reshuffling of the Cabinet.

The SPEAKER: Order! I hope the honourable member will stick to the Bill.

Mr. Millhouse: Hear, hear!

Mr. MATHWIN: If my hairy friend from Mitcham—

The SPEAKER: Order! I am asking the honourable member to stick to the Bill.

Mr. MATHWIN: Mr. Speaker, I was just asking you to control my hairy friend to my left.

The SPEAKER: Order! There is nothing at all to do with the member for Mitcham in this Bill.

Mr. MATHWIN: After listening to the member for Morphett perform, I realise that there is far more in the Bill than I originally thought. At first, I thought it was Government over-protection, which one has now come to expect. Indeed, if this is the case, one must question the Government's intentions in relation to this Bill. The member for Morphett made a scathing attack on the word "profit", which we know is a word hated by the socialists, who do not believe in profit, unless they have been mixed up with private enterprise, and then of course it is a different story. This fact came to the fore in the attack by the member for Morphett on the member for Coles.

The Hon. G. R. Broomhill interjecting:

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

Mr. MATHWIN: His socialist brothers and comrades in the United Kingdom admit that profit—

The SPEAKER: Order!

Mr. MATHWIN: —is a factor.

The SPEAKER: Order! The honourable member knows that when the Speaker is standing he must resume his seat, and I warn him to get back to the Bill.

Mr. MATHWIN: Thank you, Mr. Speaker, I am sorry that my footwork was not that quick. This is not a good Bill; it certainly wants redrafting and resubmitting.

Mr. Hemmings: Why?

Mr. MATHWIN: If you will hold your horses for a little longer—

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

Mr. MATHWIN: If the fighting Mayor from Elizabeth will quieten himself, he will learn something.

Mr. Hemmings: Not from you, comrade.

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

Mr. Tonkin: Hear, hear!

The SPEAKER: Order! The Chair will make that decision.

Mr. MATHWIN: I would like an explanation from the Attorney-General on a number of matters in this Bill. The Attorney hates to have to explain legislation to members. Nevertheless in his role as Attorney-General one would think he would be delighted to explain legislation such as this. I would like the Attorney-General to explain clause 4 *(a)*, which provides:

> *(a)* by striking out from subsection (1) the definitions of "dealer" and "goods" and inserting in lieu thereof the following definitions:—

"cooling-off period" in relation to a contract or agreement to which this Act applies means—

(a) in relation to a contract or agreement of the prescribed class, the period of fourteen days commencing on the day on which the contract or agreement is entered into; or

(b) in relation to a contract or agreement that is not of the prescribed class, the period of eight days commencing on the day on which the contract or agreement is entered into:

The definition of "goods" includes:

(a) rights in respect of goods or services (including rights relating to the burial, cremation or disposal of the remains of any person);

I ask the Attorney-General how that is practical. When somebody has passed on and there is a cooling-off period over a period of time, how can the whole thing be reassessed? The cooling-off period is 14 days or eight days.

Mr. Millhouse: The shorter the better!

Mr. MATHWIN: The honourable member has been here only a few minutes, so he should be the least tired of all of us.

The SPEAKER: Order! I hope the honourable member will get back to the Bill.

Mr. MATHWIN: I will.

The SPEAKER: I do not want the honourable member to get away from the Bill again.

Mr. MATHWIN: It is a pity the honourable member was not drowned when—

The SPEAKER: Order! I want the honourable member to stick to the Bill.

Mr. MATHWIN: Under clause 5 *(b)* the Government will regulate a prescribed amount; it is striking out the passage "$20 or such other higher amount as is prescribed". The member for Morphett said that we should wait and see the regulations. The Government leaves so much to be dealt with by regulation. This Bill leaves too much to be dealt with by regulations. The member for Coles pointed out so well some defects in this Bill.

Clause 6 is three pages long. New section 8a increases the penalty to $500. When he replies to the debate, I hope the Attorney-General will say now many complaints he has received on these matters and the reason for the increased penalty after such a short period. New section 8a (1) states:

8a. (1) A contract or agreement to which this Act applies that is of the prescribed class shall not be enforceable unless or until the purchaser notifies the vendor by notice in writing signed by the purchaser and given to the vendor before the expiration of the cooling-off period but not less than five days after the commencement of the cooling-off period that he confirms the contract or agreement and where such notice is not given the contract or agreement shall be void.

The member for Morphett said the salesman could leave a form for the purchaser to sign, and could leave a stamped addressed envelope. Either the Attorney-General is wrong, or the member for Morphett is wrong. New subsection (2) *(a)* provides that neither a vendor nor a dealer shall furnish to a purchaser any document or form suitable for giving notification, and yet the member for Morphett said that that is what should be done. Which legal eagle is right?

The SPEAKER: Order! I think the honourable member should ask which honourable member is right. I think I called the honourable member for Morphett to order on a similar point.

Mr. MATHWIN: I apologise; I though it might boost their morale. According to that paragraph, a vendor or a dealer would be liable to a fine if he left a stamped addressed envelope. The member for Morphett did not read the Bill. He may have had a quick glance at it in Caucus. The Bill provides quite clearly that a person must give notice in writing and that it must be signed. It will be necessary to write a letter saying, "This is a good deal, so come back and tell me all about the goods." How many members in this House would bother to write, after three or four days, in such a manner? We might do it if we dictated the letter to a secretary, but few people would follow the matter up if it was necessary to write a letter. I have no doubt that this is an attempt to kill off the trade.

Mr. Hemmings: Not if the product is good enough.

Mr. MATHWIN: I do not agree. Few people would bother to write a letter in such circumstances. New section 8c (2) *(a)* provides that, upon demand by the vendor or the dealer made within 28 days after the goods were delivered to the purchaser, the purchaser shall make the goods available for return to the vendor at the place at which they were delivered to the purchaser. Paragraph *(b)* provides that the purchaser shall take reasonable care of the goods until the expiration of that period, or, where such demand has been made, until the return of the goods. New section 8c (3) provides that where a vendor or dealer does not exercise the right to demand the return of goods under subsection (2), the goods shall become the property of the purchaser, free of any rights, title, interest, lien, or charge.

