LEGISLATIVE COUNCIL

Thursday, November 2, 1967

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

TRUST FUNDS

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to the question I asked some time ago regarding trust funds of the State?

The Hon. A. J. SHARD: No. However, I will check on the matter and let the Leader have a reply in writing.

HOSPITAL BEDS

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my recent question concerning the number of hospital beds in South Australia?

The Hon. A. J. SHARD: The number of beds available in Government hospitals in 1965 (2,471) and 1967 (2,459) as quoted by the Hon. Mr. DeGaris is correct. However, the 1967 figure is adversely affected by 30 beds at Morris Tuberculosis Hospital which are no longer required for tuberculosis patients and are in the process of being taken over by Royal Adelaide Hospital for use as paraplegic beds. Because alterations are still being made to the ward at Morris Hospital, Royal Adelaide Hospital has not yet included the thirty (30) beds as being available. The beds available at each Government hospital are as follows:

Government hospitals	1965	1967
Country:		
Barmera	35	35
Mount Gambier	160	160
Port Augusta	93	93
Port Lincoln	67	72
Port Pirie	156	156
Wallaroo	68	76
Metropolitan:		
Royal Adelaide Hospital	1,275	1,280
The Queen Elizabeth Hospital	531	531
	2,385	(*a*)2,403
Morris	86	(*b*)56
	2,471	2,459

(*a*) Increase 18.
(*b*) Decrease 30 (nominal only—to be taken over by Royal Adelaide Hospital).

In addition to these beds in Government hospitals, the Government has, during the same period, been involved in considerable capital expenditure by way of subsidies and grants to other hospitals, which has resulted in increases in beds available. The major examples of these increases are as follows:

	1965	1967	Increase
Government subsidized hospitals	1,357	1,506	149
Ashford Community Hospital	67	123	56
Burnside War Memorial Hospital	45	50	5
Queen Victoria Hospital	114	140	26
Lyell McEwin Hospital, Elizabeth	99	153	54
Home for Incurables	210	413	203
Whyalla Hospital	86	230	144
			637

Forgetting the temporary reduction of 30 beds at Morris Hospital, there has been an increase of 655 beds in the past two years in which the Government has been financially involved.

TRANSPORT STUDY

The Hon. C. M. HILL: I ask leave to make a short statement prior to asking a question of the Minister of Roads.

Leave granted.

The Hon. C. M. HILL: Last week I asked the Minister two questions about the Metropolitan Adelaide Transportation Study and sought from him, particularly in regard to the proposed freeway in the vicinity of Adelaide, some indication when the final study plan might be available to the public. The Minister informed me that he was unable to indicate exactly when that plan would be available. Some people in the Hackney area are vitally concerned because at present discussions are taking place about the redevelopment of that neighbourhood. Judging from a press report, I believe that the Housing Trust is doing some research there and asking these people whether they would like to live in that area if and when it is redeveloped. Before they can decide on an answer to that question, they would like to know just where the proposed freeway in that neighbourhood will pass. I also noticed in the press yesterday that the Premier stated that some flat building developments proposed in Gilberton had been delayed because of the freeway planning, and Gilberton is, so to

speak, just across the river from Hackney. Would the Minister make available to the St. Peters council the current plans of the suggested freeway as it affects St. Peters so that at least the local government representatives can see those plans and discuss them with the very worried Hackney people?

The Hon. S. C. BEVAN: When the honourable member mentions "current plans", I take it he means any plan that will be approved by the M.A.T.S. report. As I have already informed the honourable member, this report is not yet completed. From inquiries I have made about it, I am advised that from the time it gets into the hands of the printers it will take about eight months to be printed, including the maps to be embodied in it. Until that report has been prepared and that stage is reached, I cannot say whether a freeway is planned in the area referred to by the honourable member. As far as I am aware, a freeway is not planned there; if one had been, we would not have spent thousands of dollars on reconstructing Hackney Road and Hackney bridge.

The Hon. C. M. Hill: But the Premier says one is planned.

The Hon. S. C. BEVAN: I do not know whether one is planned there or not. The Premier spoke about the Gilberton area, which is different from the area the honourable member has referred to.

The Hon. Sir Norman Jude: Did he not also mention a freeway in connection with Hackney bridge?

The Hon. S. C. BEVAN: He may have but I do not know because I did not see the statement suggested to have emanated from the Premier. I did not see the statement published in the press. I cannot accede to the request to make available a non-existent plan, as that is impossible. When the committee's report has been printed, it will be made available to the Government, which would then have to examine its contents to decide whether or not the report should be implemented. Until the report and maps are available it is impossible for me to say where the freeway is likely to go. I repeat that no maps exist at present.

DROUGHT ASSISTANCE

The Hon. L. R. HART: Has the Chief Secretary obtained from the Minister of Lands a reply to my question of last Tuesday regarding drought relief?

The Hon. A. J. SHARD: Much publicity has been given to this matter over the last 24 hours. Both the Hon. Mr. Hart and the Hon. Mr. DeGaris asked questions concerning it. The Minister of Lands states that he pointed out at the meeting of primary producers at Wunkar on Monday night that he was concerned about farmers who had crops suitable for cutting for hay and who had to decide very soon whether they would cut their crops or whether they should be left to reap. The Minister stressed that it was important that these people should know whether there would be a demand for hay within the next week or so, and for this reason he advised primary producers, particularly in the drought-stricken areas, who needed cereal hay that they should take action to procure it as early as possible.

As he realized that many farmers would not be in a position to make payments for the hay at the time of purchase he advised them to get the hay and send the account to the department for settlement. The Minister went on to point out that he wished to extend the maximum possible assistance to farmers to enable hay to be conserved and if they were unable to pay at this time they would be assisted. However, he expected them to act responsibly in this direction, as the scheme, in general, provided for assistance to primary producers who were in necessitous circumstances. The scheme did not extend to those who were in a position to finance purchases of hay or who could readily obtain the necessary finance through normal channels. These people would be expected to look after themselves and not compete for assistance with those farmers who were unfortunately in genuine need.

The Minister went on to say that, although his remarks were directed to the farmers in the worst drought-affected areas, the scheme for the purchase of fodder would not necessarily be confined to these areas, as he realized that other parts of the State and other producers could require some assistance, even though this might be in some cases on a temporary basis. The Minister went on further to say that he was prepared to assist in every way he could, and would treat the purchase of hay on an interest-free basis. Primary producers would however be expected, under the terms of the Act, to repay any moneys laid out in this way, and this was the general policy that would be followed.

INDUSTRIAL SAFETY

The Hon. D. H. L. BANFIELD: I ask leave to make a short statement prior to asking a question of the Minister of Labour and Industry.

Leave granted.

The Hon. D. H. L. BANFIELD: For some time the Government has been interested in safety in industry. Since the Labor Government took office it has introduced certain measures and initiated campaigns throughout industry to try to prevent industrial accidents. Can the Minister say whether, as a result, there has been any improvement in industrial safety?

The Hon. A. F. KNEEBONE: I welcome the opportunity to answer the honourable member's question. Because he informed me beforehand that he would be asking it, I have been able to obtain some figures. Normally statistics of industrial accidents in South Australia have been issued some time in November in respect of the previous financial year. This is months earlier than figures are available in any other State of Australia. Yesterday, I received some preliminary figures of industrial accidents in South Australia from the Commonwealth Bureau of Census and Statistics that showed that for the year ended June 30, 1967, there was, for the second year in succession, a reduction in the number of non-fatal industrial accidents in South Australia that involved absence from work of a week or more. The preliminary figures supplied by the bureau (which are subject to revision) indicate that the number of these accidents dropped from 10,522 in the previous year to 10,453 for the last financial year, which is a reduction of almost 70, notwithstanding that the number of persons in civilian employment increased by some 3,000 during the year. Another significant factor is that this is the lowest number of accidents that involved absence from work of a week or more that has been recorded in any of the five years since the industrial accident statistics were first published in 1962-63, notwithstanding the increase of 14 per cent in the number of persons employed in South Australia in that period.

The outstanding feature of the preliminary figures is that there was a reduction of 280 of these accidents that occurred in the manufacturing sector of industry; this is a reduction of almost 6 per cent. Since the determined effort was commenced some years ago to reduce the number of industrial accidents, more apparent attention has been paid to industrial safety measures in the manufacturing industries in this State than in other industries. It is towards this sector that the industrial safety education and promotion activities of the Safety Section of the Labour and Industry Department were first directed, and the majority of members of the Industrial Accident Prevention Society of South Australia, which is now the National Safety Council of Australia (South Australian Division) are in manufacturing industries. I congratulate the Manager of the Industrial Accident Prevention Society of South Australia, who was recently named a recipient of a Churchill Scholarship to study overseas in this field. The society, of course, receives a grant from the Government to assist it in its work in connection with industrial safety.

I commend the officers of these organizations for the hard work they have done and are doing, obviously with considerable effect. At the same time, I acknowledge the efforts that management of many of our manufacturing industries have made to prevent accidents occurring in their factories, and I have been pleased to hear of the co-operation that has been given by workmen and their unions in these efforts. It is indeed gratifying to see these encouraging results emerge. One of the most heartening features of these preliminary figures is the large decrease in the number of fatal industrial accidents. There were 14 fatal accidents last year compared with 23 the year before, and last year's figure is also lower than the number of fatal accidents in any previous year since the industrial accident statistics were first compiled.

Detailed information of industrial accidents is available only in respect of those that result in lost time of one week or more. The statistician does, however, obtain information of the total number of effective claims made for workmen's compensation, whether the accident concerned results in absence from work or not. For the year ended June 30, 1967, about 56,500 claims were lodged compared with 58,350 the previous year, or a reduction of 1,850 claims for workmen's compensation compared with the previous year. While I emphasize that the 1966-67 figures are preliminary figures and subject to revision, they nevertheless indicate that the incidence of industrial accidents involving lost time of a week or more is gradually falling, and while this does not give cause for complacency it is encouraging to realize that combined efforts on the part of management, unions, workers and the Government in this field appear to be taking effect. I was distressed to hear that there had been a fatal accident this morning in the wine industry in the Barossa Valley. This matter is being investigated by officers of my department.

The Hon. C. D. ROWE: I ask leave to make a statement prior to asking a question of the Minister of Labour and Industry.

Leave granted.

The Hon. C. D. ROWE: It is gratifying to know that industrial safety, which was inaugurated by the previous Minister of Labour and Industry, has been brought to such a successful conclusion. I have always emphasized that education is better than compulsion in this matter. My question is: would not these figures indicate that this success has been achieved as a result of an educational campaign as opposed to compulsion?

The Hon. A. F. KNEEBONE: Let me hasten to compliment the previous Minister of Labour and Industry (whoever he may have been) for the work of, perhaps, inaugurating this scheme of training people in safety in industry, but I think the present Government also deserves some credit for carrying on with that scheme. I agree that education goes a long way along the road in such a matter, but no matter how great an attempt is made to educate some people (and I have had some experience of this) it does not seem possible to get through to them; because of that it is sometimes necessary to use compulsion.

WATER CONSERVATION

The Hon. C. D. ROWE: Has the Chief Secretary a reply to my question of October 31 regarding the use of water on lawns and gardens?

The Hon. A. J. SHARD: Because 50 per cent of the water consumed in the metropolitan area is used for watering lawns and gardens the major part of the publicity campaign has been directed at garden use. Articles and programmes giving recommended watering procedures have been featured by all newspapers and radio and television stations from time to time, and within the last week alone, channel 2 has twice shown a documentary called "Waste not Water" which covers all phases of garden use. Coupled with the above, the *Advertiser* and the *News* publish daily hints on how to save water, and the majority of these affect garden use. The Botanic Garden also deals with hundreds of water conservation queries daily.

Requirement varies according to the holding quality of the soil, but a good rule of thumb to use for watering lawns and gardens is to allow five to seven gallons per square yard each week. This is equivalent to approximately 1in. of rainfall. Output from the various makes and types of sprinklers varies considerably and the placing of a flat tray 1in. deep in the spray to determine the time taken to get the required quantity through each sprinkler is recommended. Established shrubs and fruit trees need water only once every two or three weeks and it is recommended 2in. of water be given at a time using the flooded basin method.

BLINMAN MINING

The Hon. A. M. WHYTE: I ask leave to make a statement prior to asking a question of the Minister of Mines.

Leave granted.

The Hon. A. M. WHYTE: In 1965 or early 1966 the Mines Department reserved an area of land near Blinman in the Flinders Ranges in order to investigate its mineral potential, especially relating to copper mining. Will the Minister tell the Council how far the investigations of the Mines Department have gone and what success it has had? In addition, is it intended to carry on with the investigations or will this area be thrown open to private prospectors?

The Hon. S. C. BEVAN: The honourable member was good enough to intimate that he intended asking the question and that enabled me to prepare an answer. A reservation has not been proclaimed in the area near the Blinman mine. The Mines Department has carried out investigations and issued a report. A mining company held a special lease for a few years that expired some months ago. The area has been vacant until the present time, and a short-term exploration lease to Noranda Australia Proprietary Limited has just been approved. I signed the approval of the lease to Noranda when the application was placed before me this morning. Therefore, there is a private company now investigating the area mentioned by the honourable member.

RENMARK HIGH SCHOOL

The Hon. R. A. GEDDES: I seek leave to make a short statement prior to asking a question of the Minister representing the Minister of Education.

Leave granted.

The Hon. R. A. GEDDES: When the Minister of Education was at Renmark in April this year he inspected the high school and was told of the difficulties the teaching staff and the school committee were having with the domestic water supply at the school. I understand that the Minister indicated he would look into this matter and try to get it rectified, but no action has yet been taken.

Can the Minister of Labour and Industry ascertain when action will be taken to improve the water supply for the domestic needs of this school?

The Hon. A. F. KNEEBONE: I will ask the Minister of Education to see whether he can do something about the matter.

GRAIN CHARGES

The Hon. G. J. GILFILLAN: Last week I asked the Minister of Labour and Industry a question regarding the surcharge of 83c a ton that must be paid on wheat removed by road from silos on railway property. I asked whether that surcharge could be removed because of the present need to use wheat for the feeding of stock. Has the Minister a reply to this question?

The Hon. A. F. KNEEBONE: When the honourable member asked this question I told him that as this was a drought relief matter it had been referred to Cabinet for a decision. The matter was passed on to the Minister in charge of drought relief. I regret that I do not yet have a reply for the honourable member, but I assure him that I will chase the matter up and let him have a reply by letter as soon as possible.

BRINKWORTH AREA SCHOOL

The Hon. L. R. HART: Has the Minister of Labour and Industry, representing the Minister of Education, a reply to my question of October 25 concerning extra classrooms at the Brinkworth Area School?

The Hon. A. F. KNEEBONE: The manufacture and prefabrication work in connection with craft buildings for the Brinkworth Area School is scheduled to commence during March, 1968. It is expected that construction will commence on site in April, 1968, and the buildings should be completed by October, 1968. The current programming for the erection of these buildings is the best that can be achieved if the priorities that have been determined for other prefabricated buildings are to be maintained.

BERRI CHANNEL

The Hon. R. A. GEDDES: Has the Minister of Local Government, representing the Minister of Irrigation, a reply to the question I asked recently regarding the Greek Orthodox Church at Berri?

The Hon. S. C. BEVAN: My colleague, the Minister of Irrigation, advises that the Greek Orthodox Church referred to is the second in the Berri area and construction of the building was commenced without the knowledge or approval of the Lands Department. An application to transfer the land from the existing lessees to the Greek Orthodox Community of Berri and Upper Murray Koimisis Tis Theotokou Inc. is currently being dealt with. The land on which the church is built was ratable but unplanted. No objection is being raised to the application. It is considered that it is the responsibility of the church community to provide any protective covering required over about 4½ chains of channel surrounding the boundary of the church area, and no objection would be raised by the department to such a covering provided it could be removed when cleaning and maintenance operations were necessary. It is pointed out that there are over 60 miles of open channel in the Berri irrigation area, and whilst every endeavour is made to replace channels with underground pipes in township areas, this policy has never been extended to meet other situations, particularly in circumstances such as apply in this instance.

HAIRDRESSING

The Hon. A. M. WHYTE: I seek leave to make a short statement prior to asking a question of the Minister of Labour and Industry.

Leave granted.

The Hon. A. M. WHYTE: On October 10 the Minister gave a comprehensive reply to a question asked by the Hon. Mr. Story regarding the licensing of hairdressers in South Australia. His reply outlined conditions laid down by the Hairdressers Registration Board of South Australia, which stipulates an apprenticeship of five years. In Melbourne there is an academy that has been operating since before the beginning of this century. The pupils who train at that establishment sit for the Victorian State hairdressing examinations, and if they pass those examinations they are classified as qualified hairdressers.

This academy standard is not accepted in South Australia, and a person who has qualified there cannot even sit for the hairdressing examinations in this State. I understand that the course in Melbourne takes 15 months, compared with five years in South Australia. Although facilities exist for training people in South Australia, they do not suit the purpose of country applicants, who would have to come to the city to study for five years. Some of those people would be prepared to come down for perhaps 15 months, but five years away

from home is too long, particularly for young girls. Will the Minister investigate this matter further?

The Hon. A. F. KNEEBONE: I thought I had answered all these questions before. Hairdressing in South Australia is tied up with the apprenticeship system. There are some trades schools in the country, although not hairdressing trade schools. No matter what trade is involved, apprentices in the country are in the same position. If there is no school in the locality to which an apprentice may go, he can take advantage of the provision for correspondence courses. Also, he can attend the intensive course in the city once a year. No matter what the trade, it is not possible for a person to take on a pressurized course as a junior in an industry for which an apprenticeship is provided.

I have investigated this matter, and I have been asked by the Hairdressers Board to bring down legislation regarding the situation in the hairdressing industry. Both the board and the trade union concerned have approached me on this, because there seems to be some confusion about the interpretation of "hairdressing". So, in view of the interpretation of "hairdressing" and what this involves, it has been impossible so far to introduce any legislation; but the Government certainly has in mind the difficulties within the hairdressing industry.

KINGSTON BRIDGE

The Hon. M. B. DAWKINS: Can the Minister of Roads tell the Council when the construction of the projected Kingston bridge is likely to commence and whether it will be possible for private contract work to be let to some of the drought-stricken farmers in that area, living not far from the site of the bridge?

The Hon. S. C. BEVAN: The Kingston bridge project is still in the planning stage. When the plans are completed, tenders will be called for and then contracts will be let. I am afraid that by the time all that has been done it will be rather late for any benefits in that direction to flow to farmers suffering from drought; it will be some time before the work is commenced. Naturally, it will be done by contract work.

The Hon. C. R. STORY: Following that question by the Hon. Mr. Dawkins, I seek leave to make a short statement prior to asking a question.

Leave granted.

The Hon. C. R. STORY: I understand it will be necessary for certain survey work to be done in connection with this project and that before the commencement of the work it will be necessary to have a resident engineer and some other persons living on the job. I have been approached by the District Council of Loxton to ascertain whether the Minister could consider the matter of locating at Moorook such personnel as would be engaged on the survey work, the object being that any permanent buildings that the Housing Trust might find it necessary to erect would be available for other people in that district when the bridge was completed. There is a need for housing in the Kingston area and it would be of great assistance if the Moorook district could have additional houses, particularly of the type that would be built for people working there on the project. Will the Minister consider this matter of the location of any permanent staff required for the early survey work?

The Hon. S. C. BEVAN: Yes; I shall certainly have an investigation made into the matters raised by the honourable member. Undoubtedly, should the circumstances envisaged by him eventuate, there would be no doubt that the houses so erected and not required after the completion of the bridge could be made available to other people.

UNPROCLAIMED NORTHERN TOWNS

The Hon. A. M. WHYTE: Has the Minister representing the Minister of Lands a reply to my question of October 19 about a better tenure than annual licence for land in the unproclaimed townships of Andamooka and Coober Pedy?

The Hon. S. C. BEVAN: I have a reply that I can make available to the honourable member if he desires it. My colleague the Minister of Lands has advised me that residential sites occupied at Coober Pedy and Andamooka have been the subject of field inspections and conferences between residents and the department which have extended over the past eight years in an endeavour to provide the occupants with some security of tenure. The system of annual licences was developed as most of the early population occupied dugouts and shacks scattered over a wide area and in many cases for only short periods. In May, 1965, the Lands Department surveyed 42 blocks at Andamooka and in addition located the positions of the scattered buildings which existed at that time.

It was expected that with the assistance of the Andamooka Progress Association new residents would occupy these new blocks and apply for a licence.

However, these sites were not occupied as surveyed and buildings were erected in disorderly arrangement across the surveyed lines. Following recent inspections 350 buildings have been located on the ground, and licences are in course of issue. The proclamation of towns at Andamooka and Coober Pedy would entail survey of allotments and their subsequent offer at auction to comply with the existing provisions of the Crown Lands Act. The experience with surveyed blocks at Andamooka and the fact that it depends entirely on opal mining does not appear to warrant this action there particularly when it is realized that existing business places are so arranged that it would be impossible to design a satisfactory layout of roads and allotments to include them. The only alternative would be to dismantle some of the buildings or survey a town at some distance from the area occupied by the diggings. Previous experience indicates that this is not likely to be successful.

At Coober Pedy the position is a little different, as it is a recognized stopping place on the overland route to Alice Springs and Darwin and a residential area for persons engaged in opal mining on fields some miles distant. The proclamation of towns, as pointed out earlier, would necessitate the offer of land at auction to comply with the Crown Lands Act and this would create almost insuperable difficulties where the land is already occupied. In view of this position, consideration is being given to appropriate amendments to the Crown Lands Act which could overcome the problems of providing more appropriate tenure, which is required not only at Andamooka and Coober Pedy but also at other places where it is desirable to encourage tourist activity. It is hoped that amendments to the Crown Lands Act will be submitted for consideration at the next session of Parliament.

NURSES

The Hon. V. G. SPRINGETT: Has the Chief Secretary a reply to my recent question about the recruitment of nurses?

The Hon. A. J. SHARD: No; I regret I have not, but I will send the honourable member a reply in writing later.

BIRDWOOD PRIMARY SCHOOL

The Hon. C. R. STORY: I seek leave to make a short statement before asking a question of the Minister representing the Minister of Education.

Leave granted.

The Hon. C. R. STORY: I have a letter from the Birdwood Primary School Committee, in the following terms:

Dear Mr. Story, *re* your conversation with our chairman, Mr. Hoad, and the inspection of the toilets at our school on the occasion of our sports day, the committee has asked me to write to you once again and state the deplorable condition of these toilets, which are causing concern to the parents, welfare club and committee of the school. It would be greatly appreciated if this matter could be given urgent consideration as, of course, their condition will certainly get no better, and we feel that the matter has been in abeyance long enough.

The letter is signed by Mrs. Thiele, secretary. I visited the school, which I had visited previously. The matter has been taken up with the department on several occasions. If and when these toilets are reconstructed, the old ones could certainly be put on exhibition by the National Trust, because they must be the earliest ever installed in South Australia. The toilets are located at a great distance from the school buildings. Because the toilets are not covered the children find it inconvenient to reach them in wet weather. Will the Minister take up this question with his colleague as a matter of urgency?

The Hon. A. F. KNEEBONE: I shall draw my colleague's attention to this matter and ascertain what is being done. I shall then convey a reply to the honourable member.

MURRAY RIVER SALINITY

The Hon. C. R. STORY: I ask leave to make a short statement prior to asking a question of the Minister of Labour and Industry, representing the Minister of Works.

Leave granted.

The Hon. C. R. STORY: This morning I received the following telegram:

An emergency meeting of growers at Renmark resolved that urgent action be taken to prevent known sources of saline water in the river.

