LEGISLATIVE COUNCIL

Wednesday, November 20, 1968

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

QUESTIONS

GAS

The Hon. V. G. SPRINGETT: I notice in this morning's *Advertiser* that the laying of the natural gas pipeline from Gidgealpa to Adelaide has been delayed for a second time in a period of 10 days, due to some dispute over terms drawn up for some of the workmen. The report went on to say that the pipeline was already well behind schedule. Can the Chief Secretary comment or give some information on this matter?

The Hon. R. C. DeGARIS: As the honourable member says, there has been some delay in the construction of the pipeline. I will have this matter investigated and bring back a reply for the Council.

DUST NUISANCE

The Hon. JESSIE COOPER: I seek leave to make a short statement prior to asking a question of the Minister of Local Government.

Leave granted.

The Hon. JESSIE COOPER: I have received a complaint from a person associated with the treatment of asthmatic patients with reference to metal and quarry trucks spilling fine dust and sand on public roadways. It appears that the careless spillage of gravel from quarry trucks is prohibited and is carefully watched for by local government authorities. My attention has been drawn to the fact that these lorries, at times carrying dust-laden sand, allow it to blow in strong winds across the road to the irritation and annoyance of other road users. Can the Minister of Local Government inform me whether there is any law against this nuisance and whether lorry operators are required to cover with tarpaulins loads of this type, as is the practice in some other States? If there is no such law or requirement, will he examine the possibility of controlling this nuisance?

The Hon. C. M. HILL: I will have a look at this whole question and bring down a reply.

GREENHILL ROAD INTERSECTION

The Hon. D. H. L. BANFIELD: Has the Minister of Roads and Transport an answer to the question I asked on November 12 regarding the installation of traffic lights at the corner of Greenhill Road and King William Road?

The Hon. C. M. HILL: Provided no difficulty is encountered in the acquisition of any land required for the improvement of this intersection, the installation of traffic signals should be completed during the financial year 1969-70. The proximity of the Glenelg tramline renders the installation impracticable without extensive road realignment, which is scheduled to be commenced in March, 1969.

HEART MASSAGE

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to asking a question of the Minister of Health.

Leave granted.

The Hon. M. B. DAWKINS: I wish to draw the attention of the Council to a recent subleader in the morning paper entitled "When the heart fails". With the indulgence of the Council, I propose to read a portion of it, which is as follows:

Dr. Harry Windsor, already a public figure in Australia through his heart transplant operation, has performed another useful service by highlighting the fact that resuscitation has a considerably wider application. He demonstrated this by using external heart massage to revive an elderly man who had collapsed. But an important aspect of this form of emergency aid is that it need not be confined to doctors. Dr. Windsor and his partner have indicated that the massage can be given effectively by a layman who learns a few simple rules. That places a responsibility on the medical profession to provide the instruction and on the individual to master the method.

Has the Minister of Health examined this subleader and can he ascertain the view of the Department of Public Health on the matter? Can he say whether he will be able to tell the Council whether any courses will be available to provide this suggested instruction or whether there are any voluntary organizations able to carry out this type of work?

The Hon. R. C. DeGARIS: I did see this subleader in the *Advertiser* last week. I think we all agree that emergency heart massage can be given effectively by a layman provided he has some knowledge of the method used. At present in South Australia courses are available in this type of work. I refer particularly to the excellent work being done by St. John Ambulance Brigade in South Australia, which organization conducts courses in all these methods, including external heart massage and mouth-to-mouth resuscitation. Already in the community many people trained by St. John Ambulance Brigade are capable

of carrying out this particular method of resuscitation. If anyone is interested in gaining knowledge of this matter, I recommend him to contact St. John Ambulance Brigade and get the necessary instruction for the carrying out of these resuscitation methods.

NURSES

The Hon. A. M. WHYTE: I seek leave of the Council to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. A. M. WHYTE: There is an acute shortage of nursing sisters throughout South Australia and in many places the sisters are married women, having been married after they had qualified as sisters. At some hospitals it seems (whether this is departmental policy or not I do not know) that a girl training to be a sister is denied the right to continue her studies and become a sister the moment she is married. In other Government work, such as teaching, girls are allowed to continue their studies after marrying. Is this the policy of the Hospitals Department or is it merely a rule of the local hospital?