Mr. Venning: That's a lot of nonsense.

Mr. MATHWIN: It is a lot of codswallop. A person takes the goods on approval. If he wants to make a deal he must write a letter and post it. In some cases no doubt the purchaser hopes that the vendor will not come back and that all the goods will be his. I cannot see any sense in that provision, and I wonder what the Attorney-General has in mind in relation to it. New section 8c (5) states:

(5) Where goods have been delivered to a purchaser under a contract or agreement that, in pursuance of this Act, becomes void by virtue of rescission under subsection (4) of section 8a of this Act, any amount recoverable under subsection (1) of this section shall, unless the purchaser has made the goods available for return to the vendor or dealer in their original condition, be reduced by an amount equal to the value of the use or benefit, if any, derived by the purchaser from the goods.

Perhaps the Attorney-General will explain this provision. When the Bill was brought in, we were given a very smooth explanation, but the Attorney-General failed to explain all these matters properly, including the three pages which comprise clause 6 of the Bill.

The Attorney-General has made a few mistakes in legislation that he has brought or has intended to bring before the House. I suggest that he has made another mistake with this legislation. He should rewrite the Bill and resubmit it in the proper form, so that people can understand it. The member for Morphett tried to upset the member for Coles when he said that she did not believe in protection for the housewife. We know by her record that she is most concerned with housewives and families. After all, the family unit is the cornerstone of the Liberal Party's beliefs. We believe in protecting the family in all possible ways.

Mr. Olson interjecting:

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

Mr. MATHWIN: I oppose the Bill as it stands, and I hope that the Attorney-General will resubmit it in a proper form.

Mr. TONKIN (Leader of the Opposition): I support the remarks that have been made by the member for Glenelg

and the member for Coles, who did such an excellent job in examining the Bill and in putting forward some worthwhile suggestions in the debate. I regret that the member for Morphett is absent from the Chamber.

The SPEAKER: Order! I called an honourable member to order the other evening about this matter. There is nothing in the Bill concerning honourable members being present in the Chamber.

Mr. TONKIN: I intended to speak to the member for Morphett directly on his contribution to the debate.

Mr. Mathwin: He's selling himself door to door.

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

Mr. Harrison interjecting:

The SPEAKER: Order! The honourable member for Albert Park is out of order. The honourable Leader has the floor.

Mr. TONKIN: Thank you, Mr. Speaker; I was beginning to wonder. It was obvious that the member for Morphett leapt to his feet and in some mood of chagrin lashed into the member for Coles without knowing what he was saying.

Mr. Max Brown: He was quite right.

Mr. TONKIN: That is an interesting interjection from the member for Whyalla. I admire his gallantry, but I cannot admire his warped sense of justice.

Mr. Max Brown: You talked—

The SPEAKER: Order! The honourable member for Whyalla is out of order. Interjections must cease.

Mr. Mathwin: You shouldn't blame—

The SPEAKER: Order! The honourable member for Glenelg is out of order. I think that I have spoken to him previously. If he interjects again, I will warn him.

Mr. Chapman: His racehorse was a bit out of order at Murray Bridge, too.

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

Mr. TONKIN: It was an unfortunate display by the member for Morphett, and I am sure that he regrets it very much indeed. Obviously he showed his abysmal ignorance of the provisions of the Bill in many ways. Equally obviously, he had not read the Bill. My colleagues have already pointed out the fact that he suggested that it was only necessary for an agent to leave a stamped envelope or letter. He knows perfectly well, or should know, if he has read the Bill, that, under new section 8a (2), neither a vendor nor a dealer shall furnish to the purchaser any document or form for giving notification, and so on.

The Hon. Peter Duncan: Are you suggesting that a stamped envelope is not a document?

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

Mr. TONKIN: The Attorney can explain that to the member for Morphett, if he so wishes. That behaviour is opposed to the attitude the Attorney-General has shown in introducing the Bill.

The Attorney-General, when answering across the Chamber my query, "Did he not believe that there was existing legisation and sufficient protection afforded by it?" said "No, it is not sufficient." The trouble is that people in South Australia have come to realise now that the Attorney-General will never be satisfied by any control legislation, particularly legislation to control vendors or anyone engaged in private enterprise or in business. I have gone right through a number of the publications that the Attorney-General or his department has issued from the Public and Consumer Affairs Department, headed with a little letter in the beginning signed "Peter Duncan", in which he almost says that everyone who is trying to sell a consumer anything at all is a crook.

Mr. Olson: He's not far out, either.

Mr. TONKIN: That is exactly the situation we have come to, but what the honourable member does not realise is that everyone in the community at one time or another sells something, and is a vendor. I imagine that the member for Semaphore in his time has been a vendor, and I am sure that he would not want to be called, by implication, by the Attorney-General, a crook, villain or rogue, or call it what you will.

The trouble is that the Attorney-General has this big hang-up about anyone who wants to sell or who is in business, and it is this hang-up that is coming through in the legislation. The member for Coles has mentioned already that door-to-door legislation has been introduced in the House previously. It was introduced by the Attorney's predecessor, and it was introduced in an extremely stringent form. It was finally amended heavily, after representations, and it is now on the Statute Book in an amended form. It provides adequate protection, but, according to the Attorney-General it does not go far enough, and we are now seeing the reintroduction of the stringent form. I make clear to the Attorney, to the Parliament and to the people of South Australia that I believe that enough is enough. There is room for consumer legislation, but there is no room for extending consumer legislation that treats every vendor as a rogue and all consumers as needing total protection and as being unable to look after themselves.

It may be a surprise to the Attorney-General, but there are people in the community who believe that they are well able to look after themselves, and so they are, but they are penalised, and costs are being increased, as the member for Coles has made clear, because the Attorney-General chooses to treat everyone in the community as though he or she was a rogue. Enough is enough. It is time to call a halt, and to institute legislation only where there is a clearly demonstrated need for it. I warn the Government that there are a number of measures it may consider introducing or may already have introduced that increase Government control over and intrusion into individual rights. This Opposition will oppose those Bills, too. It is time in South Australia that we had a little breath of freedom rushing through.