Chairman.

The position in South Australia is deteriorating because of the very slow speed of the river at present and because of natural drainage getting back into the river. The matter is now very urgent and warrants an inspection by the

Minister and urgent attention from the department. We have been told on various occasions that investigating committees exist. However, this matter has now reached the stage where action must be taken immediately. In the Waikerie area a very large percentage of citrus trees has been defoliated; this will adversely affect citrus production and, I believe, production from all deciduous trees for some time. Will the Minister take up this matter with his colleague with a view to the Minister of Works making an on-the-spot inspection and with a view to immediate action being taken?

The Hon. A. F. KNEEBONE: My colleague has expressed concern at the serious deterioration referred to by the honourable member. I shall discuss with him the honourable member's submissions and ascertain whether arrangements can be made for an on-the-spot inspection by the Minister.

SENATE VACANCY

The PRESIDENT laid on the table the minutes of proceedings of the joint sitting of the two Houses this day to choose a person to hold the place in the Senate rendered vacant by the death of Douglas Clive Hannaford, at which Mr. Condor Louis Laucke was the person so chosen.

PUBLIC WORKS COMMITTEE REPORTS

The PRESIDENT laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Millicent Sewerage System (Final).

Sewerage System Reconstruction (Western and portion of Southern Suburbs).

LONG SERVICE LEAVE BILL

The House of Assembly intimated that it had agreed to the recommendations of the conference.

INDUSTRIAL CODE BILL

(Continued from November 1. Page 3289.)

Consideration in Committee of House of Assembly's message.

Schedule of the amendments made by the Legislative Council to which the House of Assembly had disagreed.

No. 2. Page 5, lines 5 to 7 (clause 5)—Leave out all words in these lines.

No. 3. Page 5, lines 29 to 42 (clause 5)—Leave out all words in these lines.

No. 8. Page 10, lines 14 to 19 (clause 5)—Leave out all words in paragraph (i).

No. 9. Page 12 (clause 5)—After line 3 insert new definition as follows:—

"'lock-out' (without limiting its ordinary meaning) includes a closing of a place of employment, or a suspension of work, or a refusal by an employer to continue to employ any number of his employees with a view to compel his employees, or to aid another employer in compelling his employees to accept terms of employment:"

No. 10. Page 14, lines 17 to 19 (clause 5)—Leave out all words in these lines.

No. 11. Page 14 (clause 5)—After line 19 insert new definition as follows:—

"'strike' (without limiting its ordinary meaning) includes the cessation of work by any number of employees acting in combination, or a concerted refusal or a refusal under a common understanding by any number of employees to continue to work for an employer with a view to compel their employer, or to aid other employees in compelling their employer, to accept terms of employment, or with a view to enforce compliance with demands made by them or other employees on employers:"

No. 12. Page 22, lines 34 to 42 (clause 25)—Leave out all words in paragraph (i).

No. 14. Page 25, lines 26 to 42 (clause 28)—Leave out the clause.

No. 19. Page 30, line 23 (clause 37)—Leave out "six years" and insert "one year".

No. 20. Page 34, line 11 (clause 39)—Leave out "rates of" and insert "basic or living".

No. 24. Page 50, lines 24 to 30 (clause 69)—Leave out all words in paragraph (c).

No. 37. Page 61, line 15 (clause 85)—After "committee," insert "(a)".

No. 38. Page 61 (clause 85)—After line 28 insert—

"(*b*) An employer who is named as a party to or is otherwise bound by an award of the Commonwealth Conciliation and Arbitration Commission in respect of agriculture shall not be subject to any award or order of the commission or a committee relating to the same industry."

No. 39. Page 64, lines 4 and 5 (clause 90)—Leave out "six years" and insert "one year".

No. 40. Page 65, line 4 (clause 92)—Leave out "Except pursuant to an award or order,".

No. 41. Page 65, line 8 (clause 92)—After "is" insert "or is not".

No. 42. Page 65, line 15 (clause 92)—After "whilst" insert "he was or was not".

No. 43. Page 66, line 1 (clause 94)—Leave out "six years" and insert "one year".

No. 45. Page 76—After clause 116 insert new clauses as follows:—

"116a. If any association or person does any act or thing in the nature of a lock-out, or takes part in a lock-out, unless the employees working in the industry concerned are taking part in an illegal strike, such association or person shall be guilty of an offence against this Act and

be liable to a penalty of one thousand dollars.

116b. The following strikes and no others shall be illegal—

(*a*) Any strike by employees of the Crown or by employees of any of the employers referred to in paragraph (*b*) of the definition of employer contained in section 5 of this Act.

(*b*) Any strike by the employees in an industry, the conditions of which are for the time being wholly or partially regulated by an award or by an industrial agreement; but any association of employees may render an award which has been in operation for a period of at least twelve months no longer binding on its members or their employers by the vote of a majority of its members, working in that industry, at a secret ballot taken in accordance with rules made hereunder by the President, in which not less than two-thirds of the members engaged in such industry take part.

(*c*) Any strike which has been commenced prior to the expiry of fourteen clear days' notice in writing of intention to commence the same, or of the existence of such conditions as would be likely to lead to the same given to the Minister by or on behalf of the persons taking part in such strike.

116c. In the event of an illegal strike occurring in any industry, the Industrial Court, or a court of summary jurisdiction, may order any association, whose executive or members are taking part in or aiding or abetting the strike, to pay a penalty not exceeding one thousand dollars.

116d. It shall be a defence in any proceedings under the last preceding section that the association by the enforcement of its rules and by other means reasonable under the circumstances endeavoured to prevent its members from taking part in or aiding or abetting or continuing to take part in, aid or abet the illegal strike.

116e. (1) The Minister may at any time or from time to time during the progress of any strike, or whenever he has reason to believe that a strike is contemplated by the members of any association, direct that a secret ballot of such members shall be taken in the manner prescribed by Rules made under section 116b of this Act for the purpose of determining whether a majority of such members is or is not in favour of the institution or continuance of the strike.

(2) Whenever the Minister has made a direction for the taking of a ballot the Registrar shall be the returning officer, who shall have power to supervise, direct and control, subject to the provisions of this Act, and the Rules made hereunder, all arrangements for the taking of such ballot; and the Minister may appoint a sufficient number of scrutineers, who shall be officers or members of the association affected.

116f. If any person—

(i) aids or instigates an illegal strike; or

(ii) obstructs the taking of a ballot under this Act; or

(iii) counsels persons who are entitled to vote at such ballots to refrain from so voting; or

(iv) being an officer of an association refuses to assist in the taking of such a ballot by acting as a scrutineer or providing for the use of the returning officer and his assistants such registers and other lists of the members of the association as the returning officer may require or otherwise; or

(v) directs or assists in the direction of an illegal strike or acts or purports to act upon or in connection with a strike committee in connection with an illegal strike;

he shall be guilty of an offence and be liable to a penalty not exceeding one hundred dollars or imprisonment for a period not exceeding six months.

116g. The proprietor and publisher of any newspaper which advises, instigates, aids or abets an illegal strike, shall for each offence be liable to a penalty not exceeding two hundred dollars.

116h. Any person who induces or attempts to induce any person to take part in an illegal strike shall be liable to a penalty not exceeding twenty dollars or to imprisonment, with or without hard labour, for a term not exceeding one month.

116i. (1) No person or association shall, during the currency of any strike, do any act or thing to induce or compel any person to refrain from handling or dealing with any article or commodity in the course of transit thereof or in the process of the manufacture, sale, supply, or use thereof.

(2) The penalty for any breach of this section shall as against any association be a sum not exceeding two hundred dollars and as against any person a sum not exceeding twenty dollars, or imprisonment for a period not exceeding one month.

Schedule of the Amendment made to the Bill by the House of Assembly consequentially to the Amendments made by the Legislative Council and agreed to by the House of Assembly.

Page 23, line 30 (clause 25)—After "36" insert "or section 80".

Schedule of the Amendment made by the House of Assembly to the Amendment of the Legislative Council.

Legislative Council's Amendment:

No. 13. Page 23 (clause 25)—After line 44 insert new subclauses as follows;—

"(2a) Notwithstanding anything contained in subsection (1) of this section the Commission shall not have power to order or direct that, as between members of associations of employers or employees and other persons offering or desiring service or employment at the same time, preference shall in any circumstances or manner be given to members of such association or to persons who are not members thereof.

(2b) Notwithstanding anything contained in subsection (1) of this section the Commission shall not have jurisdiction over any industrial matter concerning an employee in the industry of agriculture who is employed as a manager or overseer or in any other managerial position."

House of Assembly's Amendment thereto: Leave out new subclause (2a).

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I move:

That the Committee do not insist on its amendments Nos. 2, 3, 8 to 12, 14, 19, 20, 24, 37 to 43, and 45.

Mr. Chairman, should the Committee deal with each of the three matters separately? In regard to some matters I intend to move that the Committee do not insist on its amendments, and in regard to other matters I intend to move that the Committee agree to the amendments of the House of Assembly.

The CHAIRMAN: The Committee should first deal with the motion already moved by the Minister, and then with the other matters.

Motion negatived.

The Hon. A. F. KNEEBONE: I move:

That the House of Assembly's amendment to clause 25 be agreed to.

This is a consequential amendment made by the House of Assembly.

The Hon. Sir ARTHUR RYMILL: Can the Minister explain why this is consequential? I have been trying to study the amendment, but I am not quite clear on it.

The Hon. A. F. KNEEBONE: This amendment limits decisions regarding equal pay to the Full Industrial Commission and does not allow conciliation commissioners to deal with such matters; they will be solely the prerogative of the Full Commission. The amendment is consequential.

The Hon. F. J. POTTER: I support the House of Assembly's amendment, which is consequential on the amendments made in this Chamber to clause 80. It is a matter which was overlooked and which arises now in clause 25. I support the motion.

House of Assembly's amendment agreed to.

The Hon. A. F. KNEEBONE: I move:

That the House of Assembly's amendment to the Legislative Council's amendment No. 13 be agreed to.

Subclause (2a) was inserted by this Committee in clause 25; it provides that no preference is to be given to unionists. The House of Assembly struck out the subclause. I ask that the Committee agree to that Chamber's action.

House of Assembly's amendment disagreed to.

The following reason for disagreement was adopted:

That the deletion of subclause (2a) of clause 25 destroys an essential feature of the Legislative Council's amendments to the Bill.

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendments to which it had disagreed.

The Legislative Council granted a conference, to be held in the Legislative Council conference room at 8 p.m., at which it would be represented by the Hons. D. H. L. Banfield, H. K. Kemp, A. F. Kneebone, F. J. Potter and Sir Arthur Rymill.

At 8 p.m. the managers proceeded to the conference, the sitting of the Council being suspended. They returned at 2.45 a.m. The recommendations were as follows:

As to Amendments Nos. 2, 3, 8 to 12, 14, 24, 37, and 40 to 42: That the Legislative Council further insist on its amendments and that the House of Assembly do not further insist on its disagreement thereto.

As to Amendments Nos. 19, 39 and 43: That the Legislative Council amend its amendments by leaving out in each case the words "one year" and inserting in lieu thereof the words "three years" and that the House of Assembly agree thereto.

As to Amendment No. 20: That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:—

Page 34, line 11 (clause 39)—Before "rates" insert "comparable"

and that the House of Assembly agree thereto.

As to Amendment No. 38: That the Legislative Council amend its amendment by leaving out the word "industry" and inserting in lieu thereof the word "matter", and that the House of Assembly agree thereto.

As to Amendment No. 13: That the Legislative Council further insist on its disagreement to the House of Assembly's amendment thereto, and do further insist on its amendment, to which the House of Assembly agree.

As to Amendment No. 45: That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:—

Page 80, after clause 128, insert the following new heading and clauses:

PART VIIIA LOCK-OUTS AND STRIKES

128a. Penalty for Lock-out. If any association or person does any act or thing in nature of a lock-out, or takes part in, aids or abets a lock-out, unless the employees working in the industry concerned are taking part in an illegal strike, such association or person shall be guilty of an offence against this Act. Penalty: One thousand dollars.

128b. Illegal Strikes. The following strikes and no others shall be illegal—

(*a*) Any strike by employees of any of the persons or bodies referred to in paragraph (*b*) of the definition of employer contained in section 5 of this Act.

(*b*) Any strike by the employees in an industry, project, establishment or undertaking, the conditions of which are for the time being wholly or partially regulated by an award or by an industrial agreement, unless the association or associations representing a majority of the employees engaged in the industry, project, establishment or undertaking where, or regarding which, the strike took place, had observed the following conditions:

(i) the executive of such association or the executives of such associations had given notice in writing to the Minister of the intention of such association or associations to commence the strike;

(ii) such strike was not commenced before the expiration of 14 days from the date of the receipt by the Minister of the notice given pursuant to paragraph (i) of this subsection;

(iii) such notice was in the form prescribed and contained such particulars relating to such strike and of action taken to settle such strike as may be prescribed.

Notwithstanding the above provisions, where a strike commences or continues after any matter in dispute referred to in the notice given to the Minister under paragraph (i) of this section has been settled such strike or continuation thereof shall be an illegal strike.

128c. Penalty for illegal strike. Any association, the executive or members of which are taking part in or aiding or abetting or have taken part in or aided or abetted an illegal strike, shall be guilty of an offence against this Act. Penalty: One thousand dollars.

128d. Proceedings for illegal strike. (1) No proceedings under section 128c of this Act shall be commenced except by leave of the Industrial Court, and no such leave shall be granted unless

(*a*) the Industrial Court is satisfied that—

(i) the employer or employers concerned in the illegal strike has not or have not taken part in any lock-out which has either wholly or in part given rise to the strike;

(ii) the Registrar was notified, where possible, of the question, dispute or difficulty which was likely to give rise to the strike or, if this was not possible, of the commencement of such strike; and

(iii) to the extent to which the circumstances permitted, the employer or employers made a bona fide attempt to negotiate a settlement of the question, dispute or difficulty which gave rise to the strike before the strike took place, or of the strike after it had taken place; and

(*b*) the causes of and the circumstances which gave rise to the question, dispute or difficulty referred to as aforesaid have been investigated or adjudicated upon by the commission or a committee.

(2) An application for leave to commence proceedings under section 128c of this Act shall be lodged with the Registrar not later than 14 days after the cessation of the strike to which the application refers.

128e. Defence. It shall be a defence to any proceedings under section 128c of this Act that—

(*a*) the employers regarding whom the illegal strike occurred or their servants or agents have by any unjust or unreasonable action provoked or incited the strike; or

(*b*) the executive of the association, after becoming aware of the circumstances concerning the illegal strike, has not aided, abetted or supported or did not aid, abet or support members of the association who are or were engaged in the strike, and has endeavoured or did endeavour by means reasonable under the circumstances to prevent members of the association from taking part in or aiding or abetting or continuing to take part in, aid or abet the strike.

128f. Costs will not be awarded. Costs shall not be awarded in any proceedings under this part of this Act.

128g. Proceedings for offences. Proceedings in respect of offences under section 128a or 128c may be heard and determined by the Industrial Court or summarily.

That the Legislative Council make the following consequential amendment:

Clause 3, page 2, after line 34, insert following line—

PART VIIIA.—LOCK-OUTS AND STRIKES, SS.128A-128G.

and that the House of Assembly agree thereto in each case.

In Committee.

The Hon. A. F. KNEEBONE: I move:

That the recommendations of the conference be agreed to.

The effects of the recommendations are as follows:

(1) The provisions to authorize the Industrial Commission to fix rates of pay for and working conditions of labour-only subcontractors in the building industry and to award preference to unionists have been removed from the Bill, as passed by the House of Assembly, and the present provision in the Industrial Code prohibiting the commission from awarding preference to unionists has been inserted.

(2) Provisions relating to lock-outs and strikes similar to those contained in the New South Wales Industrial Arbitration Act have been inserted. They permit of strikes to be legal in certain circumstances and substantially modify the provisions in the present Industrial Code.

(3) Wages may be recovered for a period of up to three years.

(4) The authority of the Industrial Commission to make an award for persons in agricultural industries will not apply to an employer subject to a Commonwealth award in respect of matters contained in that award.

The new provisions relating to equal pay had been previously agreed to by both Houses and are retained in the Bill.

The members of the Council who attended the conference put the Council's viewpoint in an admirable manner, as did the representatives from another place, and the conference was conducted in the same friendly spirit as the one held on Wednesday night. I have much pleasure in moving the motion.

Motion carried.

Later, the House of Assembly intimated that it had agreed to the recommendations of the conference.

BUILDERS LICENSING BILL

(Continued from November 1. Page 3277.)

Consideration in Committee of House of Assembly's message.

The Hon. A. J. SHARD (Chief Secretary) moved:

That the Committee do not insist on its amendments Nos. 3 to 16, 24 to 27, 29, 30, 33 and 34.

Motion negatived.

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendments to which it had disagreed. The Legislative Council granted a conference to be held in the Legislative Council committee room at 8 p.m. at which it would be represented by the Hons. S. C. Bevan, R. C. DeGaris, C. M. Hill, A. J. Shard, and C. R. Story.

At 8 p.m. the managers proceeded to the conference, the sitting of the Council being suspended. They returned at 3.40 a.m. The recommendations were as follows:

As to amendments Nos. 3 to 7: That the Legislative Council do further insist on its amendments and that the House of Assembly do not further insist on its disagreement thereto.

As to amendment No. 8: That the Legislative Council amend its amendment to read as follows:

Page 3, lines 25 and 26—Leave out "and experience in"

and that the House of Assembly agree thereto.

As to amendment No. 9: That the Legislative Council amend its amendment to read as follows:

Page 3, line 33 (clause 5)—After "Architects" insert "and selected by the Governor after consultation with the governing body of that chapter."

and that the House of Assembly agree thereto.

As to amendment No. 10: That the Legislative Council amend its amendment to read as follows:

Page 3, line 35 (clause 5)—After "Building" insert "and selected by the Governor after consultation with the governing body of the South Australian Chapter of that Institute."

and that the House of Assembly agree thereto.

As to amendment No. 11: That the Legislative Council do further insist on its amendment and that the House of Assembly do not further insist on its disagreement thereto.

As to amendment No. 12: That the Legislative Council amend its amendment to read as follows:

Page 3, line 39 (clause 5)—After "Accountants" insert "and selected by the Governor after consultation with the council of the South Australian Division of the Australian Society of Accountants and the council of the South Australian Branch of the Institute of Chartered Accountants in Australia"

and that the House of Assembly agree thereto.

As to amendment No. 13: That the Legislative Council amend its amendment to read as follows:

Page 3 (clause 5)—After line 39 insert—

"and

(*e*) one shall be a resident of this State who is a Member of the Institution of Engineers Australia

and selected by the Governor after consultation with the governing body of the South Australian division of that institution".

and that the House of Assembly agree thereto.

As to amendment No. 14: That the Legislative Council do not further insist thereon.

As to amendment No. 15: That the Legislative Council do further insist on its amendment and that the House of Assembly do not further insist on its disagreement thereto.

As to amendment No. 16: That the Legislative Council amend its amendment to read as follows:

Page 8, line 23 (clause 13)—Leave out "remuneration and"

Page 8, line 24 (clause 13)—Leave out "fixed by the Governor" and insert "prescribed"

and that the House of Assembly agree thereto.

As to amendment No. 24: That the Legislative Council amend its amendment to read as follows:

Page 17, line 42 (clause 21)—After "dollars" insert "if the building work consisted solely of painting work or of two hundred and fifty dollars in any other case"

and that the House of Assembly agree thereto.

As to amendments Nos. 25, 26, 27, 29 and 30: That the Legislative Council do further insist on its amendments and that the House of Assembly do not further insist on its disagreement thereto.

As to amendments Nos. 33 and 34: That the Legislative Council do not further insist thereon, but make the following amendment:

Page 2, line 32 (clause 4)—After "Act" insert ", being a day not earlier than the thirtieth day of June, 1968"

and that the House of Assembly agree thereto.

In Committee.

The Hon. A. J. SHARD: I move:

That the recommendations of the conference be agreed to.

As usual, this conference was conducted in a very friendly manner. Both Houses put their point of view firmly yet fairly and, to use a boxing term, no quarter was asked and none was given. I think from this Council's point of view the mst important point concerned the tabling of regulations, and in this respect I do not think this Council has lost anything.

It means that the "appointed day" will not be before June 30, 1968. Therefore, Parliament will have time to look carefully at the regulations and, if necessary, disallow them. We believe that, irrespective of Party, the Government should have the right to govern by regulation. This is pioneering legislation and we have to set the appointed day far enough ahead. Those who support that point of view have not lost anything and have not upset previous practice.

The Hon. R. C. DeGARIS: I support the Chief Secretary. The conference was held in a good atmosphere and Government members appreciated the points raised by Opposition members. I comment on our original amendment No. 34, in which the Legislative Council suggested that any regulations made under clause 29 (i) (which is the paragraph giving the power to make regulations classifying building work into various trades in the industry) should be laid on the table of the Council for 14 days before becoming operative. It was agreed in the conference that it would be impracticable for the appointed day for the coming into operation of this measure to be much earlier than June 30, 1968. We appreciate that first the board and the advisory committee must be established. After that, the various licences (restricted and general builder's licences) will be issued. When all that has been done, the appointed day can be set by proclamation. It became obvious that it would be impossible for this legislation to operate before June 30, 1968. This not only catered for the opinion of this Council but also gave this Council and Parliament a chance to look at all the regulations in all matters relating to this measure before the appointed day. I support the motion.

Motion carried.

Later, the House of Assembly intimated that it had agreed to the recommendations of the conference.

STATUTES AMENDMENT (METROPOLITAN MILK SUPPLY, FOOD AND DRUGS AND HEALTH) BILL

Adjourned debate on second reading.

(Continued from November 1. Page 3256.)

The Hon. C. M. HILL (Central No. 2): I protest that once again we see a whittling away of powers that in the past have been given to local government bodies, in that power will be transferred from the Metropolitan County Board to the Milk Board. There will be a loss of revenue to local boards, in that they will no longer receive fees from vendors despite the fact that it will still be necessary for the boards to carry out the policing of standards and hygiene.

Clause 16 provides that a vendor will no longer be subject to any regulations made under section 61 (6) of the Food and Drugs Act. This section relates to the labelling of articles of food, and the amendment will mean that none of the labelling requirements of the Food and Drugs Act will apply to any bottle or carton of milk or cream sold by vendors. The labelling of foodstuffs is very important. As I understand the Bill, it means that if a carton of cream contains

thickener and the words "thickened cream" are not clearly shown on the label the health board could not raise any legal objection.

Another objection I have to the Bill is that it will prevent the Metropolitan County Board's aim of eventually compelling bottlers to mark milk bottles clearly with the date of bottling or packing. I believe there is a strong public feeling that the dating of bottled milk should take place. Not very long ago the Housewives Association was strong in its views on this matter, and recently in this Council a strong view was expressed that the dating of bottles of milk was a far preferable method to some form of coding that is not understood by the public.

Clause 24 allows the Milk Board to use any advertisement it thinks fit to promote the sale of milk and cream, and then exempts the Milk Board "or any person who joins with the board in promoting the sale of milk and cream" from being subject to any regulation made under the Food and Drugs Act, section 61 (13). This will mean that a local board of health will have no control over a misleading statement made in any form of advertisement relating to milk or cream.

I should like the Minister to comment on the two clauses I have discussed, although I appreciate the predicament because this is the last day of sitting and we are short of time. I do not propose to move an amendment, but I shall listen to the remainder of the debate with interest. I may have more to say or take some further action during the Committee stage. I support the second reading.

The Hon. H. K. KEMP (Southern): In supporting the Bill, I have more than the usual feeling of responsibility, because members have not the Bill on file.