The Hon. R. C. DeGARIS: I do not know that I can answer that question fully. From the point of view of the shortage of trained nursing staff in country areas, the previous Government, under the present Leader of the Opposition when he was Chief Secretary, instigated a scheme of bonus payments to nursing sisters in country areas, which is having some effect on the availability of trained nursing staff in those areas. I am unable to say whether the marriage of a nurse makes any difference to her employment, but so far as I know it has no effect. However, I will take up the matter for the honourable member and bring down a reply for him.

EGGS

The Hon. L. R. HART: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. L. R. HART: There is an article in this morning's *Advertiser* under the heading "Query on Egg Price Review" which states:

The South Australian Egg Board has failed to carry out a suggestion by the Auditor-General (Mr. G. H. P. Jeffery) to review retail price margins. In a report to Parliament yesterday, Mr. Jeffery says he suggested that the review should be made in February, but none was made.

"The present prices do not reflect the change in handling methods following the introduction of non-returnable selling cartons," he says. These cartons were expected to reduce handling and the risk of breakages. Mr. Jeffery says that while it is probable the presumed reduced cost on account of the cartons would no more than offset other increased costs, a review of prices by the board is considered desirable.

It appears that egg production in South Australia has increased by 20 per cent in the last 12 months, about 190,000,000 eggs having been produced. This is the highest increased production for 26 years. Will the Minister of Agriculture therefore discuss with the Egg Board the need for a review of retail margins, if the board has not already carried out the Auditor-General's suggestion?

The Hon. C. R. STORY: The Auditor-General drew attention to the payments by the board to its agents for their services in the form of grading and other charges necessary in its administration, and he also mentioned containers. I have had several discussions with representatives of the Egg Board on this matter, and it is currently carrying out an investigation within its own ranks regarding the amount it pays to its agents for services they have rendered. I am confident that the board will review the situation, which has been going on for two or three years. When I took over office the matter was drawn to my attention by way of questions asked. I have since had various discussions with the board. However, I will bring down a full report for the honourable member when I have some information for him.

IRRIGATION LICENCES

The Hon. V. G. SPRINGETT: Can the Minister of Agriculture, representing the Minister of Works, inform me of the position regarding irrigation water drawn from the lower reaches of the Murray River? Is there likely to be an increase in the number of licences or in the usage of water?

The Hon. C. R. STORY: Because this is a problem that has bewitched not only this Government but the previous Government, we have given a tremendous amount of thought to it. The Minister of Works, with his officers, has been constantly endeavouring to find some equitable water licensing system. I know that he spent the whole of last weekend on this matter. He is very nearly ready to submit a proposal to Cabinet, and I will give the honourable member full details at the earliest opportunity.

POLDA-KIMBA MAIN

The Hon. A. M. WHYTE: Has the Minister of Agriculture obtained from the Minister of Works a reply to my question about this State's approach to the Commonwealth Government for financial assistance for the Polda-Kimba water scheme?

The Hon. C. R. STORY: My colleague reports:

The work of preparing the case for submission to the Commonwealth Government is in hand at the present time but it is not expected that it will be completed until early in 1969. However, this will not prevent making a start on works connected with the laying of this main commencing in February, 1969.

FRUITGROWING

The Hon. H. K. KEMP: Can the Minister of Agriculture say whether any thought has been given to encouraging growers in the Mypolonga area and in the Lower Murray to produce alternative crops to the fruit crops that have so very badly failed?

The Hon. C. R. STORY: In general, the Agriculture Department is always thinking of new things it can suggest to people in all parts of the State as alternatives to their present plantings. The department provides this service particularly when the price of a certain commodity is depressed or, in the case of Mypolonga, when the water has not been so good and when salinity has caused a considerable reduction in growers' income, which reduction has been very marked this year. I do not think we have actually made any suggestion to the Mypolonga fruitgrowers concerning what they should do about their problem. If the honourable member has any suggestions, I will most certainly make officers available to discuss them not only with him but also with the Mypolonga people.