If the Australian Government spent just a small part of the time in promoting an educational campaign for the people of South Australia as he spends in trying to tie up every single loose end to stop every single, what he calls, rogue, but actually every single person who is engaged in business, from making a proper profit, he would be doing the community a whole lot more good. We oppose the Bill, just as we will oppose any other Bill that unnecessarily impinges on individual rights and freedoms.

The Hon. PETER DUNCAN (Attorney-General): It was not a surprise to hear the Opposition again opposing consumer protection legislation as it has done on virtually every occasion on which the Government has introduced such legislation. It is interesting to look back to 1971. If one looks at the *Hansard* for 1971—surprise, surprise! Enough is enough the Leader said tonight, but apparently enough was enough in 1971, because on that occasion the Opposition marched across the Chamber to vote against the provisions of the Door to Door Sales Act. It was not to the credit of the Opposition that the people of South Australia has had the protection of the Act since 1971, since when a number of provisions of the Act have proved to be ineffective in the way in which they are able to protect the consumers. Accordingly, we have now had to

introduce legislation to ensure that the loopholes which have become apparent over the past few years are tightened up.

It was interesting that the Leader of the Opposition decided, virtually unannounced, to enter the debate because almost all of his comments were uninformed and the only piece of information that he really gave was his great desire to defend the honour of the member for Coles. One can be very charitable in taking a view of that defence and I am not prepared to say that the Leader of the Opposition was being particularly chivalrous. Being charitable, I believe that the rumours around the place are true, and she is probably the one person who is keeping the—

The SPEAKER: Order! I hope the honourable member will say not "she" but "the honourable member".

The Hon. PETER DUNCAN: I do not want to delay the House by dealing with the matters raised by the member for Glenelg. If ever there was an incoherent and incompetent speech made in this House, his speech must take the cake. No point that he made was pertinent, except when he read from the Bill, and that constituted half of his speech. Even then he said that the Bill should be resubmitted in a form that people can understand. What form would that take in his case? Is there any form in which he would be able to understand it? It is a dismal situation when the people of Glenelg are so duped that they continue to return the honourable member.

Mr. Gunn: You ought to have a look behind you.

The Hon. PETER DUNCAN: The honourable member says that I should look behind me, but I see he is not cheeky enough to defend the member for Glenelg.

Mr. Gunn: I'll defend the member for Glenelg any time.

The SPEAKER: Order!

The Hon. PETER DUNCAN: Criticism was expressed about proposed new section 8, which states:

> Any vendor or dealer who accepts or receives from the purchaser under a contract or agreement to which this Act applies or under a contract or agreement collateral or ancillary thereto any deposit or other consideration whether monetary or otherwise paid or given during the cooling-off period shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars.

That clause forms the nub of the argument put forward by the member for Coles in her contribution. She should have looked at the existing Act. Section 7 (3) states:

> The vendor or dealer shall not accept or recieve from the purchaser under a contract or agreement to which this Act applies any deposit or other consideration . . .

It is a re-enactment in slightly different wording of the existing protection. Yet the honourable member carried on about it a treat, as if this was a major new consumer protection legislation to be introduced by the Government. It is only a re-enactment. How dismal to find that the Opposition's principal speaker made such a fundamental error. It is a sad reflection on the dismal state of the Opposition at the present. New section 8a (1) provides:

> A contract or agreement to which this Act applies that is of the prescribed class shall not be enforceable unless or until the purchaser notifies the vendor by notice in writing signed by the purchaser and given to the vendor before the expiration of the cooling-off period but not less than five days after the commencement of the cooling-off period that he confirms the contract or agreement and where such notice is not given the contract or agreement shall be void.

It is pathetic to have to stand up here and run a tutorial for Opposition members but, if the member for Coles will refer to the Book Purchasers Protection Act, she will see that this provision is also contained in the Act, which is to be repealed by the Bill now before that House. Regarding new section 8a (2), the member for Morphett said it would be possible under the legislation for a vendor or a dealer to leave a stamped, addressed envelope. The Leader of the Opposition sought to attack him by saying that that would be in breach of proposed section 8a (2), which states:

> Neither a vendor nor a dealer shall—
>
> *(a)* furnish to the purchaser any document or form suitable for giving notification under subsection (1) of this section;

How in the dickens could a stamped, addressed envelope constitute the document required under that section? It is tiresomely pathetic to have to deal with these pitiful points.

I think I have said enough to indicate how members opposite have approached this whole question with such a lamentable of lack of homework. I reiterate the old phrase "Out of the mouths of babes" and, if ever anyone committed herself, it was the member for Coles when she said, "To what extent can you protect people from themselves?" Any amount of protection would not have been sufficient to render her contribution in any way rational to the debate.

This Bill is an important consumer protection measure, and the people of South Australia are entitled to this protection. It is not intended to limit the proper and reasonable activities of door-to-door vendors. Vendors will be able to continue their activity and this Bill will not stop that, but it will stop the activities of people who, in the past, have sought to get around the provisions of the Door to Door Sales Act and the Book Purchasers Protection Act. Loop-holes can be closed and the people of South Australia can expect to be properly protected.

I move:

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

Motion carried.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

Mrs. ADAMSON: Why has the Attorney extended the eight-day period, which previously applied, to 14 days, in relation to a contract or agreement of the prescribed class? Many people are worried about this extension of time.

The Hon. PETER DUNCAN (Attorney-General): The reason, as the honourable member pointed out, is that it will be for prescribed classes and will now be from five to 14 days because the Book Purchases Protection Act and the Door to Door Sales Act are being amalgamated. It was necessary to have flexibility because the Book Purchases Protection Act already provides a 14-day cooling-off period, and it is only intended that books and other items previously covered by the Book Purchases Protection Act will have a 14-day cooling off period.