The Hon. R. C. DeGaris: The Bill has just been handed to honourable members.

The Hon. H. K. KEMP: It is here now, but honourable members have not had any time to examine it. I have considered this matter in detail, consulted with members of the industry concerned, and I assure this Council that the Bill has the wholehearted backing of all sectors of the industry. The major change, which has been mentioned by previous speakers, is that the milk vendor is brought under the control of the Metropolitan Milk Board instead of, as was previously the case, under the Metropolitan County Board. I think that is warranted, because the Metropolitan Milk Board has the responsibility of delivering to and distributing within the city good quality milk and milk products. With cream distribution added to its responsibility (the second barrel of the Bill), the control of distribution is a reasonable provision.

I do not think anybody would willingly assume responsibility for the distribution and zoning of milk vendors, except for a good reason. It involves work and responsibility, and it could involve a great deal of quarrelling. Control of shopkeepers must remain with the county board in regard to general shop hygiene, etc., but they will be answerable entirely to the Milk Board for the quality of the product that they sell.

The Hon. Mr. Hill mentioned the dating of the tops of milk bottles, but I do not think this should be regarded as a very serious necessity today. With the present system of refrigeration to the point of delivery to the customer, little deterioration in milk is possible. In future such deterioration must be lessened.

New methods of milk processing are coming in quickly. Typical is that involving ultra-heat treatment. Milk is subjected to very high temperature for a very short time. From then on it keeps perfectly without refrigeration for long periods as long as it is kept sterile. That enables the cheap movement of wholesale milk in good condition over long distances to communities beyond the supply of good quality milk before.

I was at first concerned that the Milk Board has been given new powers in price fixing. Previously the board has fixed the price of milk and that was the effective price. Now, with the introduction of cream as a Milk Board responsibility, the market has become more complicated. A large amount of cream comes into South Australia from the adjacent State.

This imported cream has made considerable inroads into the South Australian market. It may be difficult to understand how this can happen, but this imported cream is bought by the wholesaler at the price paid to the producer for the export butter fat content of his produce, which is considerably lower than the price paid for similar cream in South Australia. A South Australian producer, if his cream is sold as fresh cream, is entitled to the same value as he would obtain if the milk was sold on the metropolitan milk market. This is the loophole which lost most of our cream market to producers from other States. However, it was not all harm to the milk industry. It has made people aware of the demand for good wholesome cream, which previously attracted little attention from the milk industry.

There has been an upsurge of interest and everything possible done to regain the market from interstate competitors, but competition is still possible from other States because of the cheaper source of cream. That is why the Milk Board should be given the power not only to set a price but also to set a minimum price as well as setting quality standards and requirements as set out in the Bill.

I repeat that the Bill has the approval of all sections of the industry: they have asked for it, they have considered it at length and they are satisfied with it. I think nothing more can be done that will be of greater help to the industry than to pass the Bill through all stages as soon as possible.

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

POLICE OFFENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 1. Page 3259.)

The Hon. V. G. SPRINGETT (Southern): Changing social circumstances demand changes in law. I regret that society today needs this type of legislation, imposing penalties to protect the community at large, and youth in particular, from certain undesirable practices that are going on. This Bill amends the Police Offences Act, 1953-1961. It changes the law to meet changed circumstances. Clause 3 (*a*) amends section 15 of the principal Act: it is simply a changing of currency from sterling to dollars and cents, £50 becoming $100. That is the fine for a person carrying offensive weapons or having them in his possession without lawful excuse. Clause 3 (*b*) inserts after subsection (1) of the principal Act a new subsection stating:

A person shall not, without lawful excuse, proof whereof shall lie on him—
(*a*) manufacture, prepare, sell, distribute, supply or otherwise deal in any prescribed drug;
(*b*) have in his possession any prescribed drug; or
(*c*) use any prescribed drug.
Penalty: Two thousand dollars or imprisonment for two years, or both.

There have always been members of society who have indulged in the habit of drug taking either for escapism from reality or to give them courage to accept responsibility. In some parts of the world it is more prevalent than in others. Today there is a greater range of drugs from which to choose, and there is also a more widespread knowledge of their existence and manufacture, as a result of mass communication media of various kinds.

The first group of drugs mentioned in the Chief Secretary's second reading explanation was the hallucinogenic drugs. The one of moment is L.S.D. (or, to give its full name, lysergic acid diethylamide). In Australia this drug has been used and known of medically for some four or five years, or more; and overseas for three or four years longer than that. It can be imported only under licence from the Health Department for approved cases and in this State of South Australia there are only two doctors, both psychiatrists, who are using it therapeutically, under licence; they are using it on selected cases. In South Australia so far there is apparently no real problem of drug addiction, but a real problem in this State would arise if the drugs were peddled from New South Wales where small groups of teenagers are known to be involved in drug-taking. Papers and journals have stated sometimes that this drug can easily be made by a high school student with suitable chemicals and apparatus, but it is really quite a sophisticated chemical process requiring appropriate equipment and materials for its manufacture, so perhaps it would be more in keeping with an honours graduate student than with a high school boy—although there are some juvenile wonders!

The real risk is the backyard manufacturer in any part of the Commonwealth. It might be of interest to honourable members if I asked the question: is this a drug of addiction or is it drug dependency? There are hard drugs and soft drugs. The hard drugs include heroin, cocaine and morphia. Those are drugs of addiction. By "addiction" we mean that patients have an increasing tolerance so that as time passes bigger and bigger doses are needed to get the same effect. Physically, people need the drug increasingly urgently. They get a psychological dependence on them; their minds require bigger and more frequent doses to get the same effect. There are also withdrawal features, which means that the patients are less and less able to do without them.

The soft drugs have a similar effect but to a much less marked degree. L.S.D. is a hallucinatory drug, creating a wafting, airy-fairy sensation of remoteness from reality. The "trips" about which one reads vary from individual to individual, as far as is known; there is no increasing tolerance with increasing dosage of this drug, and symptoms vary with individual tolerances. In one series of

experiments the patients under survey were given their dose of L.S.D. early in the morning and at 10 p.m. on the same day many of them still showed evidence of the effects of the drug. In another group of experiments some people were noted as having effects still evident 24 to 48 hours after the dose was given, again varying according to the tolerance of the patient. There is one recorded case of a patient under the influence of this drug walking out of the bedroom window on a third floor thinking he was walking through a French door into the garden. He woke up with a shock. Then there was the man who, while under the influence of this drug, murdered his mother-in-law. I need not comment on that further. This drug can be taken by injection or orally. The former way has a much quicker effect.

Who takes these drugs? By and large, they are taken by groups of people who have in common the fact that they tend to be, overall, the weaker members of society, out for a thrill and needing artificial relief from the pressures of the world or stimulation to meet the world's problems. Any person providing substances that reduce self-control and eliminate a sense of responsibility from another person harms society. Clause 3, which provides a penalty of $2,000 or imprisonment for three years, or both, deals with these people who provide for other weaker people substances that reduce the victim's self-control and eliminate his sense of responsibility. The Chief Secretary also stated that consideration was being planned to be given to the amphetamide group of drugs (popularly known as "pep pills"). When taken under control and proper supervision, these drugs are useful but, when taken by youngsters for a thrill or by drivers to try to keep awake for a longer period of time, they can become a menace. A vehicle is a lethal weapon in his hands, harmful both to himself and to other people, when the manipulation of his vehicle needs the full control of his faculties.

Recent legislation passed in this Council drew attention to the risk of excessive drinking of alcohol on the driving capacity of any person. These drugs, hallucinatory drugs and amphetamide drugs, are just as potent as too much alcohol. I know there are people who argue from that statement that, therefore, since these drugs are no more harmful than alcohol, they should be just as readily available. I stress that these drugs must always be made legally unobtainable, except on prescription. Also, any people who profit by the illegal peddling of these drugs merit the condemnation of society and deserve the full penalty of the law for their offence.

Clause 4 deals with another social and moral problem in the community; it deals with the work of the National Literature Board of Review in censoring obscene and objectionable literature. This clause gives protection to the board members who need to be allowed to read these articles in order to decide whether they are fit for publication. I realize there are powerful arguments for and against censorship. I believe that, if youth has to be protected against dangerous drugs affecting the body and the mind, certain types of equally harmful literature should, by law, be kept away from susceptible persons.

The standards set by the National Literature Board of Review will have uniform application to all the States, but, of course, it will be left to the States to decide whether they will apply those standards. I see nothing but good in what this Bill sets out to achieve and I therefore support it.

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

CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendment.

PETROLEUM (SUBMERGED LANDS) BILL

Adjourned debate on second reading.

(Continued from October 31. Page 3172.)

The Hon. Sir ARTHUR RYMILL (Central No. 2): I have been a member of this Council for nearly 12 years (I became a member at the time the Chief Secretary became a member) and I have been given a few odd jobs by a few odd bods in that time, but I find this is the most impossible task with which I have ever been confronted. Here we are in the dying hours of yet another Parliament confronted, as usual, with difficult Bills. However, in this case we are confronted with an extremely complex, complicated and technical problem. The Minister's second reading explanation occupied 55 pages, and this was given only the day before yesterday; I point out that none of us had seen it before. The Bill consists of 115 pages; there is also an agreement for our study containing 25 pages, including some highly interesting maps.

I find it completely impossible in the time at my disposal to do any sort of justice to this

Bill. I have done my best: I have used the time available, which has not been very much, but I believe I must apologize in advance for any inadequacy of my remarks and, possibly, for any inaccuracies that may emerge. I know a little about the Mining (Petroleum) Act; I spoke on it recently and said it was a good piece of legislation that satisfied the producers. Thus, I have been given the task of commenting on this sister piece of legislation of the Commonwealth and of the States. Consequently, I am in some sort of position to make a comparison between these two sets of legislation. I think the Minister did an excellent job in connection with our own substantial amendments to the Mining (Petroleum) Act; he consulted the industry, took heed of its experience and advice, and produced what I think, and what the industry thinks, is a pretty good Bill.

Therefore, this gives us some line of comparison with this offshore legislation, which, in comparison with the Mining (Petroleum) Act, appears to be a very bureaucratic piece of legislation. I understand that various sections of the petroleum industry were sporadically consulted regarding what was to happen; however, I am told that the final legislation was not submitted to it, at least not to the people who have communicated with me—and there have been several such people.

I believe the industry thinks, as I do, that the Bill is far too bureaucratic and does not pay enough regard to the interests of those people who are prepared to outlay, and are actually outlaying, vast sums of money not only for their own benefit but for the benefit of the whole country. I do not think I would be overstating the matter if I said parts of the industry are alarmed at this Bill, and certainly much of the industry is asking for time to consider the matter. The industry believes it has had insufficient time to study the Bill and to understand its implications. Even the constitutionality of a portion of this Bill has been queried; I refer to the new boundary line drawn between South Australia and Victoria, which I shall deal with soon.

Under section 123 of the Commonwealth Constitution an alteration to State boundaries in certain circumstances must be approved of by a referendum. I have given some consideration to this matter and I find that the answers are rather inconclusive. One of the purposes of the Bill is to clear up constitutional difficulties, so that people wanting to invest in this extremely expensive form of exploration have at least the security of a good title. Doubts have been expressed regarding the Victorian and South Australian border, which is perhaps the most important feature of the Bill. Certainly it is the most important feature I feel free to debate, because most of the other aspects are Australia-wide agreements.

It would be difficult for one State Legislature to alter the Bill, because in these matters we seem to be very much in the hands of whatever Government we may have at the time. In the argument between Victoria and South Australia as to where the offshore dividing boundary between the two States really is, South Australia took the view which is, after all, only the common sense of it, that the meridian line running between Victoria and South Australia and, indeed, several hundred miles north between South Australia and New South Wales, should run straight south. This seems the only commonsense point of view, and legal members will undoubtedly agree with me that common sense forms a very considerable part of the law. A person arguing against common sense in the court would have the job before him. Victoria took the attitude that the boundary line should be a median line.

The Hon. H. K. Kemp: That applies in the North Sea.

The Hon. Sir ARTHUR RYMILL: I will not go along with the honourable member on that. I know there are various conflicting legal views on this matter. However, the other line that Victoria claims exists certainly does not have relationship to the ordinary common sense of the matter. I say that without any fear of contradiction.

The Hon. H. K. Kemp: There might be an island just this side of the median line.

The Hon. Sir ARTHUR RYMILL: Unfortunately, there is not an island, so that is quite hypothetical. Victoria has been the recipient of tremendously important offshore discoveries in Bass Strait within her offshore regions and must simply be clamouring for this Bill and in great need of the Bill being passed. We know we have certain interesting structures near the disputed boundary. This is no doubt why the dispute has become so important. There is a search going on not so far from it now. We have made no discoveries whereas Victoria has, which means that Victoria has literally got to have this Bill passed.

I was once a lawyer, although some of my friends are unkind enough to say that I was not. At least, I was a member of the legal profession. I am now a businessman and

know that in a situation such as this the legalities give way to the business aspect. Where Victoria needs the Bill and South Australia does not, what should be done? It might be what the Premier did and merely split the difference.

The Hon. C. D. Rowe: The Premier did not do it. He sent an officer to do it.

The Hon. Sir ARTHUR RYMILL: Whoever did it, the Premier agreed to it. But should we do this? That is the easy way out and the kind of thing that could happen in any circumstances, or do you use your bargaining position for the sake of the State and see that you get what you regard as your commonsense legal rights? We had the most perfect set-up to get what we wanted, and what did we do? The Premier did not do what the previous Premier, the Hon. Frank Walsh, did and stand fast. He chucked in the sponge and gave it away. It is a substantial offshore area that we have given away. My friend the Minister would call it superjacent, or something like that.

The Hon. S. C. Bevan: I can give an answer to that.

The Hon. Sir ARTHUR RYMILL: There are waters superjacent to this country. The Minister took me aside the other day and explained to me exactly what superjacent meant, with a little assistance that he had at hand. Now I understand about as clearly as the salty water in the Murray River exactly what it means. Anyway, there is nothing I can do about this in practice. We have given away a large area of offshore land which has interesting petroleum structures, and which, in my opinion, we need never have yielded up, against the whole of the common sense of the situation.

We only had to stay put for a little longer, as the Hon. Frank Walsh did, and I am sure that Victoria would have given us what I believe to be justly ours. The area involved in the map on page 19 of the agreement seems to be, in size, something like the whole of the South-East and the land south of Adelaide. If one draws a line from Adelaide due east to the border and takes in all the land down to Mount Gambier it seems to be something like the whole of that area that we have given away to Victoria.

It may be that we have given away absolutely nothing, but no-one knows. On the other hand, we may have given away some very valuable country. This is disturbing and distressing. If honourable members refer to the maps attached to the agreement (I do not apologize at this late stage for taking a little time on this, for this is important), the map on page 15 gives the whole of Australia, and then it is split up into States on pages 16 to 21. If a line is drawn straight down the meridian line between Queensland, New South Wales, Victoria and South Australia, the exact area on which we have compromised can be seen. If honourable members refer to the other side of South Australia, they can see that the boundary between Western Australia and this State takes a commonsense direction and goes straight down the meridian line, and apparently there is no argument.

The Hon. S. C. Bevan: It was done by agreement on the one hand and by negotiation on the other hand.

The Hon. Sir ARTHUR RYMILL: It may be that we had better negotiators in that case. It certainly looks as if we had. Here is one example, and if it could happen with Western Australia then why should it not happen on our eastern boundary? Going further (and I am still referring to page 15) and looking at Victoria's eastern boundary, between that State and New South Wales, it can be seen that the line goes straight out to sea according to the way that the boundary of the two States hits the coast.

Looking at the rest of the map of Australia, one can see that, although not exactly precisely and literally, very much the same principle applies in respect of all other State boundaries: that they all substantially follow the line of the on-shore boundaries between the States, yet we have given away this very valuable piece of land to Victoria. I do not think there is anything that we in this place can do about it: we are in the hands of the Government, which has made an agreement with the other States and the Commonwealth. I think it is a great pity, and I register my protest. I think Victoria has put it over us, but that is as far as I can take it. It is clear that this legislation must go through because we are in the last day of sitting and I cannot see any alternative to the attitude I am taking; that is that although I do not like the Bill in many aspects I think I must support it. That is why I started by saying that this was the most impossible task I had had since I have been in this Chamber.

I am not the only person displeased with the Bill. I have had approaches from other people who have given me in chapter and verse why they do not like it. I think the industry has expressed, within the time available, certain

attitudes to the Bill, and the first complaint is very much the same as what I said as a generalization: that wide powers are conferred on various Ministers to control the technical aspects of the evaluation of the petroleum resources in Australia. That relates to clause 35.

Clause 58 contains directions as to how petroleum is to be recovered. Under that clause it can be taken out of the hands of the producers or the successful searchers. Clause 35 provides tremendous power for the various Ministers in relation to technical aspects that can be controlled, and clause 58 contains a provision that directions can be given as to the recovery of petroleum which, I am informed, if it is not restrained and if they do not allow it to be interpreted according to normal business practice, could seriously hamper development. That is why I have said the Bill is a bureaucratic one and that there is no protection for the producers, who have risked their money.

In clauses 115 to 117 authority is given the Minister and his inspectors to require disclosure of information and production of documents. If literally applied (and of course it can be literally applied) this can require any petroleum enterprise or any employer to disclose the entire file of his private scientific research data. All that information must be supplied, with no undertaking that this will not be revealed to other people.

As all honourable members know, a very important part in the protection of other people's interests in relation to oil research is that there should be confidence where confidence is necessary, that is, secrets must be kept until disclosed to the right people at the right time. An even more serious aspect is clause 14 of the agreement. This governmental agreement provides that permits and licences may include the requirement that any petroleum produced in Australia must be refined in the State of origin. That is, they can require that it be refined in the State of origin. This is not absolute, but it is a requirement that can be made. Most people with whom I have discussed this seem to think this is an entirely unnecessary restriction and that producers should be free to have their production refined anywhere in Australia. Indeed, the refiners themselves (and this is even more important) should be free to have these products refined anywhere they want in Australia because, as we know, the refiners are required to take a certain proportion of Australian crude. That, by the way, seems to be an expression peculiar to the industry, and means crude oil.

I have a letter from the managing director of one of the biggest oil companies in Australia, and he has pleaded for time. He also rang me from another State and asked me, "Can't you give me a little time?" He said that his company had not had time to study the legislation and he wanted only a few weeks. I explained to him that we were in the dying hours of the session and that time would be very difficult to obtain and that we had, in the interests of the State, to pass the legislation and take what we got, or should I say what the Government has arranged for us. Portion of his letter to me reads:

> We want to voice our grave concern at the inclusion of clause 14, which would have the effect of restricting the indigenous crude purchaser's choice of oil refinery for processing his crude.

I have marked a few of the points that I wish to draw to the attention of honourable members, as they refer to the difficulties. The letter continues:

> The choice of a site for an oil refinery is a crucial decision because it involves a large long-term investment. Once built, an oil refinery is fixed because a very high percentage of the capital investment comprises fixed facilities such as jetties, site development, tankage, reinforced concrete structures and buildings as well as a complex mass of machinery and equipment woven together with miles of intricate pipelines.

He refers in detail to their refining operations, which are carried out in two refineries in two States. Each refinery has cost many tens of millions of dollars of capital investment. He points out that they have had to locate those refineries near the centres of population because that is the most economic way of distributing the products. It is in the interests of the people that they should get their refineries, in the main, near the centres of population. I would add to that that they had to place these refineries before the oil discoveries were made, anyhow. My correspondent points out that an oil refinery has a normal life expectancy of perhaps 50 years or more.

He goes on to say that they have been required to take about one-quarter of all indigenous crude oils produced in Australia, and that in the case of Moonie crude they negotiated to have their quota of 2,000 barrels a day (which he refers to as being "relatively modest") refined at a Brisbane refinery. This is someone else's refinery. They are obliged to take their proportion of the Australian

crude. I believe this is fair enough, because it is our own oil, after all, and these refineries are situated in our own country. However, he has been able to make these arrangements.

In another State, which is near a much bigger producer, they have not been able to make these arrangements with the local refinery because they were quoted what in their view were unrealistic terms. My correspondent is very fair about it: he said, "in our view, they were unrealistic". He thought they were unrealistic in relation to their own requirements. If the Minister concerned insists on the refining being done in the State of production, what is to happen to these sort of people? What are they going to do? They are at the mercy, I imagine, of the local refinery, and, of course, it depends on who is in charge of the refinery. I shall not labour that point further, for I think I have said enough to pose the real problems of the refineries, which are complicated and difficult in relation to this matter.

Clause 13 relates to inland water of the State. The Minister in his second reading explanation (much to my interest when I was following it) said that Spencer Gulf and St. Vincent Gulf would not be affected: in other words, they would remain under the control of the State. Those are two pretty important areas. I know that people are interested in both of these gulfs, and if one looks at maps of the world and the locations at which oil fields have been discovered one sees that these areas seem to be typical of places where oil is discovered.

The Hon. C. D. Rowe: The land between them is all right.

The Hon. Sir ARTHUR RYMILL: Yes. Unfortunately, any rights the honourable member might have had to royalties in the oil were expropriated in 1940 by the Government of which he subsequently became a Minister.

The Hon. C. D. Rowe: Before I was a member, actually.

The Hon. Sir ARTHUR RYMILL: Clause 13 (2) sets out that the operation of the Mining (Petroleum) Act, 1940-1963, does not extend beyond low-water mark in the State. Subclause (3) is as follows:

The last preceding subsection does not affect the operation of the Mining (Petroleum) Act, 1940-1963, in any internal waters of the State.

Although according to the second reading explanation the Act does not apply to Spencer Gulf and St. Vincent Gulf, I pose the question: what are internal waters? Perhaps the Minister will be able to help me in his reply. I can find no definition of "internal waters" anywhere.

The Hon. S. C. Bevan: I could give you a definition.

The Hon. Sir ARTHUR RYMILL: I hope the Minister will do so when the time comes, and I hope he will relate it to clause 13. So far as I know, "internal waters" is not a defined phrase. There is nothing in this Bill defining it that I can see, and there is nothing in the Acts Interpretation Act or anywhere else that I can find. What are the "internal waters" of the State?

The Hon. V. G. Springett: Does it mean "inland" waters?

The Hon. Sir ARTHUR RYMILL: I know the Government thinks it means Spencer Gulf and St. Vincent Gulf, but whether that is how the courts would interpret it I do not know. What I do know (because I have sailed these areas for about 50 years) is that Spencer Gulf is wide open to the sea. I know, too, that the Southern Ocean swell comes up St. Vincent Gulf as far as Hallett Cove, and sometimes even farther towards Port Adelaide. But are these internal waters? What about Backstairs Passage (another interesting area), and Investigator Strait between the tip of Yorke Peninsula and Kangaroo Island? Are those internal waters? I should like to have an assurance from the Minister on that.

The Hon. F. J. Potter: You think that expression should have been defined?

The Hon. Sir ARTHUR RYMILL: Yes, or that alternatively the area should have been defined. I think the Bill defines precisely the offshore areas over which it has been agreed that we have rights, by nominating their latitude and longitude.

The Hon. F. J. Potter: Defined by means of area.

The Hon. Sir ARTHUR RYMILL: Yes, precisely geographically. I would much prefer to see this matter defined, and this is one thing, of course, that this Parliament could amend quite readily. It is one of the few things that we can do. This is why I should like the Minister to give some more information on this subject, which I think is most important, for these could well be oil-bearing areas.