EFFICIENCY EXAMINATION

The Hon. Sir ARTHUR RYMILL: I ask leave to make a brief statement prior to asking a question of the Leader of the Government in this place.

Leave granted.

The Hon. Sir ARTHUR RYMILL: I made the following suggestion yesterday in the debate on a Bill:

The Government should be examining costs before it increases revenue. That is what is done in private business and I should like to see efficiency examinations carried out by the Government, just as private business has them. That would be valuable and could well reduce the taxpayers' load.

The press, apparently, did not regard that suggestion as being of any value, because it was unreported. Nevertheless, I still believe it was valuable. I heard as recently as lunch time today that a major department in the State of Victoria had done exactly what I suggested yesterday: an efficiency examination was carried out by one of the companies that so expertly carries out these examinations in private business with what appears to have been extremely interesting results. It has often been said by some members in this Council that taxes raised by other States are an important precedent and should be followed, although this is not an argument that impresses me very much, but if Governments use such an argument then I suggest other precedents from other States might also be followed. Will the Chief Secretary make inquiries with a view to ascertaining the value of the report to which I have just referred, and will he state whether the Government is prepared to promote similar investigations into appropriate departments in this State?

The Hon. R. C. DeGARIS: Certainly I would like to assure the Hon. Sir Arthur Rymill that the question of costs in Government departments is under constant examination, and I believe we have had this sort of examination. I know that the Minister of Roads has had a similar investigation made into his department to determine where the taxpayers' money can be saved. I fully appreciate the question asked by the honourable member because I believe it is a matter every Government department must have constantly under review. I do not know the situation that existed in Victoria—whether the investigation was done at departmental level or whether private consultants were used. However, I am prepared to find out what did occur in Victoria, and if any advantage can be obtained by using a similar approach then I believe the Government should take steps here to ensure that the use of taxpayers' money is kept at as efficient a level as possible.

MENTALLY HANDICAPPED CHILDREN

The Hon. L. R. HART: I ask leave to make a short statement prior to asking a question of the Minister of Health.

Leave granted.

The Hon. L. R. HART: I have been approached by officials from the Central Districts Mentally Handicapped Children's Association to try to obtain some State Government aid for that association in providing facilities in that area for mentally handicapped children.

This association has done a magnificent job to date, largely through voluntary efforts, in providing a building at Smithfield Plains. However, they have reached a stage where the building is two-thirds completed, and have insufficient money to complete the project. I appreciate that the Government is not directly involved in this structure at this stage, but I ask the Minister if there is a possibility of the State Government giving some aid to this worthy project?

The Hon. R. C. DeGARIS: Just recently, with the Hon. Mr. Hart and the member for Gawler, I received a deputation from the Mentally Handicapped Association of Elizabeth regarding this matter. I fully appreciate the interest that has been taken in an endeavour to create a facility in this area for the care of the mentally handicapped. However, the honourable member is correct in saying that up to the present time the Government has not been involved, nor has any promise been made by this or any previous Government regarding a capital contribution to this work. What has been achieved so far in this area has been achieved entirely with the association's own resources. I believe the situation is that the building has reached the stage of being about half completed, with no further finance available at this stage to continue with it.

The problem has come to the Government by way of deputation, with a request that the Government involve itself in assisting this development. As I have pointed out, so far there has been no promise of any Government involvement. However, I have asked that the Director of Mental Health or one of his officers visit the area to investigate this whole matter and bring back a report to me on the question of establishing a mentally handicapped centre in that area.

HOSPITAL CONTRIBUTIONS

The Hon. H. K. KEMP: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. H. K. KEMP: There is considerable concern through the Adelaide Hills districts at the imposition of a compulsory contribution to hospital funds upon our local district councils. These districts are very well served with hospital facilities, with small but very well equipped community and district hospitals, in which we take a great pride. We take a great pride also in keeping them up to date, well equipped and in good financial condition.

The people in those areas are very well served. Within 10 miles of my own home there is a choice of five hospitals and a home for the aged, all supported locally. It is in fact remarkable how, when there is any need, the whole district gets behind these hospitals and works hard until the particular object is achieved.