Mrs. ADAMSON: Then there is an assurance that insurance and interests such as those sold by South Australian Perpetural Forests will not be prescribed goods.

The Hon. PETER DUNCAN: There are two matters there. First, I am not prepared at this stage to give any assurance in relation to the firm named South Australian Perpetual Forests. Certainly, if it makes application subsequent to the legislation being passed, I will give serious and sympathetic consideration to that. I can tell the honourable member in relation to life insurance, and this is why I did not deal with the matter during my second reading summing up, that I have had numerous discussions with members of the Life Offices Association, the organisation that represents the major life offices in South Australia such as AMP, MLC, National Mutual and the

like. As late as this afternoon I had discussions with them, and I have undertaken that we as a Government will prescribe the exemption of such companies as are prepared to put a clause in their contracts that will ensure, in effect, that from the date of the proposal any accidents that occur between then and when the policy is actually issued are seen by the company as sufficient for payment out on the policy where a person dies as a result of an accident.

I think that is a compromise that will benefit the people of South Australia. The Life Offices Association has taken away a copy of a third schedule to a draft proclamation I have had drawn up. It is examing it at present and, if it is satisfactory to the association when the Bill is in another place. I will table it so that all members will be able to see the arrangments that have been made. I think the effect of that will be satisfactory not only to the Life Offices Association but also to the people of South Australia.

One of the great unfortunate situations in the past has been where insurance is sold and many people believe that they actually gain coverage at the time they sign the proposal. Of course in the case of natural death I think it is quite reasonable in most circumstances that the company should not undertake the risk until such time as it has had the opportunity to check out such things as medical history. However, where the death is caused by accident, then it is certainly not unreasonable to expect that the company can undertake coverage of that particular risk from the time that the proposal is signed, and that is what is intended.

The Life Offices Association has been most happy to agree to that principle. It is only a matter of checking with its legal advisers to find out if it is happy with the draft proclamation. If it is, we will table it in another place when the Bill is being debated there.

Mrs. ADAMSON: Nothing that the Attorney-General has said has convinced me that there was justification for including life insurance in this Bill. I do not dispute anything he says about the need to protect people who buy life insurance. I would have thought that the points I made in the second reading debate demonstrated that I recognised that and that these matters were already covered under very stringent Federal legislation. I made the point it is important that life insurance legislation be uniform. Again, I would have thought that the Attorney would have supported the notion of uniform legislation. By bringing life insurance under door to door sales and then exempting it from some of the provisions is surely over and above what is needed, and is what I call excessive and unnecessary legislation.

It seems to me that clause 4 *(a)*, the definition of goods, if the Bill were to be amended should come out, because rights arising from a policy of life insurance are already adequately covered by Federal legislation. I think that the member for Morphett was probably feeling a little bit hysterical after the bad day he had yesterday when he imputed suggestions to me that I had not made in my speech, and ignored completely the points I made, that there is a need for legislation that protects the consumer but does not bend over so far backwards that it falls flat on its face. My contention is that the inclusion of life insurance will not benefit the consumer: it will lead to increased costs, delays, additional procedures, and a consequent effect on bonuses. The Attorney said he will exempt companies that comply with the requirement to supply death cover from all causes.

The Hon. Peter Duncan: From accidents.

Mrs. ADAMSON: Again, most companies provide protection for more causes on a voluntary basis. That is a self-imposed requirement that they are observing as a result of a request from the Commissioner. I say that nothing the Attorney has said convinces me that there is any need whatever to bring life insurance under the ambit of this legislation.

Clause passed.

Clause 5—"Application of Act."

The Hon. PETER DUNCAN: I move:

Page 3, lines 22 to 25—Leave out all words in these lines and insert paragraph as follows:

(d) to any contract or agreement where the vendor or dealer at the unsolicited request of the purchaser attends at the place where the purchaser resides or is employed by his employer for the purpose of carrying on negotiations leading to the making of the contract or agreement;.

Amendment carried.

Mrs. ADAMSON: Clause 5 (d1) provides:

to any contract or agreement where the vendor is not engaged in the business of selling goods or supplying services under contracts or agreements the negotiations leading to the making of which are carried on with the purchaser in person wholly or partly at the place where the purchaser resides or is employed by his employer;

My interpretation of that is that it does not apply to people who are not professional sales people. Am I correct or is there some other interpretation that should be placed on it?

The Hon. PETER DUNCAN: You are correct.

Clause as amended passed.

Clause 6—"Formal requirements in relation to contracts and agreements."

Mrs. ADAMSON: This is a long clause. Did the Attorney say, when referring to new section 8, that it was a direct carry over from the Act?

The Hon. PETER DUNCAN: Yes.

Mrs. ADAMSON: My attention was diverted when the Attorney was replying to the Leader's comments on new section 8a (2) my interpretation is that a salesman would be contravening that provision if he provided any kind of letter or envelope or any piece of paper to a customer for use in confirming the sale at a later date.

The Hon. PETER DUNCAN: The point I made was that it is simply not possible to conceive that a stamped addressed envelope has been a document in terms of new section 8a (2), which provides:

(2) Neither a vendor nor a dealer shall—

(a) furnish to the purchaser any document or form suitable for giving notification.

An envelope cannot give notification; it has to be more than that. The member for Morphett suggested that to assist in the process of giving a written notification it would be possible to leave a stamped envelope.

Mrs. ADAMSON: I think the record will show that he sent a letter.

Remaining clauses (6 to 13) and title passed.

The Hon. PETER DUNCAN (Attorney-General): I move:

That this Bill be now read a third time.

Mrs. ADAMSON (Coles): The Bill which has come out of Committee is somewhat improved since it will provide subject to proclamation, relief for life assurance companies. I still maintain that it was not necessary to include them under this legislation. I believe the Bill still has some objectionable clauses. The requirement for purchasers to be able to keep the goods for 28 days and then return them secondhand and only be liable for their value after use seems to place all the responsibility in the hands of the vendor and virtually places no responsibility

whatsoever in the hands of the purchaser.