There are one or two other matters I should like to mention. I hope I have not overwearied members or outstayed my welcome, but this is a very important matter and warrants time being taken even at this stage of the session. Clause 73, dealing with pipelines, provides that a pipeline may in certain circumstances be declared to be a

common carrier. Here again I should like the Minister's assistance, because no details are prescribed about the basis or terms on which it should become a common carrier. What charges is the owner of the pipeline allowed to make, and who prescribes these charges? I cannot find that out in the time available to me, but no doubt the Minister will be able to help me here. Again, I think this is a pretty important point, because pipelines are often as expensive as oil search itself. People make mighty investments in pipelines and I think they are entitled to protection.

Talking of protection, I find some comfort in the fact that all the other States and the Commonwealth have got similar Bills to pass and that other States and, indeed, Commonwealth members seem to be disturbed about this legislation. We are in a more unfortunate position here, in my opinion, than the other States because we are right at the end of our session, while I think most of the other States still have some time to go to debate these matters in the way that they ought to be debated. However, I feel that, apart from this offshore argument between Victoria and South Australia, the matters I have mentioned are common to the interests of the other States; in other words, what affects us will affect them, too. Therefore, when they debate this matter at greater length than seems possible here, they will perhaps in some way be able to protect us by amending the legislation, if and when they think it necessary.

I repeat that I find myself in an impossible position, because all we can do is accept this Bill with all of what I think are its possible frailties and difficulties (because there must be frailties in it, and perhaps I have pointed to some of them). I ask the Minister a question to which I should like a reply: can we amend this legislation at any time? We are a sovereign State and normally we can make any Acts or amend or repeal any Act within the powers of the State, in so far as we want to, but here is a Bill presented to us as more or less uniform legislation in pursuance of an agreement made between all the States and the Commonwealth. To elucidate my question a little more, what I am asking the Minister is: as we have an agreement with these other States, how far are we bound by this legislation when it is passed? The States have agreed to use their best endeavours to pass more or less the same legislation—not exactly the same but similar. Having passed this legislation, are we bound by it or can we amend it? If we are bound by it, how far are we bound by it? Can we amend it *in toto* or in part, or what can we do?

In view of the time element, it is a vital question whether if we pass this legislation in a hurry we shall bind ourselves literally to its terms for all time, unless there is another agreement between the States and the Commonwealth. Obviously, it could be amended by another agreement by all the parties to the present agreement but, in default of that, can this legislation when passed be amended?

I am sure there are other difficulties besides those I have mentioned. I have done my best in the time available to cope with this legislation. I hope that in due course the Minister will give me considered replies to these important questions. In the meantime, I propose to support this measure unless any honourable member can show me that I should not, because I feel I have no other course open to me than to support it. I qualify that by saying that, although there are many virtues in this legislation (I do not want to be construed as saying otherwise) and many advantages can come to our State from it and that is why I am prepared to support it, nevertheless I should very much have liked to have further time not only to study it myself but also to consult further with people who know far more about it than I do and get their valuable opinions on it. In the meantime, I support the second reading.

The Hon. Sir NORMAN JUDE (Southern): Honourable members who have had the privilege of listening to Sir Arthur on this matter have gained much. It would be gross conceit on my part if I attempted any elaboration of the facts he has put forward, together with the views of certain eminent people closely connected with the oil industry. One chief merit of Sir Arthur's remarks this afternoon is that I think they obviate the necessity for many other honourable members to address themselves at length to these matters, because he has covered the ground thoroughly, as far as he has been permitted to.

I join with him entirely (I say this so that my protest can be properly registered) in the points he has made, and one in particular: a Bill of 115 pages and 155 clauses was introduced some 48 hours ago. We have a second reading explanation of 55 pages, copies of which would not have been available to anybody, bar one person, but for the exertion of great labour some time this morning. I think the Minister will agree that it made it virtually impossible for honourable members to study

it, especially when so many other Bills have just been placed before us, some of them appearing only this afternoon. I am most upset. I know it is necessary, in order to end the session, that on the concluding day we hurry the business on. Let honourable members pick up the pile of Bills to see what we are asked to consider. It is time the public of this State became more properly informed of the number of Bills we have been asked to consider. When I look at the pages and pages of amendments, moved mostly by the Government, that have been applied to the major Bills introduced this session, is there any wonder that there is a reasonable doubt in my mind that there are anomalies in this Bill and provisions that will need amendment? That is on a broad basis.

The Hon. S. C. Bevan: I would not have a clue what is in your mind.

The Hon. Sir NORMAN JUDE: No, you would not, but you would have some suspicion in your mind that what I say is probably correct; you would not be human if you did not. For example, in contradistinction to this great haste to complete this session, I notice that today's press reports that the whole Commonwealth Parliament of Australia is bringing its members back to Canberra to discuss the use or abuse of some aircraft. That is not nation-rocking compared with the production of oil for the benefit of the country. Sir Arthur remarked a few moments ago that other Parliaments are sitting to study and pass similar legislation. Why cannot we study this legislation for another fortnight or so? I am prepared to do that, and probably other honourable members would be, too. If this Government can justify putting this Bill through in two days, let it do so. It is not enough for the Minister to say, "We have looked into it and discussed it for three or four years with the various people concerned." If the Government has done that, why do we have to put this Bill through in two days? I do not blame the Minister (he is a member of the Cabinet and to that extent he conforms to what the team decides to do) but Sir Arthur has indicated certain worries about some facets of the Bill, and possibly of the agreement. He mentioned the Victorian boundary discussions regarding which the former Premier, the Hon. Frank Walsh, was sound enough to stick to his guns. But the Government gave the game away and compromised with Victoria by sending an officer along to do his best. It is no good blaming the officer: the final say rested with the Cabinet of this State. If valuable discoveries of oil are found in that area, I wonder what the reaction of South Australians will be!

This matter cannot be fully debated at such short notice. If other honourable members raise technical points I hope the Minister will deal with them. Also, when he replies, I hope he will give close attention to the matters raised by the Hon. Sir Arthur Rymill. Having uttered my protest at the unseemly haste with which it has been introduced, I support the Bill.

The Hon. S. C. BEVAN (Minister of Mines): There has been criticism regarding the short time available to honourable members for discussion and study of this Bill. I realize this is not an excuse, but I point out that the blame for the delay in introducing this Bill cannot be levelled at this State.

The Hon. Sir Arthur Rymill: I did not mean to imply that.

The Hon. S. C. BEVAN: I think you, Mr. President, have vivid recollections of early conferences between the States and the Commonwealth regarding uniform legislation in relation to offshore oil drilling. I had the honour of following you, Mr. President, in these discussions; I have been engaged in this work over the past two and a half years with Ministers of Mines and Attorneys-General of the other States. It is not long since the discussions were concluded and it was decided to draft a Bill. After the receipt of that draft, much work had to be done. Then, the draft had to be submitted to the States in order to determine whether it was in conformity with the agreements reached between the States and the Commonwealth. The States then had to draft legislation in conformity with the conditions in the respective States.

I realize it is not easy to debate such a measure as this in the available time. The Hon. Sir Norman Jude suggested that Parliament should not prorogue this week and that there be more opportunity for debating this matter. I point out that I am only one member of the Government, and such a matter is beyond my control. The date of prorogation has been determined by the Government and we are attempting to adhere to it. This is not the only State faced with this situation. I point out that the Commonwealth Parliament will adjourn today. The matter must be determined by the Commonwealth Parliament and other State Parliaments, which, if not adjourning this week, will be adjourning shortly.

The Hon. Sir Arthur Rymill: But they will not be proroguing.

The Hon. S. C. BEVAN: Not necessarily, but we can use this term in connection with the Commonwealth Parliament.

The Hon. R. A. Geddes: The Senate will be proroguing.

The Hon. S. C. BEVAN: The honourable member has beaten me to the punch; he has got in first, as usual. The Senate will prorogue because there will be an election for that House. However, not being a member of the Commonwealth Parliament, I am not conversant with its procedure.

The Hon. Sir Norman Jude: The Senate does not prorogue.

The Hon. S. C. BEVAN: Fifty per cent of it will.

The Hon. Sir Arthur Rymill: Not until next June.

The Hon. Sir Norman Jude: This Parliament has just elected a new Senator until June.

The Hon. S. C. BEVAN: I was notified yesterday that the Commonwealth Parliament would adjourn today or perhaps early tomorrow morning. Turning back to the Bill, I point out that this is uniform legislation, a term I am reluctant to use. The States have agreed with the Commonwealth that they will enact this legislation, and the Commonwealth will enact it, too. At this stage we cannot amend the legislation; if we do so we will be considerably out of step. We are faced with the alternatives of defeating the Bill as such or passing the legislation. I realize that one can leave oneself open to criticism regarding such a matter; it can be said, "This is a sovereign State. Why can't we do what we please?" However, I point out that this matter must be arranged between the States and the Commonwealth. The legislation will be proclaimed simultaneously by the States and the Commonwealth after it has been passed by their Parliaments.

The Hon. Sir Arthur Rymill raised some queries, and there could be more. The honourable member referred to industry. I know that industry is not 100 per cent satisfied with the legislation and that there are parts it would like amended. One is the provision in relation to information after oil has been discovered and information in relation to the relinquishing of blocks. The industry made representations to the conference between the States and the Commonwealth on various occasions and also to the Commonwealth direct. Many of its requests were acceded to, although there were some that could not be acceded to. One of the requests was in relation to the divulging of information regarding the relinquished areas that could come up for sale by tender.

The exploration company would have all the information on the relinquished area but no-one else would have it. The company would be entitled to bid for the relinquished area if it so desired. It would have an unfair advantage over the Government or the Commonwealth or any other company that might wish to tender for the relinquished block. On the other hand, the company might know that the block's prospects would be poor, so naturally it would not mind divulging the information then. If it were a promising project the company would not want to be compelled to divulge information. This was one amendment desired by the industry, but the States and the Commonwealth rejected it. This is an illustration of what has taken place over the four years this matter has been negotiated. It has been given full consideration by the States and the Commonwealth.

Another point raised by the Hon. Sir Arthur Rymill dealt with refinery operators. I make no apology for insisting that the State authority should have some say regarding the refining of products within the boundary of the State, that is, within the boundaries dealing with the offshore legislation. The suggestion in the first instance was that the Commonwealth should direct where the oil would be refined. I would not accept this, nor would the other States.

The Hon. Sir Arthur Rymill: Why should anyone direct where it should be refined?

The Hon. S. C. BEVAN: I may be accused of being State jealous, but I would not have a bar of the Commonwealth's suggestion. There is a refinery in South Australia, so why should not the oil be refined here? I know Sir Arthur Rymill would ask why should not the discovering company decide what it will do.

The Hon. Sir Arthur Rymill: Or the refining company.

The Hon. S. C. BEVAN: The oil company operating in this State has a vast territory on lease in the State where either oil or gas might be discovered. The company has no refinery in the State; therefore, it might want to refine the oil in Queensland. This would be detrimental to this State's economy. The refinery here is capable of refining all the crude that could come from underground.

The Hon. Sir Arthur Rymill: Australian crude costs $1 more than imported crude. That blows up that argument for the time being.

The Hon. S. C. BEVAN: The attitude I adopted was in relation to the possibility of having oil refined within the State utilizing our own refinery, instead of having it transported to Victoria, New South Wales, Queensland or Western Australia. That is why in the final analysis the State authority, in conjunction with the companies, would have a say in relation to where the oil would be refined. This was the stand I took at the conference. The first suggestion was that the Commonwealth should determine the question, but I and other Ministers saw what this meant and we objected to it. It was resolved that the States should iron out these matters instead of the Commonwealth having the power to determine the question.

Sir Arthur Rymill, and other members, asked me whether we could amend this legislation at any time. Yes, we can in certain circumstances and, in relation to the agreement, the States have undertaken with the Commonwealth that they will not amend or repeal the legislation without first conferring with the Commonwealth and, if necessary, the States. Amendments may be required because of circumstances peculiar to a State. It is possible that some circumstances could occur in one State but not in any other State and, in order to overcome a possible anomaly in one State, it would be necessary for that State to confer with the Commonwealth Government before introducing an amendment.

The Hon. Sir Arthur Rymill: That is under clause 6?

The Hon. S. C. BEVAN: Yes. It is possible that in such circumstances the State concerned would agree to introduce amending legislation or to repeal existing legislation. I think it would have to be a strong reason before any State Government would repeal any of this legislation. If it did so, and other States did not follow suit, then the repealing State would leave itself open for the Commonwealth to step in and leave the State out in the cold.

The Hon. Sir Arthur Rymill: What would happen in the event of one, or perhaps two, of the States substantially amending the refining provision? What would South Australia's position then be, having passed this Bill?

The Hon. S. C. BEVAN: It would mean that other States and the Commonwealth would have to meet regarding the refining provision and endeavour to reach an amicable agreement. It would necessitate amending legislation at some future time in order to cover the point under discussion. For instance, assuming an agreement was reached between the Commonwealth and the States, the discoverer of the supplies would have the sole right of saying where oil would be refined, which would necessitate an amendment and it would have to come before Parliament.

Sir Arthur Rymill mentioned a "common carrier" and perhaps I can give some information as to what is meant by that term. A common carrier may carry both oil and gas. Oil is extracted from gas; one product goes one way and the other product another way. Here, the common carrier would be more on the lines that, if more than one strike is made in an area, the company concerned would have the right under this clause to be a common carrier for both discovering companies to use the pipeline for that transportation of oil. The agreement further defines a "common carrier" by providing:

> The clause is one which has corresponding provisions in petroleum legislation in other parts of the world. A common carrier, in law, is one who by profession to the public undertakes for hire to transfer from place to place by any means the goods of such persons as may choose to employ him. The common carrier is bound to convey the goods of any person who offers to pay his hire, provided that he has room for the goods, that the route does not diverge greatly from his normal route, and that the goods are not dangerous. He is entitled to a reasonable reward for his services and he may require a special agreement to be entered into if the carriage required is out of the ordinary.

That is the explanation.

The Hon. Sir Arthur Rymill: The common carrier carries the product for a reasonable reward.

The Hon. S. C. BEVAN: That is so. If a pipeline was carrying at capacity, then the operator could refuse to transport further oil through it because it was already full. That would be the only logical reason for a refusal to convey the oil. I hope the questions raised by Sir Arthur Rymill have been answered to his satisfaction.

The Hon. Sir Arthur Rymill: Did the Minister reply to my question on inland waters?

The Hon. S. C. BEVAN: No, I am sorry, I did not. I said by way of interjection that I was concerned about the internal waters of South Australia. The matter was fully discussed at the conferences on more than one occasion. It was hoped that the Commonwealth representatives would agree to a definition of inland waters acceptable to South Australia. Although, as Sir Arthur Rymill stated, it is not defined, that could be a reason why at some future time there should be a definition

of "inland waters", or their geological position spelt out. However, as far as South Australia is concerned, both gulfs qualify as internal waters and do not come within the scope of this legislation. They are under State control and any discoveries there would be operated under the lease granted to the company. In conjunction with that lease, royalties would go to the State and not be shared by the Commonwealth as with the other matters. That applies in this State, and similarly in other States as far as internal waters are concerned.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

The Hon. S. C. BEVAN (Minister of Mines) moved:

In the definition of "the Commonwealth Act" after "Act" last occurring to insert "or Acts".

Amendment carried.

The Hon. Sir ARTHUR RYMILL: I am not trying to be difficult in this matter, and I am sure that the Minister will understand what I am trying to do. I am not satisfied that the expression "internal waters" includes Spencer Gulf and St. Vincent Gulf. If the Minister can give me some further assurance that it does, I shall be satisfied. I suggest to him that it might be a good thing to have a definition that the expression "internal waters" shall be deemed to include Spencer Gulf and St. Vincent Gulf, or something to that effect.

These waters, particularly Spencer Gulf, are open waters. The Bill refers to the low-water mark as being the normality of the boundary of the State. I can see that a place like Port Philip Bay, near Melbourne, might be an internal water because it has a tiny, narrow entrance and then opens out into a big bay. Are our gulfs internal waters just because we mention the phrase "internal waters", or should they not be deemed to be included in the term "internal waters"?

I know that this is a pretty technical matter, and that it is a question of fact as to whether we can legislate in regard to these waters. There has been some sort of disputed ground between the Commonwealth and the States as to whether the offshore lands belong to the Commonwealth or to the State or to both, and this agreement and the Bill represent a compromise on this matter. As I do not think this is defined (I do not know whether the agreement uses the term "internal waters"), my suggestion is that we could protect ourselves to some extent if we provided in the Bill that "internal waters" included the Gulf of St. Vincent and Spencer Gulf. I should like to know what the Minister thinks about this. I think this would protect the interests of the State, and I do not think it cuts across the agreement.

The Hon. S. C. BEVAN: Certain discussions took place regarding these two gulfs. I ask the honourable member to accept the clause as it stands. This would give me an opportunity to go through the minutes and the resolution of the conference in order to find the references to "internal waters". I think every honourable member will realize that these minutes are voluminous and that it would take some time to find the particular references.

I should be only too happy to consult Sir Arthur Rymill on this matter if he still thought an amendment was justified. I assure him that in those circumstances I would immediately arrange to discuss this matter with the Commonwealth Government for the purpose of inserting in the Act an absolute definition of "internal waters".

The Hon. Sir ARTHUR RYMILL: I do not think we will be cutting across the agreement if we define "internal waters", because I do not think there is anything in the agreement about it. If the Minister would be good enough to look up the minutes and see exactly what discussions went on over this, we could carry on with the remaining clauses and if he does not have the answer by the time we get through the Bill perhaps he will be good enough to report progress so that this clause could be recommitted. I should be quite happy if that could be arranged.

The Hon. S. C. BEVAN: I doubt whether I could get the minutes in the time available. They are in the office of the Director of the Mines Department, which is closed. I doubt whether I could contact the Director to get him to go to his office to procure these minutes. However, I will see what I can do. I assure the honourable member that I will have these minutes looked up and allow him to see the discussions that took place.

Amendment carried; clause as amended passed.

Clauses 5 and 6 passed.

Clause 7—"Points, etc., to be ascertained by reference to Australian geodetic datum."

The Hon. S. C. BEVAN moved:

In subclause (1) after "the" fourth occurring to strike out "regulation" and insert "regulations".

The Hon. Sir ARTHUR RYMILL: Before I find myself prepared to agree to this amendment, I should like the Minister to explain

this. Where is "a spheroid having its centre at the centre of the earth and a major (equatorial) radius of 6,378,160 metres and a flattening of $^{100}/_{29825}$ and by reference to the position of the Johnston Geodetic Station in the Northern Territory of Australia"? Would the Minister define precisely what that means?

The Hon. S. C. BEVAN: The explanation is that there is a point in the Northern Territory; so we take a line from there and go out and, when we get to the end of it, that is the spot.

Amendment carried; clause as amended passed.

Clause 8—"Application of Act."

The Hon. S. C. BEVAN moved:

In subclause (3) after "Act" first occurring to strike out "or" and insert "and no provisions".

Amendment carried; clause as amended passed.

Clauses 9 to 12 passed.

Clause 13—"Operation of this Act and repeals."

The Hon. Sir ARTHUR RYMILL: This clause refers to internal waters so, if there were a definition of "internal waters", it could go into this clause, or this clause could be amended. I am prepared to support the clause on the same undertaking that the Minister gave me on clause 4.

Clause passed.

Clauses 14 to 81 passed.

Clause 82—"True consideration to be shown."

The Hon. S. C. BEVAN moved:

In subclause (1) to strike out "in the Registration Fees Act".

Amendment carried; clause as amended passed.

Clauses 83 to 138 passed.

Clause 139—"Continued operation of Mining (Petroleum) Act, 1940-1963, in some cases subject to modification."

The Hon. S. C. BEVAN moved:

In subclause (6) after "six years referred to in" to insert "paragraph (*a*) of" and after "section 29" to strike out "(*a*)"; and in subclause (7) after "six years referred to in" to insert "paragraph (*a*) of" and after "section 29" to strike out "(*a*)".

Amendments carried; clause as amended passed.

Remaining clauses (140 to 155) and First Schedule passed.

Second Schedule.

The Hon. Sir ARTHUR RYMILL: I refer to the expression "internal waters" used in clause 13. The Second Schedule defines "adjacent area", which, in colloquial language, means the areas of offshore lands that are the substance of this Bill. I have compared the description of the adjacent area in this schedule with the map on page 19 of the agreement. It describes "adjacent area" as that marked on the map, starting at the border between South Australia and Victoria on the sea coast near Mount Gambier, and then continuing along the dotted line up to the sea coast border between Western Australia and South Australia. From there, the line defining this area shall go, according to the schedule:

thence northerly along that meridian to its intersection by the coastline at mean low water, thence along the coastline of South Australia at mean low water to the point of commencement . . .

The coastline of South Australia from the Western Australian border to the Victorian border means right around the coastline at mean low water, including the coastline right up and back through Spencer Gulf and the Gulf of St. Vincent, except that it may be qualified by the following words "to the extent only that that area includes areas of territorial waters and areas of superjacent waters of the continental shelf". Here another phrase is creeping in. We have talked about internal waters, but now territorial and superjacent waters are mentioned. This leaves me even more confused than ever as to whether Spencer Gulf and the Gulf of St. Vincent are internal waters of the State. I am a little alarmed as to whether they are outside the scope of the Bill.

The Hon. S. C. BEVAN: The term "territorial waters" means waters extending three miles out from the coastline; outside that we are outside territorial waters. This is my understanding of the position. Under the Bill territorial waters are taken in with waters of the continental shelf. Spencer Gulf and the Gulf of St. Vincent are internal waters. If the Hon. Sir Arthur Rymill would like the clause recommitted for the purpose of inserting a definition of "territorial waters", I would be happy to accept that. Both gulfs are outside the Bill; they are internal waters under the jurisdiction of the State.

Second Schedule passed.

Preamble and title passed.

Bill recommitted.

Clause 4—"Interpretation"—reconsidered.

The Hon. Sir ARTHUR RYMILL moved to insert the following definition:

"internal waters" includes the waters of Spencer Gulf and the Gulf of St. Vincent.

The Hon. C. D. ROWE: Should we not include the waters of Investigator Strait and Backstairs Passage? The Hon. Sir Arthur's amendment includes the gulfs, but there may be other internal waters in South Australia.

The Hon. Sir ARTHUR RYMILL: The definition "internal waters" could perhaps read "includes (*inter alia*) the waters of Spencer Gulf and the Gulf of St. Vincent". The Mining (Petroleum) Act, 1940-1963, still operates in the State's internal waters, which include small bays, inlets, Spencer Gulf and the Gulf of St. Vincent.

The Hon. S. C. Bevan: I do not think that is necessary.

The Hon. Sir ARTHUR RYMILL: The Draftsman has improved on what the Hon. Mr. Rowe and I have done. I seek leave to withdraw my amendment with a view to moving a further amendment.

Leave granted; amendment withdrawn.

The Hon. Sir ARTHUR RYMILL moved to insert the following definition:

"internal waters" includes (without limiting its significance in any respect) the waters of Spencer Gulf and the Gulf of St. Vincent.

Amendment carried; clause as amended passed.

Bill read a third time and passed.

Later, the House of Assembly intimated that it had agreed to the Legislative Council's amendments.

SHEARERS ACCOMMODATION ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

[*Sitting suspended from 5.52 to 7.45 p.m.*]

VERMIN ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 1. Page 3289.)

The Hon. L. R. HART (Midland): I have been ready to speak to this Bill since 2.15 p.m. today and it is now 7.45 p.m. On the basis that a rabbit has a litter every six weeks and that the average size of the litter is five, it is possible that in that time the rabbit population in this State has increased by 3,500,000. I think it is fair to say that the vermin problem in this State today is not as great as it has been in the past. Many landowners have realized that vermin have caused great damage to their properties, and in the main they have endeavoured to rid their properties of rabbits.