I am not familiar with the exact financial position of all of them, but I know that most of them are very well financed, with ample provision for a sound future. Indeed, I know that this position has been confirmed in the great majority of cases (if not all of them) in a report by inspectors of the Hospitals Department. In view of this, can the Chief Secretary explain the need for this very heavy call upon communities which have themselves provided adequate facilities?

The Hon. R. C. DeGARIS: It has always been the situation that local government makes a compulsory contribution towards the maintenance of subsidized and Government hospitals serving a particular area. At the same time, local government, of its own volition, accepts the responsibility not for maintenance but for capital expenditure in regard to community hospitals. Over the years the programme has been followed to reach some degree of parity between the contribution of local government to subsidized or Government hospitals providing a full service and the contribution to community hospitals.

In relation to the Adelaide Hills area, I think the situation is that Gumeracha has a subsidized hospital where a compulsory rating on local government is paid for the maintenance of patients in that hospital. The situation at Stirling is somewhat different in that the maintenance is paid to the Royal Adelaide Hospital, because the community in that district has a community hospital and not a subsidized hospital. All local government bodies in South Australia make a compulsory contribution to the maintenance of these two types of hospital. The policy of the Government is to make sure that the local government contribution to this type of hospital is as near as possible even over all the ratepayers of the State, and I believe this is being achieved.

FIRE FIGHTING

The Hon. Sir NORMAN JUDE: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. Sir NORMAN JUDE: My question relates to fire fighting. Quite recently there has been much timely propaganda with regard to both fire prevention and fire fighting. Mention was made in the press of the possible use of aerial spraying of water loaded with detergent, and shortly after that the reply was given that by and large this would be too expensive, although aerial surveying would be done, and this is very satisfactory. I can assure the Minister of Agriculture that there has been wide use in the United States of America of certain detergents in water contained in ground water tanks and that this has been of very great value in the early stages of a fire. Will the Minister take up the question of the desirability of publicizing this assistance to fire fighting?

The Hon. C. R. STORY: I shall be very pleased to do so.

DISTINGUISHED VISITOR

The PRESIDENT: I notice in the gallery His Excellency the Ambassador of Japan in Australia, Mr. Fumihiko Kai, and I ask the Chief Secretary and the Leader of the Opposition to escort His Excellency to a seat on the floor of the Council to the right of the Chair.

Mr. Fumihiko Kai was escorted by the Hon. R. C. DeGaris and the Hon. A. J. Shard to a seat on the floor of the Council.

ABORIGINAL CHILDREN

Adjourned debate on the motion of the Hon. H. K. Kemp:

(For wording of motion see page 1733.)

(Continued from November 13. Page 2405.)

The Hon. M. B. DAWKINS (Midland): On Wednesday, October 9, the Hon. Mr. Kemp moved that a Select Committee be appointed to inquire into and report upon the welfare of the Aboriginal children of this State, and the motion was seconded by the Hon. Sir Norman Jude. I wish this afternoon very briefly to give complete support to this motion, because I am quite convinced of the very urgent need for an inquiry into the requirements and the problems of Aboriginal children in this State.

I could not agree more with the Hon. Mr. Kemp that there is this very great need. I believe that while the Department of Aboriginal Affairs may still officially deny the ill effects of excessive Aboriginal drinking, I would be very surprised if privately it did not hold a very different view. My honourable colleague, Mr. Hart, last week referred at some stage in his speech to the granting of Aboriginal drinking rights as being premature and incredibly irresponsible, and I believe that when he said that he was quoting the opinion of people with experience in dealing with Aborigines.

I would agree with that opinion wholeheartedly, not because we want to restrict the Aboriginal population in any way when they are fit to have responsibilities given to them but because of the fact that, whether we like it or not, the Aboriginal people of this country are a primitive race. There are, of course, exceptions to the rule, and I can think of various members of the Aboriginal race who have done very well in competition with the other people of this country. However, these are very largely exceptions to the rule, and I believe it is our duty to look after this race and preserve it because, after all is said and done, they are the indigenous people of this country and we should look after them almost as we would look after children for the reason that they are, to a great extent at least, a primitive race.

While it is our duty to guard and look after the people of the original race of this country, I regret to say (and I am sure all honourable members will agree) that we have not a good record in this respect. If we look at the history of Australia as a whole, we find that in fact some of the things that were done by the white people caused us very great concern.