I do not believe that we create a strong and sound society when we remove all responsibility from consumers. Ultimately, if they do not have to look after their purchases, or consider the consequences of what they are buying, we develop a completely irresponsible consumer society and that is not in the best interests of the community. It can have considerable social and economic effects. It can lead to complete lack of care and a quite materialistic attitude of the type: "Nothing that has been provided to me has any monetary value and I can use it and abuse it as I wish". That is not the sort of attitude that legislators should be encouraging.

Protection is needed, but it should not be provided in such a form that it will ultimately disadvantage the consumer simply because the producers of goods have no incentive to upgrade the standards of their goods or services, or to keep costs down because ultimately the struggle will become one that they cannot win.

The DEPUTY SPEAKER: Order! I believe the honourable member for Coles is giving us another second reading contribution.

Mrs. ADAMSON: Mr. Deputy Speaker, I will not refer to those matters again, other than to say that, as the clauses which we opposed are still in the Bill, we oppose the Bill at the third reading stage.

The House divided on the third reading:

Ayes (22)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan (teller), Groom, Groth, Harrison, Hemmings, Hopgood, Keneally, Klunder, McRae, Olson, Payne, Simmons, Slater, Virgo, and Whitten.

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

Pairs—Ayes—Messrs. Dunstan, Hudson, and Wells. Noes—Messrs. Arnold, Venning, and Wilson.

Majority of 5 for the Ayes.

Third reading thus carried.

BOOK PURCHASERS PROTECTION ACT REPEAL BILL

Adjourned debate on second reading.

(Continued from 16 November. Page 2081.)

Mrs. ADAMSON (Coles): I support the Bill.

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

UNAUTHORIZED DOCUMENTS ACT AMENDMENT BILL

In Committee.

(Continued from 25 October. Page 1709.)

Clause 2—"State badge and other emblems of the State."

Mr. MILLHOUSE: I move:

Page 1, lines 12 to 21—Leave out subsection (1).

Page 2, lines 1 to 9—Leave out subsection (2).

I have been waiting since 25 October for this amendment to come on, and I very much appreciate that the Attorney-General has brought on the Bill at a time convenient to me to move my amendment. On 25 October last year, with the support of my friend from Flinders, I did my best to damn this Bill, and I voted against the second reading, pointing out what a footling and unnecessarily restrictive Bill it is. I am glad that the Leader of the Opposition is in the Chamber for once.

Members interjecting:

Mr. MILLHOUSE: I heard him, within the last hour, making a plea on another Bill for a breath of freedom in this place, and yet he voted for the second reading of this Bill, which is the complete opposite of that. Here now is an opportunity for him to redeem himself by voting for my amendments.

Clause 2 is the guts of the Bill, the clause that will stop anyone using or manufacturing for sale or profit a State emblem. It also provides that a prescribed emblem shall mean an emblem declared by regulation to be a State badge, an official emblem of the State, and so on, and new section 3a (3) gives the Governor power, by regulation, to declare any emblem to be a State badge. I do not mind that, but I very much object to stopping people from using an emblem if they want to, and also giving the Government power to declare anything an emblem. We talk about the piping shrike, and that is normally regarded as the State emblem. I have here my athletics singlet. Shall I put it on, Sir?

The Hon. PETER DUNCAN: On a point of order, Mr. Chairman, it is completely improper to produce props of that sort in this Chamber.

The CHAIRMAN: Order! I will accept the Attorney-General's point of order that honourable members are not allowed to display exhibits in the Chamber, but there is no Standing Order that would prevent a member foolishly dressing himself in the Chamber.

Mr. MILLHOUSE: I knew you would protect me, Mr. Chairman, with your usual charity. I know that I cannot have an exhibit in the Chamber, but every member can see that I am wearing the Veterans Athletic Club shirt. The right to wear this shirt is something I have in common with the member for Coles. Members will see that the badge on my shirt is the piping shrike. If this clause were to pass in the form in which it is, it will be prohibited to manufacture this or for anyone to wear it. I know the Liberals all voted for the principle of this, but I hope that, since 25 October, they have had second thoughts about it. I cannot see why we should be party to prohibiting people from doing this sort of thing. What is wrong with anyone being able to use a piping shrike as their emblem in South Australia if they wish, or a monkey, if that happens to be prescribed by the Government as the State badge—and it could be?

Members interjecting:

Mr. MILLHOUSE: The Leader of the Opposition talks about this breath of freedom that he wants to see wafting through the legislation in this State but, unless he supports my amendment, he is going the other way. He is merely adding a bit more red tape. A few civil servants will have to be busied about giving permission for sporting clubs and others to use badges, and so on. I cannot see any point in this, and my amendment would mean that the clause simply gave the right to declare by regulation a State badge or an official emblem of the State. That would put beyond doubt what our State badge or State emblem is. I suggest that members look to see what would be prohibited if this clause were passed. This is what I object to:

> Any person who, without the permission of the Minister—

why the hell do people have to go to the Minister to get permission all the time?—

> *(a)* prints, publishes, or manufactures; or
>
> *(b)* causes to be printed, published, or manufactured, any document, material or object incorporating, depicting or in the form of, a prescribed emblem—
>
> *(c)* for any commercial purpose—

so the manufacture of this shirt would be out—

> *(d)* in such a manner as to suggest that the document, material or object has official significance—

whatever that phrase might mean—

shall be guilty of an offence.

Why should the manufacturer of a shirt like the one I am wearing, or the manufacturer of a Port Adelaide football guernsey, for instance, be committing an offence, unless he gets the permission of some Minister? I am damned if I know. Anyone can use anything he likes. What harm is being done? There is a stupid letter from the Premier, from which the member for Eyre was pleased to quote. He used the Premier for his authority for supporting the second reading of the Bill. The Premier in his letter said that he would be graciously pleased to allow the Ernabella Community Centre to go on using it, even though it was most objectionable. Why? I do not know. The member for Eyre thought that it was. The other new subsection I want deleted is the following:

"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—

we have abandoned good grammar, and use "that" instead of "which" now—

—to an embelm so declared that it could readily be mistaken for such an emblem.