However, there are some landowners who have failed to observe the provisions of the Act. Consequently, we are faced with the situation of having pockets of vermin still left with us. Those pockets are providing breeding grounds, and from those breeding grounds the vermin are spreading out on to adjacent lands. There is no doubt that considerable damage has been caused by vermin in the past, although this has not always been fully appreciated, and undoubtedly the vermin that have caused the most damage have been rabbits. Through the introduction of myxomatosis it has been possible to control the spread of rabbits in this country, but in recent years the rabbit has developed a certain immunity to myxomatosis. Therefore, it is necessary to introduce other forms of control.

I think it is also fair to say that the destruction of vermin has been honoured more in the breach than in the observance. Today, because of the high value of rabbits, there is perhaps not such an incentive to destroy them as there has been in the past. It is quite possible that a rabbit can bring as high a price as a sheep. Indeed, on the present prices sheep are bringing, rabbits could well be of greater value than sheep.

In the main, the Bill sets out to repeal Part II of the principal Act and replace it with two Parts, one being Part IA and the other being Part II. It contains some interesting new definitions. In these days councils combine together to combat rabbits and vermin and also, in many instances, weeds. Indeed, they employ the same inspector to do both jobs. Therefore, the Bill contains a definition of "area". That term, used in relation to an "associated board", means the aggregate of the areas of the councils constituting that associated board. I believe this is a necessary definition. It also contains a definition of "control". In this respect we find the following:

"control" when used in relation to vermin means the application of such measures as are necessary to reduce or maintain vermin to or at a level satisfactory to an authorized officer and without limiting the generality of the expression includes the destruction of warrens, burrows and harbour of vermin.

I think this is necessary, because it is essential that not only the vermin themselves be destroyed but also their homes, which in the case of a rabbit is a warren or burrow. The Bill also contains a definition of "restricted poison". This again is necessary because today we have some very strong poisons and it is desirable that they be used only in certain areas. One of these poisons is 1080, which is a very strong poison indeed and one that should not be used in places accessible to humans or some animals.

Therefore, having that definition means that the use of these poisons can be controlled by regulation. The Bill also contains the following definition of "vermin":

"vermin" includes rabbits, wild dogs and foxes and . . . any animal . . . declared by proclamation under section 16.

I believe that this is also a necessary definition, because there are certain animals which can reach plague proportions and cause considerable damage to various crops. One of these could well be the opossum.

The Hon. R. A. Geddes: Would kangaroos come under that?

The Hon. L. R. HART: I presume that under this Act they could be declared vermin. One of the main sections of this Bill deals with the setting up of the Vermin Control Advisory Committee. This, to use the Minister's own words, in the past has been an *ad hoc* committee but it is now being given some statutory status. This committee is to consist of not more than seven members; not fewer than two such members are to be "owners or occupiers of land outside the boundaries of any town"; and no member shall hold office for more than three years. Apart from two members being designated "owners or occupiers of land", no occupation is indicated for the remaining members of the committee. I wonder whether we should not have a committee appointed from a panel of names submitted by producer organizations. However, I have no doubt that those organizations have looked at this Bill and are happy with it. There is a provision that the committee shall be paid. I am not too sure of the amount of work to be done by it: it may be considerable but, on the other hand, it may not be very great. However, I am not opposed to paying the committee provided the pay is commensurate with the duties it performs.

New sections 9 and 10 provide for the appointment of a Government authorized officer by the Minister, and a local authorized officer by a council or board. These officers do not, apparently, need any qualifications as do officers operating under the Weeds Act. I assume any person could be appointed an authorized officer. Can the Minister explain whether that is so? An authorized officer has various powers to enter on any land and do certain things after so entering, but a local authorized officer does not appear to have those powers. I wonder whether the local authorized officer has the same powers.

The Hon. S. C. Bevan: Yes, he has.

The Hon. L. R. HART: That is very good. I have no quarrel with that, but why is it necessary to have the two different types of officer if they have the same powers?

The Hon. S. C. Bevan: One can be appointed by the Crown Lands Department and the other can be appointed by a local board.

The Hon. L. R. HART: I appreciate that, but why give them different names? Another interesting provision is new section 13, which provides for the part-payment of the salary of a local authorized officer, provided he performs certain duties. This is somewhat similar to the conditions under the Weeds Act.

[*Sitting suspended from* 8 *p.m. to* 2 *a.m.*]

The Hon. L. R. HART: If a local authorized officer has been employed to do specific work with the approval of the Minister, half of his salary or wages may be paid out of moneys provided by Parliament. When I was discussing new section 11 I referred to the appointments of authorized officers and local authorized officers. The Minister, by interjection, said that they could do similar work. However, on studying this further I find that this is only partly correct. An authorized officer appointed by the Minister can operate anywhere in the State, whereas a local authorized officer can work only in the area for which he is appointed.

New section 15 deals with the requirement that the Crown should destroy vermin on properties under its control. This section states that all the adjoining land shall be free from vermin and that the owner of the adjoining land shall take all necessary action to destroy or control the vermin on it. Having done this, the Minister or instrumentality may take such action as appears necessary or desirable to control or destroy any vermin on the land vested in it. It appears that, once the private landowner adjoining the Crown land area has got rid of his vermin, the Minister should be required to destroy or control vermin. One wonders whether the word "may" should be struck out and the word "shall" inserted.

Of course, if the Minister was compelled to destroy or control vermin on properties under his control, he could well face a situation where there might be large tracts of land under his control and the Crown would be obliged to get rid of the vermin on that land, which task would be physically and financially impossible. I believe the Crown should take notice of this point. Also, it should set the example where possible by getting rid of vermin on its properties and not waiting for the private landowner to rid his property first.

Regarding new section 22, one wonders why a council would need to declare a special rate.

I do not know of an instance where a council has ever declared a special rate for vermin control. There was a provision in the principal Act for a special rate, but there was a limitation on that rate. However, in this instance there is no such limitation. One wonders why a council should be given this wide power.

The Hon. Sir Norman Jude: It would be a little unreasonable for a man with a wire netting fence around his property.

The Hon. L. R. HART: This may be so. I hope the Minister will enlighten honourable members regarding this point. I believe new section 23 is a very wise provision, because we may have a situation where vermin is on Crown lands and it is destroyed by the council or the board at the Minister's request. In this case, it is only reasonable that the council or board should be reimbursed. However, we must realize that if we set about eradicating the rabbit we can quite easily face another problem—the ravages of foxes. While we have rabbits, we are providing food for the foxes, but once we exterminate rabbits we eliminate the natural food of the foxes, which can then become an even greater problem than they are now. Consequently, I believe this legislation should be used also for the eradication of foxes. Indeed, research should be done into methods of eradicating them, because they are not easy to deal with. We have failed to eradicate them, despite our efforts over the years: we have only held them in check. If we succeed in exterminating foxes we will solve a great problem for many stockowners. I support the Bill.

The Hon. A. M. WHYTE (Northern): As the previous speaker has covered the points I wished to raise, I desire only to say that I support the Bill.

The Hon. Sir NORMAN JUDE (Southern): I am somewhat disappointed to receive this Bill today without any possibility of my consulting councils about it. This Bill contains an important clause relating to stock routes. I have consulted the Parliamentary Draftsman, who has pointed out that Crown lands are subject to somewhat similar controls regarding the destruction of vermin. I have lived in vermin-infested districts. Naturally, I would like to support the Bill, but I protest at its being introduced on the last day of the session. The Bill could have been brought in months ago. It places responsibilities on local government again. The Minister of Local Government today seems to be not the man representing local government but the one who ties them up with responsibilities.

The Hon. S. C. Bevan: Talk sense.

The Hon. Sir NORMAN JUDE: The Minister may be a rabbit himself, but he has not seen enough of them.

The Hon. S. C. BEVAN: I take a point of order, Mr. President. The honourable member's remark is unjustified and I think it is a breach of Standing Orders. I ask for a withdrawal.

The PRESIDENT: The Minister has not raised a point of order. What are the words he objects to?

The Hon. S. C. BEVAN: I object to the words "the Minister may be a rabbit".

The PRESIDENT: That is a statement: no point of order is involved.

The Hon. Sir NORMAN JUDE: I am sorry the Minister is so thin-skinned that he cannot take a friendly remark of that nature. He brought in the Bill; I did not.

The Hon. A. J. Shard: How many Bills did your Government bring in on the last day of the session?

The Hon. Sir NORMAN JUDE: If the Chief Secretary wants to assist his Minister—

The Hon. A. J. Shard: You belonged to a Government that did this every year it was in office. What are you barking about?

The Hon. Sir NORMAN JUDE: I am not barking. I am referring to the absolute lack of consideration to the people in the country in bringing in this Bill to weigh them down with responsibilities. I know more than the Minister does about vermin destruction. I am in favour of it: he cannot deny that. If he can find a rabbit on my place, let him do so. The Bill has considerable merit, but I am not prepared to go into the finer points of the Bill, except to say that, in my considerable knowledge of the Agriculture Department, the Lands Department and the Local Government Department over some 20 years, they have never come to an agreement with regard to the destruction of vermin on stock routes. They have all passed the buck from one to the other.

I refer particularly to the main stock route from north to south, particularly one in my district going from Murray Bridge to the South-East. The Minister can check this: if he is not knowledgeable, his experts will advise him—there are noxious weeds and vermin on that stock route. The Bill provides that, if it is outside their jurisdiction, councils may refer this matter to the Crown to be

dealt with, but when has the Crown ever spent a penny on vermin on that stock route?

The Hon. A. F. Kneebone: Why wasn't it done when you were a Minister?

The Hon. Sir NORMAN JUDE: I did not happen to be the Minister: I happened to be the Minister of Local Government. I tried to see that this was done, and the dockets will prove it. Will the Minister accept that?

The Hon. S. C. Bevan: No.

The Hon. Sir NORMAN JUDE: I am not asking the Minister of Local Government: I am asking the Minister who interjected. The Bill has been brought in at a ridiculously late hour in this session. I suggest that it be left for consideration at a reasonable time. I oppose the measure.

The Hon. H. K. KEMP (Southern): I could not hope to vie with the eloquence of Sir Norman Jude, although I have an immense admiration for the sentiments he has expressed. Pest control, like other legislation that has come forward in this session, is wasting a large amount of the Government's money. The need is to look at the whole question of the control of pests, such as rabbits, oriental peach moth and red scale. These matters are being put in front of us as Bills without any consideration to the technology behind them.

The Hon. Sir Norman Jude: Hear, hear!

The Hon. H. K. KEMP: We are perpetuating a stage that was passed in New Zealand, as far as rabbit control is concerned, at least 20 years ago. We have been coasting along well in South Australia in the last few years under the protection of myxomatosis. We have brought in 1080 and badly misused it. Nevertheless, the rabbit position in South Australia is a serious problem that will become much worse in the next 10 years. Unless it is tackled scientifically and with good thought, we will be in serious trouble. Although I support the Bill, I support the Hon. Sir Norman Jude's suggestion that its consideration should be deferred until more thought can be given to it.

The Hon. S. C. BEVAN (Minister of Local Government): Frankly, I was amazed at the remarks of the Hon. Sir Norman Jude, who opened an attack on me. After hearing his performance, I think he may have some vermin in his head. The honourable member spoke about the transcontinental stock route and asked why something had not been done about it. Why did he not see that something was done about it when he was the Minister? He said that it did not come under his jurisdiction, so he had no control over this at all. I remind him that I am the Minister of Local Government and not the Minister of Lands, under whose jurisdiction this Bill comes, yet I am blamed for the late introduction of the Bill into this Council.

I remind the honourable member that year after year I complained about the late introduction of Local Government Act Amendment Bills into this Chamber. Those Bills were introduced at a late hour deliberately. It was a different matter then.

The Hon. Sir Norman Jude: Give an example.

The Hon. S. C. BEVAN: I am giving an example. The honourable member has the audacity to accuse me of being responsible for bringing this Bill in at a late hour, but when he was the Minister of Local Government he repeatedly introduced into this Council amendments to the Local Government Act and we were asked to debate and put through these amendments on the last day of the session.

The Hon. Sir Norman Jude: You quote them.

The Hon. S. C. BEVAN: It happened often, and I complained at the time. Some people can give it but cannot take it. Other Bills have arrived in this Council at a late hour, but that is not the fault of any Minister or honourable member. There is considerable pressure on the Government Printer to handle all the printing that is necessary. I consider that the attack on me is grossly unfair.

The Hon. Sir Norman Jude: It was on the Government, not you.

The Hon. S. C. BEVAN: It was alleged that I was responsible for this Bill, but I am no more responsible for it than is the honourable member himself. I appreciate the Hon. Mr. Hart's contribution to the debate. The honourable member said he had been ready to speak on the Bill at 2.15 p.m. and he referred to the increase in the rabbit population between the time he was ready to speak and the time he commenced his speech. I take exception to the criticism levelled at me. The honourable member who made the attack knows perfectly well (at least, he should) that I am not responsible for this matter because this Bill does not come within my jurisdiction.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Clause 9—"Appointment and salaries of officers."

The Hon. S. C. BEVAN (Minister of Local Government) moved:

To strike out "striking out" and insert "inserting after".

Amendment carried.

The Hon. Sir NORMAN JUDE: Mr. Chairman, on a point of order, I have been on my feet for over a minute. The Clerk was aware that I was. I wanted to ask for a direction which clause we were voting on, and which page of the Bill we were at, but I could not attract your attention.

The CHAIRMAN: When I called on the clause, I said that we were at page 17. If the honourable member looks at page 17, he will know where we are. We are now dealing with line 12.

The Hon. S. C. BEVAN moved:

After "'inspectors'" to strike out "and inserting in lieu thereof".

Amendment carried; clause as amended passed.

Remaining clauses (10 to 16) and title passed.

Bill reported with amendments.

Bill recommitted.

Clause 6—"Enactment of new Part and divisional headings, etc."—reconsidered.

The Hon. H. K. KEMP: I move:

In new section 15 after "instrumentality" third occurring to strike out "may" and insert "will".

In this case the onus is on the Minister to look at the position of vermin control on lands immediately adjacent to lands held by the Crown. If vermin control is well conducted in that area, he "may" (as the Bill is drafted) take action. That is not good enough. The National Parks Act, passed earlier this session, lays a duty on the Crown to look after bush fire hazards and vermin and weed control. Yet in this Bill, which deals specifically with vermin control, it is optional for the Minister to look after vermin control.

The Hon. S. C. BEVAN: I oppose the amendment and hope the Committee will not carry it. Anyway, the word proposed should be "shall".

The Hon. H. K. Kemp: I said "will", not "shall".

The Hon. S. C. BEVAN: I suggest that "will" could not be inserted; "shall" would be the word to be inserted.

The Hon. H. K. Kemp: But don't you know English? It should be "will".

The Hon. S. C. BEVAN: That would make it mandatory.

The Hon. H. K. Kemp: That is why I said "will".

The Hon. S. C. BEVAN: This would make it mandatory, in that it would place the onus on the Minister in respect of adjoining land. If we altered "may" to "will" the onus could be taken from a person and placed on the Minister, but it should be on the owner of the adjoining land.

The Hon. H. K. Kemp: What utter rot!

The Hon. Sir NORMAN JUDE: Is the Minister knowledgeable about country matters? If Crown land adjoins private land and the private landholder has freed his property from vermin, this clause provides that the Minister (or the Government) "may remove" its vermin from its land. This amendment proposes that the Minister "shall". What is wrong with that? Let the Minister try this out in the country! We have had this rubbish before. Good gracious! I support the amendment.

The Committee divided on the amendment:

Ayes (4)—The Hons. G. J. Gilfillan, Sir Norman Jude (teller), H. K. Kemp, and A. M. Whyte.

Noes (14)—The Hons. D. H. L. Banfield, S. C. Bevan (teller), Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, L. R. Hart, C. M. Hill, A. F. Kneebone, F. J. Potter, C. D. Rowe, Sir Arthur Rymill, A. J. Shard, and V. G. Springett.

Majority of 10 for the Noes.

Amendment thus negatived.

Bill reported without further amendment. Committee's reports adopted.

Bill read a third time and passed.

Later, the House of Assembly intimated that it had agreed to the Legislative Council's amendments.

IMPOUNDING ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

PACKAGES BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

PUBLIC EXAMINATIONS BOARD BILL

Adjourned debate on second reading.

(Continued from November 1. Page 3263.)

The Hon. C. D. ROWE (Midland): I wish to deal with only one aspect of the Bill. I am pleased that the new set-up has been brought about, but I think the most important thing the new board should do is to see that there is a vast improvement in the time it takes to publish examination results. For several

years I have been distressed by the inconvenience caused to students because results have been published so late. Frequently students have come to me and inquired about the possibility of my helping them to secure a position that is dependent on the result of examinations at various levels. This is a problem that should not be beyond solution, but it has been beyond solution in recent years. If the new board can achieve the desired result of publishing results very much earlier it will be worth while, but if it does not it will be subject to very severe criticism. This matter ought to be regarded as one of its main responsibilities.

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I thank honourable members for the way the Bill has been handled.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Establishment of board."

The Hon. JESSIE COOPER: I move:

In subclause (4) (*a*) to strike out "ten" and insert "eight".

This will provide parity between Education Department schools and independent schools. The independent schools have made a tremendous contribution to the establishment of education in South Australia without cost to the State. They have covered a large proportion of secondary education and are still doing so. The more consideration the independent schools get the more likely they will be to attract students, and this will relieve the burden on the Government-financed education system. The vast contribution made by independent schools has not been only financial. They have achieved academic excellence. They were the pioneers in the fields of mathematics and science and they have always given a lead in health and athletic training. They were the first to introduce organized games, now so heartily sponsored by national fitness groups. They have been the only type of school to maintain rigorously a system of religious training, which has given their students great moral strength and courage, unity of purpose and confidence.

The resulting benefit to the community cannot be ignored. They have truly trained their students for leadership through service to others and acceptance of responsibility. The value of the independent schools in the planning and guiding of education has always been great and will not, I believe, be any less in the future.

The duty of the Public Examinations Board is to guide and shape South Australia's education. I believe the independent schools, because of the magnificent role they have played in the past and are maintaining today in the field of education, and because of the vast experience they have had in so many aspects of education, have an equal contribution to make with Education Department schools.

The members of the board will be on it not to represent numbers but to bring their ability, their knowledge and their experience together and to work towards meeting our educational standards. In this respect, independent schools can contribute just as much as departmental schools. Surely the requirement is that both systems of education should have on this board an equal number of representatives who can give of their wisdom. Both should have an equal right to be heard.

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I have listened intently to the Hon. Mrs. Cooper. The honourable member's amendments will have the effect of giving non-departmental schools equal representation with departmental schools. Although we all acknowledge the contributions that have been made by non-departmental schools over the years to education in South Australia, I cannot accept that the representation should be equal. An earlier draft of the Bill, which was discussed with the people concerned, provided for only four representatives for the non-departmental schools.

This received some criticism. The Public Examinations Board supported that draft Bill by 18 votes to two but expressed some criticism of certain things. As a result, it asked the chairman to approach the Minister regarding these matters. One of the matters that was criticized was that the non-departmental schools had only four representatives. As a result of discussions, a further draft was prepared, increasing the representation of non-departmental schools from four to six. The representatives of the non-departmental schools told the Minister of Education that they were completely satisfied with that representation.

I realize that the Hon. Mrs. Cooper is supporting a principle from her own point of view that there should be parity between the two sections of education. However, on a proportional basis it would not be reasonable to increase the representation for non-departmental schools without increasing the representation of the departmental schools. The question of the representation of the universities would also have to be further considered.

In 1966, there were 58,940 students in departmental secondary schools, compared with 12,999 in non-departmental schools. Between 1960 and 1967 the increase in numbers in departmental schools was 60.5 per cent, compared with an increase of 22.8 per cent in non-departmental schools, indicating that the enrolment at departmental schools is increasing at a much greater rate than non-departmental schools.

In 1967, the number of candidates at the Leaving level at the various Government schools totalled 7,730, compared with 2,426 of non-government schools. Those at matriculation level totalled 2,342 at Government schools compared with 1,299 at other schools. The numbers in South Australian schools are: departmental schools—7,730 in the fourth year, and 2,342 in the fifth year; non-departmental schools—2,426 in the fourth year, and 1,299 in the fifth year. In relation to the split-up as we see it, there will be two members from the Independent Schools Head Masters Association, the reason for that being that we need two in case one is not able to attend a meeting. This will ensure that at least one representative is present. As regards representation from Catholic Education in South Australia, we have been informed by the Catholic people that they are happy with this situation. They want a sister and a teaching brother as representatives, and this arrangement suits them. The people concerned with this representation have told the Minister of Education that they are completely satisfied with the set-up proposed in the Bill. I ask honourable members to vote against the amendment.

The Hon. R. A. GEDDES: The purpose of this Bill is to form a Public Examinations Board to decide what class of education the children of this State will get for a long time to come. That the board should have on it the best brains available in the State is of prime importance. The argument is, therefore, for equal representation, both from the point of view of status and because it is most important that the education principles be carried forward for our children and that the examination standards be the best possible. I support the amendment.

The Hon. M. B. DAWKINS: I support the amendment and shall support the consequential amendments. If these amendments are carried, the non-departmental schools will still have only 25 per cent of the board's membership, which is not unduly great in view of the fine contribution that these schools have made over the years. I agree with the Hon. Mrs. Cooper that the non-departmental schools have contributed outstandingly to the advancement of education in South Australia over the years. We all know of the excellent contribution being made by the departmental schools and the increasingly high standards of our high schools. I think the words "at least" would have to be added to the next amendment if this amendment is carried, to make it possible to fit two other people into that category. The Minister gave some interesting figures but admitted that this was not a proportionate set-up because there are seven people who "shall be members of the teaching or administrative staff of the University of Adelaide" and also seven from Flinders University. The Government has recognized that it is possible and desirable to get seven able people from Flinders University, even though the number of students there is at present relatively small. These amendments recognize that it is possible and desirable to get an adequate number of excellent people from the non-departmental schools.

The Hon. JESSIE COOPER: I thank the Minister for his figures and the frank way in which he has discussed this matter. I shall have to read out the original figures in the first suggestion because the Minister has said that, after meeting with representatives, the Government offered two extra people as representatives of the independent schools. What he did not say was that he also gave two extra representatives to the departmental schools. The Education Department schools and the independent schools have so far enjoyed parity. The first suggestion was that, when a great change took place, the independent schools would be relegated to a low position and the Education Department schools would remain at eight, the old figure; there would be no change there. The representatives of the independent schools would be reduced from eight to four. So, there was no generous treatment. The original position was to the great benefit of this State, and nobody could deny that it worked. There are to be two additional representatives of the Education Department and two fewer representatives of the independent schools, and I want to get rid of this disparity.

The Committee divided on the amendment:

Ayes (14)—The Hons. Jessie Cooper (teller), M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, C. M. Hill, Sir Norman Jude, H. K. Kemp, F. J. Potter, C. D. Rowe, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (5)—The Hons. D. H. L. Banfield, S. C. Bevan, L. R. Hart, A. F. Kneebone (teller), and A. J. Shard.

Majority of 9 for the Ayes.

Amendment thus carried.

The Hon. JESSIE COOPER: I move:

In subclause (4) (*a*) after "Education" second occurring to insert "at least three of whom shall be men and at least three of whom shall be women".

I believe that the best people, irrespective of sex, should be on this board. Unfortunately, I believe the Education Department is fairly backward in its approach to women. In fact, the Minister told me that the department had only one headmistress of a high school. In view of the enormous amount of money being spent on education for boys and girls, it seems to me that women members of the department warrant better treatment than they are receiving. I intend my amendment to be a guide to the Education Department.