The Hon. H. K. Kemp: That is not in South Australia, though.

The Hon. M. B. DAWKINS: I agree that those things have not necessarily been done in South Australia, and I am thinking generally of the country as a whole when I make that statement. I have discussed this matter with people who have had considerable experience in church mission work in looking after Aborigines, with the assistance and support of the Government. I believe, as one other honourable gentleman said during the debate, that the record of the churches in this regard has, generally, been very good. I have had instances cited to me by people who have experienced cases where both Aboriginal parents were habitual drunkards. On occasion, both parents were in gaol, and the question was, "Who looks after the children?" There are other cases where both parents are excessive drinkers and, although they may not be in gaol, they spend all their money on drink, and there is no food for the children. This should be looked into.

The Hon. S. C. Bevan: Does this apply to other people as well, apart from Aborigines?

The Hon. M. B. DAWKINS: It could. I would not like to say that it did not, but we have a special duty towards Aborigines. This is the problem to which we are addressing ourselves. Sir Thomas Playford, who was always concerned for the welfare of this State, is reported as having said at one stage (he got some criticism for saying this, and I am not saying that the criticism was entirely unjustified) something about "poison in the hands of children". While that may have been criticized in its context, if it had been applied to this situation it could have been accepted as being a true statement of the case. In the hands of Aboriginal people alcohol can be, and in many cases is, a poison. Therefore, that statement could well be applied to this situation of drinking rights being given before the race has reached maturity or a position where it can really take it.

The Hon. A. F. Kneebone: But did he not lift the restrictions in some areas?

The Hon. M. B. DAWKINS: I have not said that the blame is all to do with the previous Government; I am saying that our record as a whole over many years could have been better. I think this would apply to members on both sides of the Council. This statement that the Hon. Mr. Hart made earlier, that the granting of drinking rights was premature and irresponsible, was accurate.

I had suggested to me also something that may not commend itself, at first glance, to honourable members—that in many cases Aboriginal children, whose welfare we are considering at the moment, are sent to school and are mixed in various classes with white children, which is greatly to their disadvantage. It was suggested to me that some classes, if not whole schools on occasion, should be set up for Aboriginal children, not so that they would be separated for separation's sake but so that their own special talents could be brought out at a speed with which they were able to cope. That could be looked at because, after all, we have classes set apart for retarded children. If it is necessary, probably Aboriginal children would benefit by having some of their education in classes made up of their own race. Nothing but good would come from an inquiry into this serious situation, which has been highlighted by the Hon. Mr. Kemp. It is our duty to look after the Aboriginal population and to do what we can for it. I commend the honourable member for bringing this matter to the attention of the Council. I support the motion.

The Hon. F. J. POTTER secured the adjournment of the debate.

CONSTITUTION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from November 13. Page 2413.)

The Hon. C. D. ROWE (Midland): I think most honourable members will be aware of my view of this Bill, because previously this session I introduced a private member's Bill relating to what I believed should be the qualifications for voting for the Legislative Council. Nothing that I have heard, read or seen since then alters my view in any way. I agree that no democracy can remain static: it must change with changing ideas and the system of Government must meet the reasonable requirements of the people it seeks to represent. I also believe that the test of any system of Government is the degree of progress and advancement it provides for its people, and the essential test of any Parliamentary institution is whether or not it carries out the basic functions satisfactorily.

The Parliament of this State as at present constituted has given a degree of stability of Government and of economic progress and development that in relation to our natural resources far outstrips that of any other State of the Commonwealth. That is the test of the effectiveness of a Parliamentary system. If it provides the best that can be given, I do not think there is an argument for altering it. Looking at the period from 1933 to 1965, we see that the progress of South Australia outstripped that of any other State of the Commonwealth. Our population increased at a greater rate pro rata than did that of any other State. We took more migrants, on a percentage basis, than any other State took. Our housing industry was the most efficient in the Commonwealth and provided more houses for more people than happened in any other State. Great progress was made in mineral and forestry development. Electricity and water supplies were spread to almost all areas of the State. We were without water and electricity restrictions, and everywhere I went people congratulated me on being a South Australian.