We do not say what the emblem is. All those who support the Bill assume that it will be the piping shrike, but the Government could prescribe that it would be an Aboriginal standing on his head or the yacca, such as the emblem used on the other side of the street by the Adelaide Club. There is no reason why it should not be declared; then, no-one else could use it. This is the most footling Bill. It could be somewhat improved and perhaps made worth while by giving authority to declare some sort of thing as an emblem, if we deleted those two new subsections. That is the effect of my amendment, and I hope that I will get some support for it.

The Hon. PETER DUNCAN (Attorney-General): I oppose the amendment. What an extraordinary performance it was that the member for Mitcham gave—this fiendish fetish he seems to have developed about the Bill! He has been rushing around like a terrier for months in order to find out when the Bill would be debated so that he could get his two cents in this evening. How silly was the contribution he made. When one thinks about the implications of what this is really all about, one realises that he came across the singlet he has on now, and thought "Here is a headline for me. I can get in the press in the morning, by wearing this in Parliament." That is precisely what he is up to. If one looks at the proposal before the Committee, it is clear and simple: the intention is to prohibit persons, who principally for commercial gain, seek to use the badge of the State. That is a perfectly reasonable proposition.

Mr. Millhouse: Why shouldn't it be used?

The Hon. PETER DUNCAN: Because the badge of State is placed on official documents and the like and gives a clear indication that the document, or whatever the case happens to be, is in some way or another associated with or related to the State of South Australia. It is proper that the piping shrike badge, in particular, should be protected from use and exploitation for commercial purposes; that is precisely what the legislation is intended to do. This matter came up as a result of the misuse of the badge by people who were doing so for commercial purposes, and it is simply intended to ensure that the piping shrike of the State should be reserved for use in official, semi-official, or non-commercial ways, and not used, as has become the practice of some persons, for commercial purposes.

Mr. BLACKER: I support the amendment, because I see the inconvenience caused to many of my constituents. The piping shrike could easily be associated with all the sporting clubs, and many hundreds of my constituents would be involved in that way. What I am not happy about is that the Bill effectively takes away from the Parliament any opportunity of being able to debate the subject. We would have no say in what the emblem would be. We have not been given an assurance. It has been said that it will be the piping shrike, but that is not in the Bill. Why are we not debating the measure that the State emblem shall be the piping shrike? That should be the crux of the matter. If we declared that that should be the South Australian emblem, let us then create the necessary legislation to give it protection if that is what the Government and the Attorney-General are after.

I cannot accept that this measure is valid. We have had no explanation. We have just been given an around-the-table assurance that something has happended which has brought it about. Too many people are now using a magpie, a mudlark, a Murray magpie, or piping shrike, and they would be affected. I could not go home to my football clubs (I know of four teams which use that emblem, together with 18 or 20 netball clubs which use it) and say that some footling legislation has been passed to say that they cannot use the emblem. The Government could change its mind on the matter. It is a regulation to be moved by the Government, and the Parliament cannot have a say on what that emblem shall be. Until the Parliament has the opportunity to debate what the emblem shall be, I intend to oppose the Bill.

Mr. TONKIN (Leader of the Opposition): We have seen an interesting diversion this evening and, since my name has been brought into the debate, I feel bound to express my views on what the member for Mitcham has had to say. Normally, I have the utmost respect for what the member for Flinders says, but there is one basic fallacy in his argument, that is, that the piping shrike has been accepted as our emblem. If he ever at any time wished to change the emblem, he could introduce a private member's Bill, suggesting that some other emblem become the emblem of South Australia. There is nothing to prevent him from doing that. So, I cannot accept his point.

Mr. Millhouse: You're quite wrong.

The CHAIRMAN: Order! The honourable member will get a further chance to debate the matter in Committee if he wishes.

Mr. TONKIN: Legislation introduced can be amended, and the member for Mitcham knows that full well. I have taken the trouble, apparently unlike the member for Mitcham, during the break since this matter was last before the House, to take detailed advice on it. I understand that no limitation is placed on sporting emblems or badges or anything exhibited on a non-commercial basis. For the member for Mitcham to say that the production of such a badge for exhibition by a sporting club as a symbol is a commercial purpose is wrong. It is not the interpretation at all. I have taken detailed advice on the matter. That is the advice I have received, and I have every confidence in it.

The crux of the matter is that the State emblem should not be exploited by anyone for commercial gain, and that is exactly the position which the Bill encompasses. The member for Mitcham asked some time ago for examples of this matter, and I can think of two. There is a firm which manufactures bicycles and which has the piping shrike prominently displayed on the bicycle. That piping shrike is reproduced as the South Australian Government symbol and the South Australian emblem is normally reproduced.

The inference is that in some way that bicycle is produced under the aegis of the Government.

The same thing applies to a document that came to all members some time ago advertising transcendental meditation, on which was printed a piping shrike. It gave some people the impression that that document was issued with Government approval and under Government sponsorship. I am sure that the member for Mitcham would not in any way condone the use of the royal coat of arms for commercial purposes. I am sure he would not condone the use of military insignia or of the crown for commercial exploitation.

I do not know about the member for Mitcham, but I am proud to be a South Australian. I am pleased that South Australia has an emblem, and I am proud of the piping shrike and the way it is worn. It is a cheap and shoddy brand of politics that the member for Mitcham should have indulged in his antics this evening, and the reasons for those antics are known to all members. I cannot support the amendment. The Bill imposes no restrictions on sporting bodies or any other bodies. If he had done his homework, the member for Mitcham would have known that. I suspect that he knew it, but admitting it would have spoiled the act.

Mr. Evans: The garment that I own, similar to the member for Mitcham's, is much cleaner, and I hope he will have his garment dry cleaned.

Mr. NANKIVELL: Has the State badge, the piping shrike, been declared by legislation?

Mr. Millhouse: Of course it has. Have a look at new subsection (2).

The SPEAKER: Order! The question was not directed to the member for Mitcham, and he has no need to answer it.