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): The honourable member herself has given the reasons why her desire is impossible to achieve at present. As she said, we talked about this matter to the Minister, who said, "We have nothing against women; the difficulty is connected with the women themselves. They do not seek the positions and do not make the most of their abilities." The Education Department is already instituting equal pay, and has been doing so for more than 12 months. So, the department does not discriminate. One teaching brother will be nominated by the Catholic schools. To be consistent, the honourable member would have to lay it down that they shall do it.

The Hon. Jessie Cooper: The department has only one high school headmistress, but I am sure it has other women with ability.

The Hon. A. F. KNEEBONE: The Hon. Mr. Dawkins in the second reading debate deplored the fact that the non-departmental schools should be outnumbered by Education Department representatives. However, I point out that the Education Department representatives are now outnumbered considerably by other board members. Even if the Committee carries the amendment, it will be difficult to apply it to the present situation.

The Hon. JESSIE COOPER: I am sure that the women teachers in the community will be thrilled to know that there is only one woman in the Education Department worth putting on the board! I shall bring this up at the conference of women graduates to be held here next January.

Amendment carried.

The Hon. JESSIE COOPER moved:

In subclause (4) (*b*) to strike out "six" and insert "eight".

Amendment carried.

The Hon. M. B. DAWKINS moved:

In subclause (4) (*b*) before "two" thrice occurring to insert "at least".

Amendment carried; clause as amended passed.

Clauses 4 to 11 passed.

Clause 12—"Rules."

The Hon. JESSIE COOPER: I move:

In subclause (1) (*b*) after "and" to insert the words "subject to the approval of the Minister".

The board has been given very wide and necessary powers to make rules, but it would be hamstrung by having to refer everything to the Minister. By a series of amendments, the Minister will have the power to look after the fee section, and all other matters will be left to the board.

The Hon. A. F. KNEEBONE: These provisions are a carry-over from the previous procedure. I have discussed this matter with the Minister of Education, who is pleased to accept the amendment.

Amendment carried.

The Hon. JESSIE COOPER moved:

In subclause (2) to strike out "The rules made by the board under subsection (1) of this section shall be of no effect until approved by the Minister and", and to strike out "thereto" and insert "to any rules made by the board pursuant to subsection (1) of this section".

Amendments carried; clause as amended passed.

Remaining clauses (13 to 21) and title passed.

Bill read a third time and passed.

Later:

The House of Assembly intimated that it had agreed to the Legislative Council's amendments Nos. 8 and 9 but had disagreed to amendments Nos. 1 to 7.

In Committee.

The Hon. A. F. KNEEBONE: I move:

That amendments Nos. 1 to 7 be not insisted on.

Motion negatived.

Later:

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendments to which it had disagreed.

The Legislative Council granted a conference to be held in the Legislative Council conference room at 9.30 a.m., at which it would be represented by the Hons. D. H. L. Banfield, Jessie Cooper, M. B. Dawkins, G. J. Gilfillan, and A. F. Kneebone.

At 8.35 a.m. the managers proceeded to the conference, the sitting of the Council being suspended. They returned at 10.32 a.m.

The Hon. A. F. KNEEBONE: Mr. President, I have to report that the managers of the two Houses conferred together but no agreement could be reached.

The PRESIDENT: As no agreement has been reached, the Legislative Council, pursuant to Standing Order No. 338, must either resolve not to further insist on its requirements or order the Bill to be laid aside.

The Hon. A. F. KNEEBONE: I move:

That the Legislative Council do not further insist on its amendments Nos. 1 to 7.

It was a most disappointing conference from this Council's point of view. It was disappointing, first, in the fact that the Minister in charge of the Bill from another place unfortunately had to be called away to attend to some duty and was therefore not able to be present, and the task of chairing the meeting on behalf of the House of Assembly was passed over to Mr. Clark, M.P. He had his instructions regarding the way in which he should deal with the matter, and very soon we were informed there was no area in which a compromise could be reached. Therefore, as far as the Council was concerned, the exercise was a waste of time.

The Hon. JESSIE COOPER (Central No. 2): I am shocked at the whole planning of this conference. The Minister has already reported that the Minister of Education was absent. This, in itself, was a surprise to me, but I was even more surprised that he had left firm instructions that no compromise was to be accepted or given. The managers of the Council were prepared to offer several types of compromise, but even if we had been able to discuss them they could not possibly have been accepted, as there was no flexibility left with Mr. Clark, the Chairman.

It was a discourteous and completely arrogant attitude. When I think of the importance of the Bill to all the parents and the children of secondary school-going age I am amazed that this could have happened.

I think, too, it is insulting to the whole system of independent school education of the State; secondly, I think it is insulting to the women of the State, particularly the women teachers. The implication has been that the women of the Education Department are incapable of serving on the Public Examinations Board. This has been stated and stated.

I cannot imagine a worse display of totalitarian behaviour. What we have lost in losing the Bill is the chance of getting complete freedom of thought in our Public Examinations Board system. We do not want a stereotyped system of education in this State. Our two systems of education have worked magnificently. The church schools have been a tower of strength right from the beginning and all churches have worked in with the Education Department; yet here was the opportunity to thrust them down, and no compromise was possible. It was a big and important Bill, and I am sorry to have to say these things. Mr. Clark, the chairman, was extremely courteous, but his hands were completely tied.

The Hon. R. C. DeGARIS (Leader of the Opposition): I am very sorry that no compromise could be reached on this Bill, particularly when there was a field for compromise as far as the Council was concerned. I consider there is no great hurry for this legislation. As I understand the Bill, the new board would not have any function until some time in 1968. I see no reason why the Bill cannot be considered again early in the next Parliament. However, I express my regrets that no compromise could be found on this issue.

The Council divided on the motion:

Ayes (4)—The Hons. D. H. L. Banfield, S. C. Bevan, A. F. Kneebone (teller), and A. J. Shard.

Noes (14)—The Hons. Jessie Cooper (teller), M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, H. K. Kemp, F. J. Potter, C. D. Rowe, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

The PRESIDENT: There are four Ayes and 14 Noes, a majority of 10 for the Noes. The Bill is therefore laid aside.

PHARMACY ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

PUBLIC SERVICE BILL

In Committee.

(Continued from November 1. Page 3277.)

Clause 46 passed.

Clause 47—"Vacancy in other office."

The Hon. R. C. DeGARIS (Leader of the Opposition): I move:

In subclause 3 after "Division" to insert "—(*a*)"; and after "conduct." to insert the following new paragraph:

"(*b*) 'Officer' includes any officer of either House of Parliament or any person under the separate control of the President of the Legislative Council or the Speaker of the House of Assembly, or under their joint control, who immediately before his first appointment as such an officer or his first employment as such a person was—

(i) an officer within the meaning of the Public Service Act, 1936-1966; or

(ii) an officer within the meaning of this Act."

This amendment is designed to preserve the existing rights of Parliamentary officers who have held office under the Public Service Act and to encourage the free exchange of officers between the two services under this Act. Comparatively few officers will be affected by this provision but its inclusion will be to the advantage of both Parliament and the Public Service.

The Hon. C. R. STORY: I support the amendment, which is necessary. Parliament has functioned very well under its officers. I take this opportunity of saying that Parliament generally in this State has been well served by its officers. This provision will ensure that their interests are protected.

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): The Parliamentary Draftsman suggests that there is no need for the amendment because the desired effect can be obtained by the Bill as drafted. This provision was put into the Bill for a specific purpose. The Public Service Act, 1936-1966, was in concept a measure applying to the formally constituted Public Service but of its nature also applying, to a considerable extent, to a large number of people, outside the formal Public Service but nevertheless in the service of the State. Inevitably this attempted dual application resulted in some degree in a measure of indeterminate scope that left some quite important aspects of employment, as opposed to Public Service employment, not adequately covered.

The present measure recognizes this problem and attempts to resolve it differently in that it sets out the precise conditions of service of the formal Public Service and then makes provision for the application of all or some of those conditions to various groups in the employ of the State as the circumstances of the employment dictate, and it leaves the remaining aspects of their conditions to be covered by other appropriate means. Provision for this application is contained in clause 8 (2), which follows a section in the previous Act; in fact, the Parliamentary officers already have their salaries determined by the application of that provision in the previous Act. In addition, under clause 127, the long service leave provisions provided for the Public Service are specifically extended generally to all persons in the employ of the State and provision also exists in clause 128 to extend the flexible retiring age provided for in this Bill.

While I appreciate the special circumstances that exist in relation to Parliamentary personnel, being as they are a relatively small group, their situation is not unique but parallels the situation of employees of other small statutory organizations, such as the Lotteries Commission and the Totalizator Agency Board. It does not seem to me desirable that special provision should be grafted on to a Bill, which on the face of it is designed to deal with the formal Public Service, relating to a group, albeit a most important group, of persons not part of the Public Service.

I assure the honourable member that the substance of his amendment can already be attained under the Bill as it now stands. If the amendment is proceeded with it will in some measure detract from the relatively simple application of all or portion of this Bill to persons outside the Public Service, but who are in the service of the State; it will inevitably leave the way open to pressures for a similar formal inclusion of other groups whose position is in some respects analogous to that of Parliamentary personnel with the end result that the scope of this Bill will again become somewhat indeterminate. If we formally put in these groups of people we would be asked to put in other groups of people.

The Hon. R. C. DeGARIS: Under the Bill, Parliamentary officers who have transferred from the Public Service will be denied any real opportunity to return to it in the future, a right that is available to them now under the principal Act. I cannot see any reason why the provision has been excluded from this legislation. I cannot completely understand the Minister's long explanation but I do not see that the carrying of my amendment does any harm.

The Hon. A. F. KNEEBONE: There is no restriction on who may apply for positions in

the Public Service, but, if an officer of Parliament should be the best applicant, the appointment would not be made under clauses 46 and 47: it would be made under clause 56 or clause 42. If it is desired to give officers of Parliament the same privileges as those given to officers of the Public Service in relation to appointments (for example, the right to appeal against recommendations), then this can be done by a proclamation pursuant to clause 8 (2) applying the appropriate sections to them.

Amendment carried; clause as amended passed.

Clauses 48 to 81 passed.

Clause 82—"Entitlement of officer to a grant of recreation leave."

The Hon. C. D. ROWE: I move:

In subclause (1) to strike out "and section 87".

This is the first of a series of amendments I propose to move to reduce the recreation leave from four weeks, as proposed in the Bill, to three weeks.

The Hon. A. F. KNEEBONE: I do not propose to go into a long explanation about the desire of members of the Opposition to take away from public servants something the Government promised before the last election to give them. The Bill takes care of salaried officers in the Public Service. Both Government members and members of the Opposition have expressed their appreciation of the work done by public servants, but the Opposition's praise amounted to hollow words. Public servants have expressed appreciation of this provision, but some people have tried to create dissension by saying that the extra leave will amount to only two days. For many it will mean an extra week. The granting of this extra leave is one way of improving the conditions of employment of public servants. The Government cannot offer attraction wages, which are offered by other employers. It has been said that this will spread to industry. However, I do not believe that this will have general application in industry in the immediate future, although this could come about gradually. Technological advances will mean an increase in leisure time and a decrease in working hours. When leave for public servants was increased from two weeks to three weeks it took about 20 years for industry to increase leave for its employees from one week to two weeks. If private industry does not introduce this increased leave for another 20 years, the argument advanced by the Opposition is fallacious. I therefore appeal to the Committee to oppose the amendment. I intend to treat the debate on this amendment as a test in regard to subsequent amendments.

The Committee divided on the amendment:

Ayes (15)—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, Sir Norman Jude, H. K. Kemp, F. J. Potter, C. D. Rowe (teller), Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (4)—The Hons. D. H. L. Banfield, S. C. Bevan, A. F. Kneebone (teller), and A. J. Shard.

Majority of 11 for the Ayes.

Amendment thus carried.

The Hon. C. D. ROWE moved:

In subclause (1) to strike out "four" and insert "three".

Amendment carried; clause as amended passed.

Clause 83—"Application of s. 82 to service prior to 1/1/68."

The Hon. C. D. ROWE: I move:

To strike out clause 83.

As clause 82 has been amended, this clause is redundant.

Amendment carried.

Clauses 84 to 86 passed.

Clause 87—"Closure of offices, etc."

The Hon. C. D. ROWE moved:

To strike out subclause (2).

Amendment carried; clause as amended passed.

Clauses 88 to 91 passed.

Clause 92—"Pro rata long leave on retirement, etc."

The Hon. F. J. POTTER: I move:

In subclause (1) to strike out "five" and insert "seven".

This clause relates to pro rata long service leave about which there was some debate during the second reading stage. My amendment is designed to bring this provision into line with the provision agreed to at the conference last evening in relation to another industrial matter.

The Hon. A. F. KNEEBONE: I did not have prior knowledge of this amendment, but I oppose it. In relation to the other matter to which the honourable member referred, we agreed to 13 weeks' leave after 15 years' service. The provision for leave in this Bill relates to 10 years' service. In providing pro rata leave in the other case, we were much more lenient than we will be in this case if the amendment is accepted. I suggest that

we should be consistent in both cases. This is another instance of the attitude of Opposition members in regard to the Public Service. Public servants go out of their way to assist Parliament: the Parliamentary Draftsman and his assistants, and secretaries and heads of departments especially assist with the work of this Parliament.

I want to express my appreciation of the assistance given to me by the Registrar of the Industrial Commission (Mr. Hilton) in relation to the drafting of the Industrial Code Bill. He spent considerable time at weekends with me and other officers for which time he received no remuneration. Members opposite have referred to what a wonderful job public servants do (I agree with that), and yet a few moments ago they have carried an amendment to deny to public servants even two days' extra leave. As I have said before, people are leaving the Public Service to obtain better conditions in other fields. Among those who supported the amendment to deny to public servants an extra two days' leave were members who have been permanent officers of the Public Service, who have represented the Public Service Association legally, and so on. In that case they voted against the interests of the Public Service. I do not know what this place is coming to. I have referred to an association—heaven forbid that I should ever refer to a union. Whenever a union is mentioned, members opposite seem to want to refuse any benefits to anybody who happens to be a member of it. Heaven forbid that there should ever be preference to unionists! Members opposite will not support any provision in this regard. However, they should bear in mind that public servants will not forget who was responsible for refusing these benefits.

The Hon. R. C. DeGaris: That is why the Bill was introduced.

The Hon. A. F. KNEEBONE: No, the matters in the Bill were promised to public servants for a long time. When I first became a Minister, the question of pro rata leave was being bandied around, the previous Government having refused to do anything about it. I am completely disgusted by the attitude of members opposite to matters affecting the Public Service Association, which, in comparison with some other unions, has behaved itself magnificently over the years. In this case, members opposite have provided something for people in private industry (which they represent) and will not provide it for public servants, who are doing a magnificent job for this Parliament, and State. They are giving something better to the people working in the private sector of industry than they are prepared to give to public servants. It is no wonder that when we came into office we heard that people could not be kept in the Public Service.

The Hon. C. D. Rowe: They cannot get a job outside now.

The Hon. A. F. KNEEBONE: What nonsense! That is the kind of story that people are being told in England. Recently I have talked to people representing the retail industry and, in relation to the Christmas sales in shops, they have the highest degree of confidence. Members opposite should talk to these people and to other people to whom I have talked who represent commercial and general industry and who have also expressed their confidence about the future. I ask members to vote against the amendment, which will take away from public servants another benefit to which they are entitled.

The Committee divided on the amendment:

Ayes (15)—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, Sir Norman Jude, H. K. Kemp, F. J. Potter (teller), C. D. Rowe, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (4)—The Hons. D. H. L. Banfield, S. C. Bevan, A. F. Kneebone (teller), and A. J. Shard.

Majority of 11 for the Ayes.

Amendment thus carried.

The Hon. A. F. KNEEBONE: I move:

In subclause (1) to strike out "nine days' salary" and insert "the monetary equivalent of his or her salary for nine consecutive days".

Under subclause (4) of the previous clause, long service leave is calculated on the basis of consecutive calendar days; that is to say, no regard is paid to non-working days granted in the period of the leave. I think this amendment will clarify the situation.

Amendment carried; clause as amended passed.

Clause 93—"Payment for pro rata long leave on death."

The Hon. F. J. POTTER: I move:

In subclause (1) after "than" to strike out "five" and insert "seven".

This is consequential upon my amendment to the previous clause.

Amendment carried.

The Hon. A. F. KNEEBONE moved:

In subclause (1) to strike out "nine days' salary" and insert "the monetary equivalent

of the officer's salary for nine consecutive calendar days".

Amendment carried; clause as amended passed.

Clause 94—"Re-employment of certain pensioners."

The Hon. A. F. KNEEBONE: I move:

After "retirement" to strike out "in respect of which he has not been granted, or received payment in lieu of, leave of a type similar to that provided for by section 91 of this Act".

It has been brought to the Government's attention that a strict application of this provision might deprive a pensioner who is subsequently re-employed of a right he previously enjoyed, that is, to aggregate his service before he became a pensioner with his subsequent service for the purpose of calculating his future entitlements to long service leave. The amendment makes it quite clear that an officer will in no circumstances be granted leave, or paid in lieu of, twice for the same period of service.

Amendment carried.

The Hon. A. F. KNEEBONE moved:

After "Act" last occurring to insert "but where, in respect of the continuous service before his retirement, the officer has been granted, or received pay in lieu of, leave of a type similar to that provided for by section 91 of this Act, that officer shall not be entitled to leave under that section in respect of that continuous service before his retirement."

Amendment carried; clause as amended passed.

Clauses 95 to 107 passed.

Clause 108—"Continuation of officer's service."

The Hon. R. C. DeGARIS: I move:

After "108" to insert "(1)"; and after "Service." to insert the following new subclause:

"(2) Notwithstanding anything in this Act, where by proclamation under section 128 of this Act all or any of the provisions of this Division are applied to a Clerk of the Legislative Council or a Clerk of the House of Assembly then the reference to the Board in subsection (1) of this section shall be read as reference to—

(*a*) in the case of the application to a Clerk of the Legislative Council, the President of the Legislative Council; and

(*b*) in the case of the application to a Clerk of the House of Assembly, the Speaker of the House of Assembly."

This clause deals with the continuation of an officer's service after his retiring age. Probably at some time in the future the Public Service Board will request the Governor to issue a proclamation bringing Parliamentary officers under the provision, but such a proclamation cannot provide the same retiring age as is contained in the present Act. This should still be under the control of the President of the Council and the Speaker of the House of Assembly; so that, in the case of the retirement of an officer, his retirement can be arranged after his retiring age so that it takes place at a time not inconvenient to Parliament. For instance, if in this session one of our officers had had to retire, it would possibly have affected our working. I consider this amendment reasonable in the circumstances.

Amendment carried; clause as amended passed.

Remaining clauses (109 to 132), schedules and title passed.

Bill read a third time and passed.

Later:

The House of Assembly intimated that it had agreed to the Legislative Council's amendments Nos. 1, 2, 8 and 10 to 14 but had disagreed to amendments Nos. 3 to 7 and 9.

In Committee.

The Hon. A. F. KNEEBONE moved:

That amendments Nos. 3 to 7 and 9 be not insisted on.

Motion negatived.

Later:

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendments to which it had disagreed.

The Legislative Council granted a conference to be held in the Legislative Council conference room at 9 a.m., at which it would be represented by the Hons. D. H. L. Banfield, R. A. Geddes, A. F. Kneebone, C. D. Rowe, and V. G. Springett.

At 8.35 a.m. the managers proceeded to the conference, the sitting of the Council being suspended. They returned at 10.28 a.m. The recommendations were as follows:

As to amendments Nos. 3 to 6: That the Legislative Council do further insist on its amendments and that the House of Assembly do not further insist on its disagreement thereto.

As to amendments Nos. 7 and 9: That the Legislative Council do not further insist on its amendments.

In Committee.

The Hon. A. F. KNEEBONE: I move:

That the recommendations of the conference be agreed to.

The effect of the recommendations is that the annual leave entitlement for public servants will be reduced from four weeks to three weeks.

Regarding the pro rata long service leave entitlement, the effect of the recommendations is that the qualification period will be reduced from seven years to five years. The agreement on these matters was reached within a fairly short time and without any untoward unpleasantness. In fact, it was an amicable conference.

Motion carried.

Later, the House of Assembly intimated that it had agreed to the recommendations of the conference.

PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 1. Page 3282.)

The Hon. C. D. ROWE (Midland): I regret having to deal with this important Bill at this time, and because of that I shall adhere much more closely to my notes than would otherwise have been the case. The Bill involves not only the usual aspect of the safety of patrons of places of public entertainment but also social and moral questions about what entertainment should be permitted on Sundays. The principal Act must be amended to protect people who gather in large numbers in circumstances that create a risk of public danger, and I think everyone supports amendments that do that. The noise factor is important at some of these places of entertainment. In one suite of offices in a city street—

The Hon. A. J. Shard: I know a few.

The Hon. C. D. ROWE: In at least one it is almost impossible for tenants to work during the weekend because of the noise emanating from a discotheque. Apparently, if noise is created where people are working there is trouble, but there is no trouble if noise is created while people are enjoying themselves. Another aspect of the Bill is the extent to which Sunday entertainment should be permitted, whether indoor or outdoor, whether amateur or professional, whether large or small numbers are involved, or whether the entertainment involves the use of much or little labour. Doubtless, opinions differ on this matter and I do not think we have considered sufficiently the social or moral aspects.

The approach to Sunday observance has changed considerably in the past 20 years or 30 years, and the views of the public must be considered. However, my approach is not necessarily governed by the views of the public. Even if it were, I have not gathered that there is any real demand for a continental Sunday in South Australia. It is significant that, notwithstanding that this legislation has been before Parliament for about one month and that there has been much press comment about it, no significant public voice seems to have been raised to urge us to support the legislation. Although I have received many letters asking me to oppose the extension of public entertainment on Sunday, I have not received any communication asking me to support it.

My approach to this Bill, as to all legislation, is governed by what I consider to be the essential principles involved. We in this Chamber call ourselves Christians, and the proof of our christianity lies in the fact that we take an oath of office on the Bible. This means that we recognize the importance of Christian standards and principles. Sunday is set apart to give to those people who desire to do so the opportunity to take part in religious worship and activity. It is argued that the people who wish to take advantage of this opportunity are decreasing in number and that this relatively small section of the community should not prevent activities on Sunday in which others may see no harm. Although church attendances may have decreased I do not believe that necessarily the influence of the church in the community has fallen. In many respects the activities of the church are more extensive and cover a wider field today than they have done previously in our history.

The church is doing more effective social work in many fields than in any time that I can remember in my lifetime. I am a member of the board of management of the Central Methodist Mission in Franklin Street, Adelaide, and that mission conducts many activities. It is one of a large number of similar missions and church organizations of all denominations doing this work. At present, the Central Methodist Mission operates a home for the aged known as Aldersgate Village in which most of the 489 residents live in an independent and self-reliant manner within the framework of total care and with the awareness of the facilities available. This undertaking involves a total expense of $380,000 a year, and considerable business acumen is required to operate it.

In addition, the mission operates a home for about 60 children at Penfold Road, Magill, and its modern methods are in the forefront of methods used for caring for children. In addition, the mission does important work in

rehabilitating alcoholics and in the care of single and lonely men at Kuitpo Colony, where from 20 to 30 men are in residence from time to time. In the relief of poverty and distress, particularly in times of emergency, the Central Mission cares for many families: in the last 12 months about 1,800 families and 800 single people have been assisted. The mission also operates what could be called a secondhand shop but what is properly known as a goodwill store, to which goods are donated, to be sold cheaply to people who need them. Last year the income in connection with this work was $63,000. All these activities involve a staff of about 240 people with an additional 130 voluntary workers.