In addition to all that, preliminary work was started on the important Chowilla dam project. In view of that record of achievement in South Australia under this Parliamentary

system as at present constituted it is not reasonable for anyone to say that people in the community are suffering in any way because of this bicameral system of Government and because of the Legislative Council franchise. Indeed, I defy any protagonist of the Bill to show me the State where, in relation to its natural resources and progress, better facilities have been provided. No fair-minded person would suggest that our Parliamentary system during those years inhibited progress. Can anyone say that the people were depressed or that they did not enjoy a degree of security of employment and economic security at least equal to, if not greater than, that of any other State of the Commonwealth? To my mind these things are the test of the effectiveness of a form of Government.

I realize that in 1965 there was a change of Government, and with that change, as one might expect, there was a change of policy. Long before the 1967-68 drought settled on the State things began to fall to pieces. The rate of occupation of new houses eased and for the first time for many years there were surplus houses. Contracts for the construction of our principal powerhouse were altered and retarded development. The Chowilla dam came to a standstill. Legislative measures were introduced to Parliament which would have done this State irretrievable harm if this Council had not done its job and vetoed them. Let me give one example: I refer to the Road and Railway Transport Act. Soon after it came to office the Australian Labor Party introduced what could only be described as a restrictive transport policy. The Bill was rushed through the Lower House and was subsequently defeated in this Council on the ground that the Government had no mandate for its introduction. If it had been passed, that Bill would have had an adverse effect on South Australia's development, and would have annihilated road transport operators in South Australia.

The action of the Legislative Council was supported by thousands of people who signed petitions against the Bill and presented them to Parliament. This was a specific instance where the Legislative Council succeeded in giving effect to the will of the people as opposed to the policy of the then Government. As we all know, the appointment of a Royal Commission followed to get the Government out of its dilemma, and when its report became available the then Premier (Hon. D. A. Dunstan) indicated that the Government had moved from its previous attitude and more nearly followed the views of the Legislative Council. Therefore, if there has been anything to criticize as far as the welfare and the progress and development of the people of this State is concerned, it relates not to the Parliamentary institution and its bicameral system but to the policies of the Party that happens to be in power at a particular time. When one gets down to the basic test of what is the responsibility of Parliament over the years, this Parliament has nothing to fear in the answer it can give to the people.

The second point I wish to make is that there is an increasing body of opinion, both in relation to Parliamentary government and in other spheres of activity, that there is no substitute for experience. One cannot buy experience, and experience can come only with maturity. I was interested to see a result of a recently conducted Gallup poll in which the people favoured 30 years as being the minimum age at which a person could be elected to Parliament. From my observations over many years in this Council I think the public in that Gallup poll was correct, and I support it. There is always a tendency at every age to believe that one has reached the pinnacle of knowledge. From my own experience I know that this belief is held most strongly in the later teens or early twenties, but I believe few people would not readily acknowledge that as the years progressed they had reached a better understanding and a greater appreciation of the problems of the day. No member of this Council would not admit that his years of service here had broadened his knowledge and given him a better appreciation of the problems involved and the manner in which they should be handled. In my opinion, any electoral system that can give some weighting to allow for the advantage of experience is desirable and, indeed, to the benefit of the community.

Thirdly, the Bill that I introduced provided for a vote for the spouse of a Legislative Council elector, considerably widening the franchise and seeking to establish what I would like to refer to as a family franchise. It virtually meant that every husband and wife, as a family unit, would have a vote. Everyone knows the additional responsibilities that devolve on married people. Everyone realizes that the married person must think more deeply when making decisions because he realizes that others are involved in his decisions, whether they be decisions on an economic matter or on a social matter, or whether they relate to any other aspect or area of his life. It seems to me that if

the Upper House is to retain its position as a House of Review, which means it must adopt a different approach to legislation from that of the Lower House, then the concept of a family franchise as provided by my Bill appears to be an eminently satisfactory solution. It cannot be said to be either a conservative or a biased approach, and I believe it would receive the approval of the large body of South Australian electors.