Mr. NANKIVELL: If the member for Mitcham will keep quiet, I will try to help him. Without reflecting on the garment he is wearing, I am asking whether the piping shrike is a proclaimed, regulated or declared legal emblem of South Australia. If it is not, how does one know that the State badge referred to is that which everyone is talking about?

The Hon. PETER DUNCAN: The piping shrike is to be prescribed under the legislation.

Mr. Nankivell: How do you know it will be a piping shrike?

The Hon. PETER DUNCAN: I have given the answer, and I will not delay the House any longer, because I know how anxious the member for Mitcham is to get out of the House and have his photo taken before the *Advertiser* deadline is met. No-one would want to restrain him from that activity.

Mr. MILLHOUSE: I am anxious to get up and answer some of the garbage we have heard from the Leader of the Opposition. There is no doubt about it: if the Opposition is kept contented, it will do whatever one likes. There has been an extremely good example of that tonight in the co-operation between the Leader of the Opposition and the Attorney-General. I have never heard, I say with charity and respect to him, a more ignorant speech than was given by the Leader of the Opposition tonight.

The Leader said that this Bill was only to stop commercial gain, and that no sporting body would be prevented from wearing a garment like mine, but what about the manufacturer of the garment? Unless the manufacturer makes no profit, it is for commercial gain. What does the Leader think that is? The member for Coles said tonight how important profits were, and yet when the word "profit" is turned into "commercial gain" (and what is the difference between commercial gain and profit?) it is a dirty word to the Leader of the Opposition. The member for Coles said that profit was everything, but when the words "commercial gain" are used in this Bill they are awful and must not be used. I do not know how that can be reconciled.

The Leader of the Opposition intervened in that debate and said that the member for Coles had made worthwhile suggestions. Where are these Liberals? All over the place! Maybe the leader of the Opposition could forebear a moment and listen to me when I quote new subsection (1), which I want to have deleted and I will read the clause slanted to answer the point that the Leader tried to make. It provides:

> Any person who, without the permission of the Minister . . . manufactures . . . any material or object incorporating, depicting or in the form of a prescribed emblem . . . for any commercial purpose . . . shall be guilty of an offence.

If that does not say that a person who manufactures for a sporting club a garment like mine is committing an offence unless he gets the Minister's consent or sells the garment at no profit at all, I do not know what does. What else can it possibly mean? I know that the Leader of the Opposition is a medical practitioner, but surely he has the nouse of a layman and can understand these things. How could a sporting club be able to get a garment manufactured. Of course, it will not be able to do that, but that was what the Leader of the Opposition was content to say. I am grateful for the support of the member for the Mallee, if that is what he was giving me.

The Leader of the Opposition said that the piping shrike has already been declared a State emblem. New section 3a (3) will give power to prescribe. The Leader says this has already been done but the Attorney-General, when he answered the member for the Mallee, admitted that the Leader was off the beam in what he said. The purpose of new subsection (3) is to give power to prescribe, but the point taken by, I think, the member for Flinders (one among many) was quite right: we do not know that it will be the piping shrike.

The Attorney says it will, but what happens if, in 12 months, the Government decides that the emblem will not be the piping shrike but something else, perhaps some common depiction. Where will we be then? Of course, we will not be anywhere. I do not mind being rolled in a sensible argument but when we hear nonsensical arguments based on ignorance and a lack of reading the provision, as has been demonstrated by the Leader of the Opposition tonight, I feel a little annoyed. That is the position. I know that the Liberals are in a bind because the member for Eyre committed them without understanding what the Bill was about, and they all obediently voted for the second reading. However, that was three months ago and there has now been some debate on what this means. I hope that, if the Liberals put their pride aside and admit that they made a mistake, they will support my amendment. It will mean that the clause will be reduced to give the Government power to declare a State emblem. Why should people not be allowed to use a State emblem? All South Australians should be proud to use it. Why must permission from the Minister be obtained?

Mr. BLACKER: I ask the Attorney was there any specific reason why the piping shrike was not mentioned in this Bill.

The Hon. PETER DUNCAN: Yes, because it would have been clearly discriminatory against the Sturt Pea and whatever the other badge is, the wombat.

Mr. BLACKER: We have a floral emblem that includes a bird and animals. The whole three could be named. Obviously, we would not have a piping shrike representing the flora of the State. If we have these emblems, why are they not mentioned in the Bill and why is it not possible for

members of Parliament to be able to debate this particular issue? The nomination of the official emblem of the State is being taken completely out of the hands of Parliament other than to answer "Yes" or "No" to a regulation. Why cannot members here debate those issues?

Mr. GOLDSWORTHY: The member for Mitcham sees this as a dig deal. I do not believe that it is a big deal. People are prohibited from reproducing some symbols that represent the monarchy, the Royal Cipher, and so on. We are not breaking new ground. There are other symbols that the public is precluded from using. It does not seem to me, on balance, that it is unreasonable for the State to have a symbol in the same class. I have received complaints in relation to the use of the piping shrike by the transcendental meditation people towards the end of last year. I did not think that was a terribly big deal, but it was offensive to some people. The view was held that an attempt was made to give those people some official imprimatur. I do not think that is desirable, but I do not see it as a big deal.

Mr. GUNN: Can the Attorney indicate what he has in mind? Can he assure sporting bodies that wish to use the piping shrike on their uniforms, or are already doing so, or may wish to have that emblem on badges they sell to members, that they will be able to continue with that practice without interference or without obtaining permission from the Minister?

The Hon. PETER DUNCAN: Yes. It is not the intention to cause difficulty to such bodies.

Mr. GUNN: What the Attorney has said is that if a football or rifle club has badges with the piping shrike on them that they wear on their hats they will not have to write to the Attorney-General or the Premier to seek permission to continue that practice.

The Hon. PETER DUNCAN: Initially, they will. The situation is that groups in the community that are now using the piping shrike, for example, or a badge, will be able to continue to use the emblem. However, they will need, at the outset (once this Bill is passed), to seek permission to do so. I am giving the assurance that there will be no difficulty for such bodies to obtain that permission. In effect, it is a grandfather clause, so that they can continue to use the badge.