The opinions and views of this and other similar church organizations should be considered, and much importance should be attached to them because of the place of the mission in our community. I cannot see how or where much of this work could or would be done if the influence of the church were reduced to the point where it did not attract sufficient support to carry this work into the community. If Sunday is to become a continental day and there is little distinction between it and other days, the church must compete against this opposition and faces a more difficult battle than it is facing at present. Limiting the effectiveness of the church by placing it in further competition with other activities on Sunday is not considering or giving proper credit for the tremendous field of social work in which it is engaged and the tremendous contribution it makes to the welfare of many people in the community.

For these reasons we should deal with the clauses dealing with the safety of the public in certain entertainment fields, as I agree with the Government that this situation needs urgent attention. However, with regard to the other question I agree with those who consider that this legislation has not been fully and accurately considered, and I should like further time allowed so that the parties most interested could consider what would be acceptable to the community. If this matter were left in the hands of church organizations they could combine to work out a solution that would be satisfactory to them and to the community, particularly after considering the present altered views concerning the observance of Sunday.

I support the portion of the Bill dealing with public safety, but I intend to vote against clause 6, which opens up Sunday for fairly extensive recreational purposes. I do not oppose altering the existing law, but I oppose this clause because I think it should be further considered by those who are extremely interested in the situation, so that any proposals would have the backing of church organizations and could be passed by Parliament knowing that they were the wishes of most people.

The Hon. JESSIE COOPER (Central No. 2): This is a very important Bill because of the historical change it will bring about. Not many years ago Sunday was almost entirely conducted in conformity with the requirements of the Christian church. Today, that situation is certainly quite different. The churches themselves have greatly modified their attitude to the observance of the Sabbath. Rightly or wrongly, our people have a greatly changed attitude to the Sabbath, and this has been coming about for over the past 40 years. Much of the law appertaining to the Sabbath is now traditional rather than devised for the present day. That is a sad fact, and much of it, indeed, is out of step with present-day social customs, whether we like it or not.

It is Parliament's duty to ensure that the nature of legislation changes and evolves with the varying nature of the social requirements and welfare of the people for whom it legislates. I believe that a modification of our laws could be made on this question, but I do not believe in this Bill. Apart from its collection of minor modifications to the old Act, this Bill substantially places the control of Sunday entertainment and sport in the hands of the Minister for completely arbitrary decision. It will, in fact, be at the pleasure of the Minister whether South Australia may or may not have any variety of sport or entertainment on Sunday. It will be at the pleasure of the Minister whether any type of entertainment will be prohibited on Sunday.

In fact, in this magnificent array of arbitrary dictatorial power, the Minister may even prohibit the attendance of individuals at any specified type of entertainment. Obviously, clause 6 is little more than window dressing, particularly new subsection (3), which states:

> Except where a permit is in force under subsection (4) of this section, a person shall not on a Sunday provide, engage in or attend any of the following:—

and then follows a list of activities. This sounds marvellous—just what most people

want and believe to be the right approach to Sunday sport and entertainment. I have not once, amongst the hundreds I have asked, had an answer very far from the statement that there should be amateur but no commercial sport on Sundays. Nobody wants commercial sport or entertainment: to many people it is anathema.

However, turning to new subsection (4), we find that the Minister will have completely arbitrary power to give permits or to revoke permits at will. Of course, he has to consider the implications of each request, but honourable members should note that he does not have so much as to give it credence or priority. Regarding new subsection (5), again complete powers are given to the Minister. In these circumstances and under the form of Bills such as this, one sometimes wonders why we go to the trouble of including a regulation-making provision, because truly there is little one can visualize that is not being placed in the hands of the Minister.

I am emphasizing this point once more not only as a matter of principle but as a matter of fact which is of great concern to us all. The Minister will have power to swing between absolute abolition of any organized entertainment and almost complete freedom for an orgy of commercialized sport or entertainment. People being what they are, and Ministerial portfolios being subject to frequent change over the years, one can visualize extreme cases of complete licence on these matters in one Minister's regime and complete prohibition in another Minister's regime.

If this Council passes the Bill, it is quite feasible that the people will be subjected to a varying range of liberties or restrictions in relation to the observance of the Sabbath, and nobody will be able to forecast the position from year to year. The principle of requiring most variations of the people's rights and liberties to be put through by regulation, subject to vetting by Parliament, is a very good practice evolved over a long history of Parliamentary government. It is a practice which ensures that every man's rights may be understood or justly argued. It is one which introduces some sense of continuity and stability in the laws of the land which we should be at pains to maintain.

Let us be frank: this Bill can, in the main, be stated in a few lines: "The Minister shall have power to permit or prohibit any organized activities in the fields of entertainment or sport on a Sunday in South Australia." This is just about what the Bill says. This simple situation has been dressed up with a lot of words which will not be understood by the general public. Therefore, to me this is a dishonest Bill and at this stage I do not propose to support it.

The Hon. M. B. DAWKINS (Midland): This Bill is a two-way Bill; it should really be two Bills. It deals with public safety and also with Sunday observance. We have heard about the great urgency of passing this Bill and I shall not, in connection with public safety, argue against this for a moment. The provisions for public safety are very necessary in view of recent developments in connection with discotheques. I support the preliminary clauses, including clause 3, with one small exception: I believe subclause (2) should be omitted. I support clauses 4, 5 and 7.

I cannot support clause 6, on which I have had some correspondence, including some from the churches and some from private individuals. I realize that we have been informed that the Premier wrote to the churches as far back as last June telling them he would bring in a Bill dealing with this matter. I understand that the churches were asked for their opinion. However, I have also been told, in connection with clause 6, that it has been something of a "take". I have been told by church people of standing that they have been led up the garden path, and I believe this is so.

I believe the churches have exhibited a very responsible attitude. Not many years ago the churches probably would have taken a much less flexible and narrower attitude than that which they have taken today. Their present attitude is realistic: it faces up to the fact that many people do not agree with them. Consequently, they have conceded that changes are necessary. Nevertheless, the churches believe that the changes provided by clause 6 are hasty and could well have been put off until the next Parliamentary session, by which time they could have got together and considered its implications. I have received a letter from the Rev. G. Minge, President of the South Australian District of the Lutheran Church of Australia, in which he states he is very disturbed at the trend that has become evident in this legislation. He wrote to the Premier along these lines:

First, according to statements of yours published in the *Advertiser* this past week, more forms of entertainment will be permitted on Sundays than were visualized from your first letter to the heads of churches. Had I known this, the submissions on behalf of my church, forwarded to you by the Bishop of Adelaide, would have been more specific than they were.

This underlines the fact that the churches were not taken into the full confidence of the Premier. Mr. Minge further said:

Secondly, I fully subscribe to the contention of the Methodist Conference, published in the *Advertiser* last week:

> "Any law in regard to Sunday activity should be readily understood and clearly enforceable, and not subject to the personal factors involved in a permit system interpreted and administered by a Minister without reference to Parliament."

The letter further said:

To give the Minister the power to grant permits is placing too great a responsibility on one person; it could lead to confusion because of the differing views of different Ministers; dangerous precedents could be created; and what an opportunity—

I think this is a little out of touch with our Parliamentary system—

for bribery and corruption on the part of those who might press for permits to conduct such entertainments as may be far from the minds of the present Government.

This indicates that the churches were not informed as readily as they might have been. It also underlines the comments made by the Hon. Mrs. Cooper with reference to putting all the power to grant permits into the hands of one person who might happen to be the Minister for the time. There is further evidence of this. The Reverend A. E. Vogt, who is the Superintendent of the Central Mission and to whom the Hon. Mr. Rowe referred, said that more time should be given to discussion in the community of the Government's proposed Bill on Sunday activities. Mr. Vogt said there was "indecent haste" to introduce the legislation. In answer to this, the Premier was reported to have said that Mr. Vogt was ill informed.

If Mr. Vogt and other church leaders were ill informed, the blame for this rests fairly and squarely on the Premier. The following day, when the Premier was interviewed by the newspaper which the Chief Secretary recently referred to as "That rag, the *News*", he said that Mr. Vogt, in saying that the Government was indecent, had used words that were ill chosen, but Mr. Vogt had said "indecent haste", which is an entirely different thing. If this is an instance of the way in which that little man, who is now the Premier of South Australia, will twist people's statements, I believe the sooner we get a change of Government the better, because Mr. Vogt was reported as saying there was indecent haste about the legislation, and two days later the Premier said that Mr. Vogt said the Government was indecent.

If this is an instance of the way in which the Premier will twist people's words, I am sorry to know he is the Leader of the Government. At 5.23 a.m. I do not intend to go through the Bill in detail. I do not intend to support clause 6, because I believe the comments of the Reverend G. O. Minge and Reverend A. E. Vogt are substantially correct. The comments made by my colleagues are also correct, in that this is indecent haste. This is not necessary. The clauses I have indicated I will support are necessary at this moment. I am prepared to support the Bill at the second reading stage, because I believe those clauses are needed at present. I accept the Government's contention that this should be done before the end of the session, but I do not agree with clause 6, nor do I agree that there is a crying urgency for that part of the legislation.

I am not against change, because I believe we must move with the times: there is a different outlook and there is a necessity for some change in the laws, but this should be considered carefully and representations from the churches and other community interests should be considered. When the Government deals with people like this, it should lay its cards on the table and give them the full story before it introduces this type of moral legislation. While I support the Bill as far as public safety is concerned, I am not in support of clause 6.

The Hon. A. M. WHYTE (Northern): Like the previous speaker, I have no intention of going through the Bill piecemeal. If clause 6 were deleted the Bill would be a good one. There is a certain amount of necessity for the legislation provided in the other clauses. Regarding clause 6, the Hon. Mr. DeGaris said that its scope was extremely wide; and this is perhaps the understatement of the year. Clause 6 gives absolute power to the Minister. Why any one person would wish to burden himself with such duties and the decisions that would have to be made astounds me.

I am not perhaps as concerned with the various rulings given by the various churches, because they were perhaps a little inconsistent. Had they wanted to do something about the legislation they could have been more forceful than they have been up to date. Whether this was because they did not truly understand the position and whether they were misled into believing that the whole of the Bill had to be passed to provide protection for persons in places of public entertainment, I do not know. I presume that in a good many instances it would be the case that they were under the impression that unless they did something

about clause 6 they could hamper the Bill to a point where the protection needed in the other clauses would be impaired.

I am not opposed to sport on Sunday. I think it is something that should be encouraged. However, I am very much opposed to the commercialization of sport and to other entertainment on Sunday. Sport is one thing, but a provision for "any other type of entertainment" is altogether too wide. One of the arguments in favour of clause 6 is that at present some people infringe the law. I have had some 30 letters written to me by people within the State. The writer of one of them said that if a farmer found some of his sheep in his crop he would turn them out and fix the fence. Under this Act, it appears that the thing for him to do would be to open the gate and turn the rest of the sheep in. This is the opposite of what we need. I consider that some widening of our entertainment laws is necessary as far as protection is concerned. We should look at these necessities as they arise and as they are presented to us. I think this matter should be placed back into the Government's hands. However, I believe that this power should not be vested in one person. We must legislate carefully and steadily so that there will be no infringement of personal rights and so that no sudden surge of Sunday activities will occur.

Previous speakers have adequately dealt with the Minister's wide powers in permitting any type of sport or entertainment to be conducted on a Sunday. Although new paragraphs (*a*) to (*j*) (to be inserted as part of new subsection (3) in section 20 of the Act) refer to activities that shall not be conducted on a Sunday, I point out that new subsection (4) (contained in clause 6) gives the Minister power to permit such activities to be conducted. This is far too wide a scope, and I believe that such a hastily designed provision will create havoc. As a result of this provision, people may well come to regard the many activities, which may subsequently be conducted, as part of their normal Sunday routine. Although I intend to support the remainder of the provisions, I oppose clause 6.

The Hon. L. R. HART (Midland): Although I did not intend earlier to speak to this Bill, I now wish to make a few comments on it, bearing in mind the fact that we have the whole day in front of us.

The Hon. A. J. Shard: Many people have an appointment at mid-day, so they haven't got all day.

The Hon. L. R. HART: I should be finished by then. Although I do not intend to debate the general principles of the Bill, I point out that many of us have witnessed in the past non-observance and numerous breaches of the Act that have occurred. It was therefore obviously necessary that the Act be revised, but in revising the Act we are providing for an expansion of Sunday activities. I am not opposed to a relaxation of the laws governing entertainment on Sundays, provided they are relaxed with discretion. Although it has been said that the Bill is substantially based on the Tasmanian measure recently before the Parliament in that State, I point out that that is not entirely correct: I do not think the general concept of this Bill follows the Tasmanian legislation. Like other honourable members, I am rather concerned about clause 6, which I believe will place much responsibility on the Chief Secretary and create for him an invidious position.

The Hon. A. J. Shard: In what position do you think he is now?

The Hon. L. R. HART: Although I know that the Chief Secretary will handle these provisions with his usual restraint and great discretion, I point out that the same gentleman will not always be the Minister concerned and that this is where our fears arise. Clause 6 (*a*) amends section 20 of the principal Act to the effect that sporting events and entertainment on a Sunday shall not be carried on in licensed premises between 3 a.m. and 1 p.m. I am wondering whether it might not be better to change the latter time to 2 p.m. Sunday is, of course, the day on which many of us discharge our religious obligations. Many churches conduct a service at 11 a.m. lasting for an hour or so, and those who attend that service generally return to their homes afterwards, change, eat lunch, and perhaps attend a sporting fixture.

The situation could arise in which a person was torn between two loyalties: whether he should support his church and fulfil his religious obligations or whether he should support a particular sporting club. As league football matches on a Saturday do not commence until 2.20 p.m., and as many other Saturday sporting activities do not commence until after 2 p.m., why should we provide that sporting activities may be commenced at 1 p.m. on a Sunday? A number of activities set out in clause 6 can be conducted only under a permit issued by the Chief Secretary, although the Tasmanian legislation clearly stipulates that such activities, with one or two exceptions, are

entirely banned on a Sunday. As I have said previously, the Chief Secretary is placed in an invidious position, because many of the activities referred to are already carried on at present. On what grounds will the Chief Secretary refuse a permit for one of these activities to continue? For instance, dog racing is held at Waterloo Corner on Sundays and, if the Chief Secretary wishes to see that activity—

The Hon. A. J. Shard: I stay in my own backyard on Sundays.

The Hon. L. R. HART: But many attend the dog races at Waterloo Corner on Sundays. If the relevant provision in the Bill is implemented, will the Chief Secretary say to those wishing to conduct dog racing on a Sunday, "You cannot continue to do this," at the same time sanctioning, say, a Sunday soccer match on a metropolitan oval if one is available? Also, we know that motor racing is conducted on a Sunday at present at the Mallala circuit and at the Brooklands drag strip. On what ground will the Chief Secretary refuse the continuation of these activities when provision exists in the Bill for him to issue a permit for them to carry on? In what category do horse trials come? I know a let-out provision is included here in that a trial held for the purpose of training the horses or their riders is permitted.

Let us have no subterfuge with the Bill, because we are trying to get away from that. If the Bill is passed as it stands, we will see the situation where horse trials that normally would not be permitted will be conducted in such a way that they will be regarded as trials for the training of the horses or their riders. The idea all along in relation to this Bill (and particularly in relation to the Licensing Act) has been to get away from subterfuge. However, in the Bill we may be more or less perpetuating it. Therefore, I believe a great responsibility devolves on the Chief Secretary in relation to the Bill, a responsibility that should not be borne by one man. It is not fair to the man himself or to the organizations concerned that he should have this responsibility. We should examine this clause and see whether we cannot remove some of these activities, which will be permitted under permit, and ban them altogether: that would make the position much clearer than it is at present. Once the Chief Secretary commences issuing permits for these activities, we might as well throw the gate wide open.

I also wish to discuss the Second Schedule in the principal Act which I believe I am entitled to do because clause 8 deals with the currency aspects of the Bill. The Second Schedule deals with the rates payable for licences. It is fairly evident that many activities are being carried on at present on premises that have not been licensed. I assume that once the Bill comes into effect (which it may do) a great need will exist to tighten up the licensing of premises, and I think this is desirable. In fact, I see no reason why premises in which activities are carried out on Sunday should not be licensed.

The Hon. A. J. Shard: This applies all through the week as well as on Sundays.

The Hon. L. R. HART: That may be so. The problem is that under the Second Schedule the fees are governed by the capacity of the public place. A football oval could be a public place that would accommodate 1,000 people (the schedule does not state that the people must be seated). In relation to a licence for a period of one year for premises or a public place that can accommodate 1,000 people, the fee is $40. I cannot imagine some of these smaller football clubs being happy to have to pay $40 to license the premises in which they are going to conduct their Sunday activities. Therefore, while this legislation is before us we should also examine the Second Schedule, which I believe should be revised, the fees calculated under it to be more in keeping with the ability of some of the clubs to pay.

The Hon. A. J. Shard: I do not think football ovals come into it; I think it relates to the buildings thereon.

The Hon. L. R. HART: It refers to the size of the hall. However, what about the case of a public place where there is no hall?

The Hon. A. J. Shard: If it is not registered it is not a place of public entertainment, and no fee is involved.

The Hon. L. R. HART: All premises in which entertainment occurs should be licensed.

The Hon. F. J. Potter: A lot of them aren't, though.

The Hon. L. R. HART: Yes, but under the Act they should be. We should examine this aspect with a view to bringing the Act up to date. As I know that some honourable members have an appointment later in the day, and as I do not want to delay the passage of the Bill any longer, I support the second reading.

The Hon. F. J. POTTER (Central No. 2): Although I did not intend to say much about the Bill, I believe I should say something because I think some honourable members have a slight misconception about the existing Act

and about the Bill. To be perfectly honest, this is one of the Acts in the Statute Book at which I do not think I have ever looked until recently. I looked at it briefly when we were considering the Licensing Act some time ago, and in the last two or three days I have looked at it somewhat more carefully than before. Until one examines the Act one does not really appreciate how subtle it is in that it licences places of public entertainment and also, indirectly, licenses the actual activity in those places of entertainment. This sort of dual system of licensing is continued in a different way in the Bill. I do not think many people in South Australia realize that under the existing Act, if the Minister gives his consent, activities can be conducted on a Sunday in any licensed place of public entertainment whether or not a charge is made.

The Hon. A. J. Shard: This Bill makes the Act tighter.

The Hon. F. J. POTTER: In other words, any activity can take place in South Australia on a Sunday if it occurs in a licensed place of public entertainment and if the Minister, as an administrative act, gives his consent to it. Although I do not know anything about how the Act has been administered, I can only guess that it has been administered so that practically no consents have been given for any entertainment within licensed premises on a Sunday. In other words, the control exerted has been fairly tight. This purely administrative policy was carried out firmly and, of course, it could continue to be carried out firmly if clause 6 of the Bill were removed. The interesting thing about clause 6 is that it takes off the Minister's shoulders the heavy responsibility of giving his consent to sundry activities. The Hon. Mrs. Cooper said that this was window-dressing. It is more than that: it is actually relieving the Minister in charge of this Bill of a heavy responsibility. In future he will have responsibility only for those limited activities set out in clause 6. He will not have the agonizing duel between himself and the public conscience (which he represents) whether he should license a particular activity in a licensed place. Perhaps he has not had such a duel in the past. He has probably said "No", as a matter of common practice; but now he will not have this responsibility. He will have to worry only about whether he will permit a senior football, soccer, tennis or cricket match or the other activities mentioned in the clause; everything else, provided it happens after one o'clock in the afternoon, is as free as the wind. It does not matter whether or not any charges are made. That seems to be the situation. I see the Chief Secretary nodding his head, so I think I am on the right track.

The Hon. A. J. Shard: We agree this time.

The Hon. F. J. POTTER: Perhaps my little study of this Bill has made me see the light. It is true (and this has been overlooked by some honourable members) that clause 6, in addition to these matters that are spelt out, contains a dragnet clause, in that any other form of entertainment can be brought under control by the Minister's publishing a notice in the *Government Gazette* declaring entertainment of a specific type. One thing in clause 6 that concerns me and other honourable members is that certain activities are listed there and as regards senior football, soccer, tennis and cricket matches (which are the only forms of activity about which the Minister need worry himself) a permit may be granted by the Minister if he sees fit.

The Hon. A. J. Shard: There is a specific reason for it.

The Hon. F. J. POTTER: But there are many other activities at a secondary level (football and other forms of sporting activity) that can take place and they are as free as the wind after one o'clock on Sundays, under this Bill, and money can be charged for entrance. I am concerned about this, particularly as regards sporting fixtures. I have drafted an amendment to deal with this.

The Hon. A. J. Shard: It is dead easy, of course! It is impossible.

The Hon. F. J. POTTER: I have drafted an amendment as a starting point. I appreciate the difficulties involved. I must admit that I did not think of it myself: some other honourable members thought of it originally and asked me to draw up an amendment. I tried and found it difficult.

The Hon. A. J. Shard: I am glad to hear you say that.

The Hon. F. J. POTTER: I referred it to the Parliamentary Draftsman and he found it difficult, too, but the purpose of the amendment was to try to get the Minister also to have to issue a permit for these other forms of secondary activity where an admission fee was charged. My amendment is at least a start and we can look at it when we reach the Committee stage. I hope all honourable members will now see what this measure does. We must realize that the Minister is being relieved of many worries and is having to worry only about the limited group of activities listed in clause 6. I support the second reading.

The Hon. A. J. SHARD (Chief Secretary): I thank honourable members for their attention to this Bill. Nobody respects the other person's point of view more than I do. None of my duties as a Minister of the Crown has caused me more worry, anxiety and upset than the Places of Public Entertainment Act. We hear it described as a hardy annual, but it is more a "hardy weekly" because of the problems it has posed. The Hon. Mr. Potter is right when he says the Bill makes it simpler and easier to operate. I appreciate what the Hon. Mr. DeGaris said about my statement about providing safety for licensed premises. Cabinet was discussing introducing a Bill dealing only with safety for all places of public entertainment. What I said on the Licensing Bill was said in good faith and at that time it was thought that that could be the answer but, the more we looked at this matter and the more we examined it, the more difficult it became. When people come up to me and say, "We shall not obey the law; we shall do what we like", I say, "You can, but we shall catch you in the end." I hope we catch them with this Bill. I do not like people bringing legal advisers with them and saying to the Minister, "We shall do you on this one. We will withdraw our application for a licence and we will do what we like."

The Hon. C. M. Hill: But the hotels were not in this category.

The Hon. A. J. SHARD: No. This applies to discotheques and clubs.

The Hon. C. D. Rowe: That is what I want to know.

The Hon. A. J. SHARD: I do not appreciate people doing that. I told them what I thought of them. They treat the law with contempt and, what is more, they are cunning. The Hon. Mr. Rowe was talking about the noise alongside a church. They are good girls and boys, when the police are there. However, if honourable members read some of the statements about their behaviour, they would wonder whether they were human beings.

The Hon. C. D. Rowe: If you hear the noise they make you wonder whether they are human beings!

The Hon. A. J. SHARD: The police looked at that, and the noise in the building did not seem to be very great. I am not talking of the people in the street. The people in the street are a greater problem than the people inside the building. I have never been to that place.

The Hon. C. D. Rowe: Nor have I.

The Hon. A. J. SHARD: I go and inspect these places sometimes. If I get a bad report about a place from a safety point of view I go and look at it. I am told that outside the noise is great but inside things are well conducted; but there does not seem to be any control over it. Our problem is in relation to cabarets operating on Sundays. At present the law does not cover them and, as long as they provide a meal, they can do as they like. I am not blaming the previous Government, but the present difficulty started when a big new hotel was opened and the management wanted to conduct a gala night in aid of the Children's Hospital. The hotel wanted to attract a large number of patrons (I attended), and the present law was enacted to cover what the hotel wanted. Since then, the position has snowballed and has got out of hand. Clause 6 is essential if we are to improve the position.

The Hon. R. C. DeGaris: Can you explain why?

The Hon. A. J. SHARD: Yes. Unless the right is given to open, cabarets will still function on Sundays and at an unfair advantage.

The Hon. R. A. Geddes: Do you mean the cabarets operating until 3 a.m.?

The Hon. A. J. SHARD: I am referring to cabarets operating on Sunday nights. They are doing that now and there is no law to prevent them. The Hon. Mr. Potter was right when he said that this provision took a big load off the Chief Secretary. Nobody would be so foolish as to think that a Minister would make important decisions without having discussions with Cabinet. If I am not sure what decision to make in a case that is different from usual cases, I submit the matter to Cabinet. I made a decision about which one member was hostile. I do not mind that: that is his right. I said that I would reconsider the matter and I told Cabinet that I did not mind retracting if I had been wrong. However, Cabinet unanimously confirmed my decision. Any Minister who gets out of step with Cabinet will not last long.

The principal Act has caused me no end of worry. I have never been criticized for issuing any permit but I have been criticized many times about not issuing permits. I have received letters from church representatives and I know these people, including the Rev. Vogt. I have had representations from many people about whether a prominent function that has been taking place each year will be permitted to continue. I received a deputation from two responsible people in connection with the function. At that time, the Bill had not been

introduced and these people asked me whether they would be able to charge a fee for entertainment provided on Sunday afternoon. I said that they would be able to do that if the Bill were passed in the form intended, but that I did not know what Parliament would do. This function is attended by thousands of people.

I respect the points of view of churches of all denominations, but the waters will not be kept back: the pressures are too great. By phasing in the change gradually, as the Bill does, we will be able to take action if some aspect does not work out satisfactorily. Regarding the Hon. Mr. DeGaris's amendment, I shall put the Government's point of view. Whether I agree with it or not, I take that point of view. The Government intends that no top league football matches will be allowed within the metropolitan area on Sundays. However, the Government wants to be able to permit end-of-season trips and weekend holiday trips to the country (say, to Renmark) so that people in the country will have the opportunity of seeing senior teams playing. A total prohibition would prevent teams from going to the country at all. We have nothing to fear from this Bill: the Council can take my word for that. Drag races will not be permitted within the metropolitan area, because they disturb the peace. The Hon. Mr. Rowe and I know the noise that comes from Rowley Park on a still night.

The Hon. C. R. Story: You can't fob those off on to the country.

The Hon. A. J. SHARD: They are held in the country. The main themes of this Bill are the safety of patrons and the provision of entertainment by cabarets and cinemas on Sunday night. It would be foolish to open the door to all forms of entertainment.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

The Hon. R. C. DeGARIS (Leader of the Opposition): I move:

To strike out new subsection (3) and insert the following new subsections:

(3) Notwithstanding that a licence or a permit under the Licensing Act, 1967, is in force in respect of any place of public entertainment, this Act shall apply to and in relation to that place of public entertainment and any public entertainment conducted therein.

(4) On application by a person licensed under the Licensing Act, 1967, that premises in respect of which a licence is in force under that Act, be licensed under this Act, the Minister may grant to that person such exemption from the provisions of this Act as the Minister may determine and specifies in the licence.

(5) The Minister shall not grant an exemption under subsection (4) of this section unless he is satisfied that adequate measures have been taken to ensure the safety health and convenience of persons whilst in the premises in respect of which a licence is sought.

(6) The Minister may grant an exemption under subsection (4) of this section upon such conditions, specified in the licence, as he deems necessary to ensure that the premises are brought into conformity with this Act.

In the second reading debate I fully canvassed my reasons for moving this amendment. In essence, it allows the Act to apply to licensed premises, but gives the Minister the right to grant exemptions.

The Hon. A. J. SHARD (Chief Secretary): The Government is not prepared to accept this amendment, the purpose of which is to bring premises licensed under the Licensing Act under the control both of the Licensing Act and the Places of Public Entertainment Act. This is, in fact, the position at present, and it has achieved nothing except to create doubt and confusion in the administration of the law. The circumstances that the Hon. Mr. DeGaris refers to in support of his amendment are directly attributable to the very situation that the amendment seeks to restore. It is precisely because the administrators of the two Acts have been in doubt as to how far each is entitled to insist on his requirements that certain hotel proprietors have been able to conduct entertainment without any effective control at all.

The Hon. Mr. DeGaris sees in the provision of the Bill some threat to the safety of the public. Indeed, that is not so; I can assure him that the reverse is the case. If the honourable member considers the Bill as a whole, he cannot but agree that it would be a strange thing if the Government, having gone to some considerable length to tighten up the controls over public safety, should be prepared to relax those controls in the case of licensed premises. The Bill, of course, does not relax control over licensed premises; it increases that control by doing away with unnecessary confusion and friction in the administration of the two Acts. The Hon. Mr. DeGaris need not fear that the controls over public entertainment imposed under the Licensing Act will be any less stringent than those under the Places of Public Entertainment Act.

The Superintendent of Licensed Premises has a larger staff at his disposal than has the Inspector of Places of Public Entertainment,

and this staff is continuously engaged in the inspection of all aspects of licensed premises. Moreover, the Licensing Act specifically refers to the provisions of the Places of Public Entertainment Act, and the Licensing Court is clearly bound to respect and implement the provisions of that Act so far as they are appropriate to licensed premises. The fact that the court is not bound strictly to the provisions of the Places of Public Entertainment Act is a matter that should be welcomed for it enables the court to impose stricter and more appropriate controls over entertainment where liquor is consumed than is possible under the Places of Public Entertainment Act.

It is inconceivable, as the Hon. Mr. DeGaris fears, that a responsible court, provided with information by an experienced licensing staff, would be prepared to sacrifice the safety of persons attending an entertainment in licensed premises by imposing inadequate controls. If the amendment succeeds, it will accomplish the opposite of what the honourable member intends. It will preserve the present situation which has not only been proved unsatisfactory by the experience of the administrators of the two Acts but is also proved unsatisfactory by the arguments of the honourable member.

The Hon. R. C. DeGARIS: I cannot understand how the amendment will make matters worse. Members are concerned about this problem, and we accepted the assurance of the Chief Secretary that provisions concerning hotels would be strengthened, but that is not happening in this legislation. All I ask is that the Places of Public Entertainment Act apply where public entertainment is taking place on licensed premises. The Minister, when granting an exemption, must have regard to the provisions of the Act and ensure that all places conform with it, particularly regarding the safety health and convenience of persons in the premises for which the licence is sought.

Amendment carried; clause as amended passed.

Clauses 4 and 5 passed.

Clause 6—"Limitation on Sunday entertainments."

The Hon. F. J. POTTER: I think honourable members should be clear concerning what will happen if clause 6 is not passed. Section 20 of the existing Act provides that the Minister can control Sunday entertainment in licensed places of public entertainment by giving or refusing consent to a particular activity there on a Sunday. If the entertainment is not taking place on a licensed place of public entertainment, then he is able by a back-door method to control it because he can threaten that he will bring it under the Act.

However, we do not have to worry too much about unlicensed places of public entertainment. Clause 6 really twists the thing around: it allows freedom of certain activities after 1 p.m. on Sunday, and the control left to the Minister is the control he has under section 25. Instead of the situation now existing, the effect of clause 20 as amended is that the Minister may say, "Yes, you do not need to have a permit for any activity other than those listed in the section," but if there is bad behaviour or breach of the peace, then the Minister can step in and shut down the activity on a Sunday. This Bill reverses the situation: instead of requiring the Minister to give consent it allows the activity to be free, but it allows the Minister to step in and stop the activity at any time. In addition to this, under clause 6 other entertainments can also be brought in by proclamation. The activity can go on, and if it is good activity the Minister will not stop it, whereas at present it cannot be started.

The Hon. R. C. DeGaris: Can any activity take place on unlicensed premises on Sunday?

The Hon. F. J. POTTER: No. I am inclined to leave this Bill as it is. We should see how it operates. There is not much change between the previous situation and the new situation. We must assume that the Minister will administer the legislation sensibly.

The Hon. C. D. ROWE: I intend to vote against clause 6. I appreciate all the problems but I still believe we should control the safety situation and allow time for discussion on the matters in clause 6.

The Hon. C. R. STORY: I thank the Chief Secretary and the Hon. Mr. Potter for their explanations. At this hour I do not think any honourable member is capable of really studying the Bill. I abhor this kind of forced legislation at this hour. The Bill is necessary and should be passed, because principles and people's lives are at stake. I hope I may be assured that if the Bill does not work Parliament will be given an early opportunity to have the Bill before it again so that it may be properly considered. I cannot support the deletion of the clause, because I have not been able to study the whole position.

The Hon. G. J. GILFILLAN: I understand from what the Chief Secretary has said that he cannot override local government on the premises it controls and in which many of these activities would normally take place.

Does a council's by-law take precedence over the Chief Secretary's permit?

The Hon. A. J. SHARD: We have nothing to do with the letting of ovals. If somebody wants to hire a place of public entertainment for a church service on a Sunday, we grant permission to hold the service. In my opinion, local government takes precedence. If local government wants to allow people to use their ovals for sport on Sunday we cannot stop them.

The Hon. F. J. Potter: It must be dual control.

The Hon. A. J. SHARD: Yes.

The Hon. C. D. ROWE: I do not think the Chief Secretary has answered the Hon. Mr. Gilfillan's point. Supposing the Chief Secretary had an application to play a league football match on the Adelaide oval: if the Adelaide City Council had a by-law preventing entertainment on the Adelaide Oval on a Sunday, would that by-law override the Chief Secretary's permission?

The Hon. A. J. SHARD: If the council did not permit them to use the oval, they could not play; there would have to be dual control.

The Committee divided on the clause:

Ayes (12)—The Hons. D. H. L. Banfield, S. C. Bevan, R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, Sir Norman Jude, A. F. Kneebone, F. J. Potter, Sir Arthur Rymill, A. J. Shard (teller), and C. R. Story.

Noes (7)—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, H. K. Kemp, C. D. Rowe (teller), V. G. Springett, and A. M. Whyte.

Majority of 5 for the Ayes.

Clause thus passed.

Remaining clauses (7 and 8) and title passed.

Bill read a third time and passed.

Later:

The House of Assembly intimated that it had disagreed to the Legislative Council's amendment.

In Committee.

The Hon. A. J. SHARD moved:

That the amendment be not insisted on.

Motion negatived.

Later:

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendment to which it had disagreed.

The Legislative Council granted a conference, to be held in the House of Assembly committee room at 9 a.m., at which it would be represented by the Hons. S. C. Bevan, L. R. Hart, F. J. Potter, A. J. Shard and A. M. Whyte.

At 8.35 a.m. the managers proceeded to the conference, the sitting of the Council being suspended. They returned at 10.25 a.m. The recommendations were as follows:

That the Legislative Council do not further insist on its amendment but make the following alternative amendments:

New clause 9:

9. Amendment of Licensing Act, 1967, s.131—Entertainment permit.

Section 131 of the Licensing Act, 1967, is amended by inserting after subsection (6) thereof the following subsection:

(6a) Prior to the granting of a permit under this section, the court shall hear evidence from an Inspector of Places of Public Entertainment as to the safety, health and convenience of members of the public who may resort to the premises in respect of which a permit is sought.

Title—

After "1913-1955" add "and the Licensing Act, 1967", and that the House of Assembly agree thereto.

In Committee.

The Hon. A. J. SHARD: I move:

That the recommendations of the conference be agreed to.

The conference was held in a most friendly manner. I think all members could see that possibly the point raised by this Council would not be properly covered by the amendment we inserted. There was a readiness on the part of the members of another place to try to solve the problem and I think that what we have agreed upon will be effective.

We are indeed fortunate as a Government to have in the Inspector of Places of Public Entertainment (as you would know, Mr. Chairman) a very efficient officer who is highly regarded by many people in Adelaide, not least the police. I think that as a result of the conference and the amendment to the Licensing Act we shall see a considerable improvement in those parts of the hotels where public entertainment takes place.

Motion carried.

Later, the House of Assembly intimated that it had agreed to the recommendations of the conference.

PROROGATION

The Hon. A. J. SHARD (Chief Secretary): I move:

That the Council at its rising do adjourn until Tuesday, December 5, at 2.15 p.m.

As the motion indicates, this ends not only the business of this session of Parliament but also the life of this Parliament. I think there would be some differences of opinion but, generally speaking, one could say that some

useful legislation has been passed during the life of this Parliament. Whether everybody agrees with that legislation or not, the life of the people of South Australia has changed considerably under this Parliament. I do not want to pursue that further. I was reading in the paper this morning about the number of Bills that have been dealt with this session. We can all agree that everybody has worked hard, well and conscientiously.

Mr. President, I take the opportunity of thanking you in particular for the way in which you have conducted the business of the Council since you became President. It has been a pleasure to work with you; you are easy to get on with. Some people may think I would not say such a thing, but you know that I would not say it unless I honestly believed it. The work of the Council has progressed effectively and efficiently. I can express nothing but open admiration for the way in which the work has been handled by you. I like nothing better than a President who uses the rule book and Standing Orders as a guide but who also uses common sense, as has been the case in this Chamber. I am sure that all honourable members appreciate that, as I do.

I should like now to mention (and I would be almost inhuman if I did not say this) and place on record my appreciation of my three colleagues—the Hon. Mr. Bevan, the Hon. Mr. Kneebone and the Hon. Mr. Banfield. One would be hard to satisfy if one wanted three better or more loyal mates and friends. There are two other members of the Council whom I want to thank. I express my appreciation to the Hon. Mr. DeGaris, the Leader of the Opposition. We have got along very well. I should also like to thank the Hon. Mr. Story, the Opposition whip. With the help of those two honourable gentlemen, we have managed to conduct our business (if I may say so without being too egotistic) reasonably well. No more credit is due to one honourable gentleman than to the other. The President and myself acknowledge the ready co-operation of all honourable members in helping out, going along the road together and finishing the session reasonably early, though a little later than I had anticipated.

I pay a particular tribute to the Clerks, Mr. Drummond and Mr. Mertin, who have acted in the absence of Mr. Ball. We all know what an efficient Clerk Mr. Ball is, how able he is and how well he looks after us. During his absence, the Council has functioned just as well and efficiently as hitherto. The Clerks are most courteous and helpful to all honourable members and, on my own behalf and on behalf of all honourable members in this Chamber, I express our appreciation to them for their willingness to help us conduct our business properly, and sometimes to keep us on the right lines.

I do not know whether I should thank the *Hansard* staff this year. I hope they have done the right thing by me. I say that because, although usually in the past I have read my speeches, in this Parliament I have not read them perhaps as much as I should have. However, I have complete confidence in the *Hansard* staff, illustrated by the fact that I do not read the report of everything I say: I know my words will be well recorded. To Mr. Hill and his staff I say "Thank you" on behalf of all honourable members.

The same goes for the librarians. I do not know why it is but I have never worried the librarians: whether it is that I have not the time to fill in the gaps, I do not know. The librarians do a great job for everybody. I thank the three messengers, without mentioning names. How they keep going with late nights, happy faces and an ever-present willingness to help I do not know. I thank them on behalf of us all. The catering staff is always there to look after us. On behalf of myself and my colleagues, I thank them. The Parliamentary Draftsmen have been very good to us; they have been most helpful, and even within the last hour when I wanted something drafted, it was drafted by them. How they get through their work so quickly and so well leaves me amazed.

I do not intend to speak at length. I conclude on this note. The festive season is some little distance away but I extend to one and all within the Parliament, in addition to the honourable members themselves, my sincere best wishes for a very happy Christmas, a joyous and peaceful New Year and good health in 1968 and the years to follow.

The Hon. R. C. DeGARIS (Leader of the Opposition): Mr. President, I support the remarks of the Chief Secretary. At the beginning of this session we saw the retirement of the Hon. Les Densley, who occupied the Presidency of this Chamber, and you, Sir, took his place. All honourable members of this Chamber appreciate your very long service to the Parliament of South Australia and we are all conscious of your wide knowledge that has allowed you to carry out your duties and occupy your present position with such distinction. All honourable members fully appreciate your service to this Chamber.

This has not been an easy Parliament for this Council. The decisions that have been made here have often been subject to much pressure and, in some cases, misrepresentation but, with the constitutional methods available, if the opinion of the other place has had merit, the spirit of compromise has always been evident at conferences of managers from both Houses. The decisions that have been made in this Council have not been detrimental to the general interests and well-being of this State. Every honourable member in making his decisions on legislation here has always had what he feels is the general interest and well-being of this State uppermost in his mind. I am quite sure that at present the public of South Australia is more than ever aware of the great value of the work done by this Chamber on the legislation of the State. That is largely because of the time, effort and study that honourable members devote to the legislation that comes before them.

When the Labor Government came to office three years ago honourable members of this Council stated that they were very happy with the selection of the three Ministers in this Council. Whilst we may have had our disagreements and we may not always have been on the same plane, I think that, generally speaking, those statements about the Ministers have been fully justified.

I think we all appreciate the contributions of the Hon. Mr. Banfield; he has certainly brought some vigour into the debates in this Council. I would say that as time goes on his vigour may diminish a little and come down to our less vigorous method of addressing ourselves to this Council. Also, I am extremely happy to have been able, in the short time I have been Leader of the Opposition, to lead such a co-operative team of members, who have done their homework thoroughly; they have made their own decisions in the best interests of the State.

During the life of this Parliament we have had two new members in the Hon. Mr. Whyte and the Hon. Mr. Springett; both have made their mark in this Council in the short time they have served here. They will, I am sure, continue to represent their districts with distinction. I support the Chief Secretary's remarks concerning the officers and staff of Parliament. I think we can count ourselves very well served by them. I commend the work done by Mr. Drummond and Mr. Mertin since Mr. Ball has been away. Whilst we miss Mr. Ball very much, I agree with the Chief Secretary that the work of Mr. Drummond and Mr. Mertin has left little to be desired.

I also endorse the Chief Secretary's remarks concerning the *Hansard* staff. Sometimes we may well wonder how the members of the *Hansard* staff keep up with their work, but they always do an extremely efficient job for this Council. Also, we are well served by the Parliamentary Library staff, the messengers, the draftsmen and others who have served in Parliament House. I am sorry: I have overlooked one new honourable member, the Hon. Mr. Hill, and I apologize for that. It seems to me that he has been here for quite some time and I think we all agree that he, too, has made some excellent contributions to the debates in this Council.

This is a time of change for South Australia. At the end of this session six members of Parliament, who have given very long service, will retire. I refer to the Hon. Sir Thomas Playford, the Hon. Frank Walsh, and Messrs. Quirke, Bockelberg, Heaslip and Shannon. We all appreciate the great work done for the development of this State by Sir Thomas Playford; this has been referred to before. I have spoken before of the previous Premier, the Hon. Frank Walsh. Messrs. Quirke, Bockelberg, Heaslip and Shannon have also rendered long and meritorious service in this Parliament. It is interesting to note that, with the retirement of Sir Thomas Playford and Messrs. Quirke and Bockelberg, the last remaining returned soldiers from the First World War are leaving this Parliament. So, one may say that this is almost a dividing point, as these three men who have served the State over such a long period are leaving this Parliament.

I repeat that this session has been extremely busy, as have been the previous two sessions. I commend the work that has been put into legislation by every honourable member of this Council. Like the Chief Secretary, I extend to all honourable members my best wishes for the festive season, and may I express the wish that all honourable members of this Council will have been returned to this Parliament when it meets again in 1968.

The PRESIDENT: Before putting the motion, I should like to reply on behalf of all those who were referred to by the Chief Secretary and the Leader of the Opposition, the Hon. Mr. DeGaris, who have mentioned so many Parliamentary officers. In the last 12 months I have learnt more than I had ever learnt before of the amount of work carried out by the officers of Parliament. Most of them have been referred to by the mover and seconder. Before I pass on to others, I wish to thank the mover and seconder for their

kind remarks concerning me. This new experience as President has followed a long period on the floor of this Council. When honourable members placed their confidence in me at the time of my assuming this office, I said that I would try to serve this Council to the best of my ability, but that it would be the honourable members themselves who would contribute more to the success of my position than I personally could contribute. This has been my experience, I am very grateful for the co-operation I have received from all honourable members. With their help I think we have made reasonable progress.

This has been a heavy session. I have lost count of the score in the last couple of days, but I think more than 60 Bills have been dealt with during this session; it was very important and massive legislation in some cases. During the last nine sitting days we have dealt with no fewer than 23 Bills, 18 of which were not even introduced in another place before that period. I think this fact in itself highlights the work and effort that has been put in by honourable members.

This point brings me to the Parliamentary officers, because the great amount of work done involves heavy strain on our Clerks. I am glad the mover and seconder referred to the work of Mr. Drummond and Mr. Mertin. The Clerk of this Council, Mr. Ball, is away, and both Mr. Drummond and Mr. Mertin have carried on the work as efficiently as it could have been carried on in any other circumstances. I thank them, because I have every reason to appreciate the prompting that may have been necessary at times and the ready assistance that has always been available. I also wish to thank Mrs. Davis, who has done so much of the work previously in the hands of Mr. Mertin. The typing assistance and clerical work that she has rendered has been invaluable, and I thank her very much for all she has done for us.

The Parliamentary Draftsmen, of course, give us splendid service, and I am sure we all appreciate the work they have done. I know that the librarians, too, do everything possible to assist members. Also, we are fortunate in having such good messengers, who are always courteous and helpful to all members. They have certainly had a pretty torrid time during the last three or four days.

The members of the *Hansard* staff have been referred to. As has been said, they have done an excellent job, but there is one group that Parliament does not see very much, although they really bear the brunt of the work that comes before Parliament. I refer to the Government Printer and his staff, who give us wonderful service. At times we may wish that we could get *Hansard* pulls a little earlier than we get them. However, the amount of work the printing staff have to handle is colossal. The fact that we get the *Hansard* volume promptly every week reflects great credit on the Government Printing Office.

I do not think I have missed anybody. I know that the motion was meant to include everybody, and I hope that if any people have not been included they will accept the motion in the spirit in which it was moved. The catering staff has been mentioned. I am sure we all realize the pressure that has been put on that section of Parliament House during the last few days. I shall be pleased to convey the messages from this Chamber to all the people who have been mentioned but who have not been able to hear what has been said this afternoon.

I should like to say a word or two about the new members in this Chamber. It has been a joy for me to preside and listen to what has been said. I am proud to be able to preside over a Council that works in the way this Chamber has worked over the past year. One Bill was laid aside this afternoon. If it is any comfort to the Minister concerned, I can tell him that exactly nine years ago today it was my lot as the Leader of the Government in this Council to be involved in a similar occurrence. In fact, it was worse than that, for I was not even granted a conference. Of all the Bills we have had before us this session only two have not been dealt with, and I think this speaks well for the co-operation of members and the work that has been done during this session.

Before we meet again there will be a general election and some of us will go to the electors. I think that amongst members in this place there is a charitable good will towards each other. I join wholeheartedly with other members in the sentiments they have expressed. I hope that you will all have an enjoyable Christmas and a happy election result, and that we will see the same familiar faces again next session.

Motion carried.

At 11.21 a.m. on Friday, November 3, the Council adjourned until Tuesday, December 5, at 2.15 p.m.

Honourable members rose in their places and sang the first verse of the National Anthem.