Mr. GUNN: That means that every sporting club in South Australia has to write to you?

The Hon. PETER DUNCAN: It will mean that each individual sport that uses it as part of its badge will be required to apply to the relevant Minister.

Mr. MILLHOUSE: I know that there has been much chiacking about this matter, but the member for Eyre in asking his question is quite correct with his implicaton. Anybody who wants to use a State emblem (and we have talked about the piping shrike, but it might be the Sturt Pea or the hairy-nosed wombat, whatever may be prescribed) will have to apply to a Minister for permission. That is the clear intention of one of the subclauses I want cut out. First, people will have to get permission to use the emblem; it will not be automatic. Secondly, it is not confined to the piping shrike or any other now recognised emblem; it could be something else that the Government might prescribe. It might prescribe a dozen things; there is nothing to stop it doing that under this Bill. I am not saying that this is the most important Bill that has ever come before Parliament, but I do not think that a Bill like this should ever come before Parliament at all. Now that it is here, I point out that it is just one more erosion of freedom of choice and action.

The Committee divided on the amendment:

Ayes (3)—Messrs. Blacker, Millhouse (teller), and Nankivell.

Noes (34)—Mr. Abbott, Mrs. Adamson, Messrs. Allison, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Chapman, Corcoran, Drury, Duncan (teller), Eastick, Evans, Goldsworthy, Groom, Groth, Gunn, Harrison, Hemmings, Hopgood, Klunder, Langley, McRae, Olson, Payne, Rodda, Russack, Simmons, Slater, Tonkin, Venning, Virgo, Whitten, and Wotton.

Majority of 31 for the Noes.

Amendment thus negatived.

Mr. DEAN BROWN: I have before me copies of the 1970 and 1978 *South Australian Year Books*. In particular, I refer to pages 94 and 95 of the 1970 *Year Book*, including the two pictorial pages adjacent. On those pictorial pages we see depicted an official coat of arms, an official badge, which is the piping shrike, the official flag, and the floral emblem. In the *Year Book* of 1978 the formal emblem, which is the hairy nosed wombat, is described in some detail. On page 94 of the 1970 *Year Book* the following appears:

> The coat of arms is used on State Government correspondence and may be used by schools and libraries. Permission for its use must be obtained from the Chief Secretary, and is not usually granted for any commercial purposes.

Under the badge, which is described as the piping shrike in the proper position, the following appears:

> Its use is also under the jurisdiction of the Chief Secretary but is less restricted than the coat of arms.

Can the Attorney-General say under what previous conditions the use was restricted, and state the authority of the Chief Secretary in restricting that use? Could he further indicate what the official emblems of this State will be? I notice that the Bill refers only to an official emblem of the State, when in fact the State already has two emblems; a floral emblem and a fauna emblem. I therefore presume that the Bill is already grammatically incorrect.

Mr. Millhouse: No, it is not.

Mr. DEAN BROWN: Well, I accept that. If the Government is going to specify the State badge, why not include the coat of arms and the State flag?

The Hon. PETER DUNCAN: The coat of arms is already covered by the substantive legislation, and therefore it is not necessary for it to be covered by the amendment. I cannot say what previous restrictions were placed upon the use of the piping shrike, but to my knowledge there were none. I am not able to say under what authority the Chief Secretary exercised any influence or power in this matter. I am not aware of any such influence or power. The documents referred to by the honourable member may well be only a loose statement of the situation. As I say, to my knowledge there are no restrictions at the present time.

Clause passed.

Clause 3 and title passed.

Bill reported without amendment.

The Hon. PETER DUNCAN (Attorney-General): I move:

That this Bill be now read a third time.

Mr. MILLHOUSE (Mitcham): This Bill is unnecessary, undesirable and oppressive, and it should never have been introduced into this House. In their heart of hearts, members on this side, and I believe members on the other side, know that. I have said all I can say in opposition to this Bill at the second reading stage, and in Committee on the clause which was the guts of it. Therefore, I do not propose to repeat those things in the third reading debate. However, I think it is quite wrong for an overwhelming majority of members of this House to endorse a Bill such

as this, the only effect of which will be to increase the workload and, I suspect, the numbers of public servants. It may create a few jobs, but it will restrict people's freedom to use certain emblems which are peculiarly South Australian. In saying that, I am putting the best possible construction on the Government's proposal. I hope that members of the Liberal Party, if not members of the Labor Party, will come to their senses and vote against the third reading of the Bill.

Mr. GOLDSWORTHY (Kavel): We are not breaking new ground. If the member for Mitcham had listened to what the member for Davenport had to say it would have been quite apparent to him that restrictions do exist.

Mr. Millhouse: The Attorney—

The SPEAKER: Order! The honourable member for Mitcham has already spoken.

Mr. GOLDSWORTHY: It is unfortunate that the Attorney-General is not better apprised of what those restrictions are. However, those restrictions do exist, so we are not breaking new ground and we are not imposing new restrictions on the freedom of the citizens of South Australia, as the member for Mitcham has alleged.

The House divided on the third reading:

Ayes (35)—Mr. Abbott, Mrs. Adamson, Messrs. Allison, Arnold, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs, Chapman, Corcoran, Drury, Duncan (teller), Eastick, Evans, Goldsworthy, Groom, Groth, Gunn, Harrison, Hemmings, Hopgood, Keneally, Klunder, McRae, Olson, Payne, Russack, Simmons, Slater, Tonkin, Venning, Virgo, Whitten, Wilson, and Wotton.

Noes (2)—Messrs. Blacker and Millhouse (teller).

Majority of 33 for the Ayes.

Third reading thus carried.

COMMERICAL MOTOR VEHICLES (HOURS OF DRIVING) ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

SUPPLY BILL (No. 1), 1979

Returned from the Legislative Council without amendment.

SECURITIES INDUSTRY BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 10.37 p.m. the House adjourned until Thursday 15 February at 2 p.m.