Fourthly, I firmly believe in the bicameral system. Indeed, I believe the large majority of people in South Australia support it. Over the last few weeks I have been amazed at the number of people who have come to me and said, "I sincerely hope that the Australian Labor Party will not succeed in abolishing the Legislative Council." This statement has been made by people whom I know to be traditionally A.L.P. supporters.

The first matter for consideration in this debate is, therefore, the continued existence or the abolition of the Legislative Council. Reform is a secondary consideration; the Council cannot be reformed if it no longer exists, and there is litle merit in reforming the Council simply as a preparatory measure towards its abolition. To state, as the A.L.P. does, that it will make the Legislative Council more democratic and then abolish it, is blatant political opportunism. I remind the Council that almost all democratic countries of the world have an Upper House or second Chamber. Also, almost every nation that has abolished its Upper House has in due course restored the second Chamber.

The Hon. D. H. L. Banfield: New Zealand is dragging its feet a bit, then.

The Hon. C. D. ROWE: That is the exception that proves the rule.

The Hon. D. H. L. Banfield: What about Queensland? Is it the rule or the exception?

The Hon. C. D. ROWE: The many new Parliaments that have been established in various parts of the world since the end of the Second World War have provided for Upper Houses. Therefore, if we take the majority experience of the modern developing countries in recent years, we see that they all have the protection of a second Chamber. I was interested in the point raised by the Chief Secretary (Hon. R. C. DeGaris), who touched on the increasing power and importance of the political machine in recent years and the danger that exists, particularly in relation to one political Party and the Leader for the time being of that Party being subject to the changes and control of his Party. When that happens, if Parliament consists of only one Chamber (or of two Chambers, both of which are tied too closely to the political machine), Government is determined not by the elected representatives of the people but by people outside Parliament altogether who are not responsible to the electors. The people of South Australia must make up their minds whether they want a properly constituted second Chamber, as is the Legislative Council, which is responsible to the electors, or whether they want one Chamber responsible ultimately to someone outside Parliament and not responsible to the electorate in any way.

The Hon. S. C. Bevan: That is not the question and you know it.

The Hon. C. D. ROWE: It is the question, and I know that.

The Hon. D. H. L. Banfield: Have you got your orders from up top, on North Terrace?

The Hon. C. D. ROWE: I now refer to what John Stuart Mill said, as follows:

> A majority in a single assembly, when it has assumed a permanent character when composed of the same persons habitually acting together and always assured of victory in their own House, easily becomes despotic and overweaning, if released from the necessity of considering whether its acts will be concurred in by another constituent body.

I believe that any lower Chamber that has not the oversight and overlooking of an Upper House can become despotic and tyrannical and can be against the best interests of the people. Whilst over the years the Legislative Council has not always supported legislation put forward by the Government of the day, nevertheless I did not ever object to the attitude taken by the Council, because I believed it was acting in what turned out to be the best interests of the community.

The person who agrees with one on any problem is not necessarily the person who is one's best friend: the person who can stop one from taking a disastrous course and can direct one along the right road is the kind of person one should hold in respect and esteem. The Legislative Council has not been obstructive or difficult in respect of its real purpose —serving the people of South Australia. If its record is looked at impartially—in a manner divorced from Party political propaganda—neither the Council nor I have anything to fear.

The Hon. S. C. Bevan: Are you capable of doing just that?

The Hon. C. D. ROWE: I am capable of voting in the way I see fit to vote. The Bill as it has been introduced in this Council does

not give the necessary guarantee that the bicameral system will be protected, nor does it protect the Legislative Council from amendments that may be made in another House and through which the whole procedure of this Parliament may be upset. I believe that the wellknown principle applies in this Parliament—that Parliament is in control of its own affairs. For us to look to some outside court to protect us against an abuse of the powers in the Constitution is unreal and naive, to put it mildly. Whatever the strict legal position, I do not think any court can effectively protect us from a Government that seeks to override the so-called entrenched clauses in the Constitution. In any case, the clauses that purport to provide that there must be a referendum before the Council can be abolished are so wide that one could drive a horse and cart through them.

The Hon. A. F. Kneebone: The Premier put them in!

The Hon. C. D. ROWE: I am expressing my own view. If we are to have a provision for a referendum, then at least there ought also to be a provision that the referendum should not be held at the same time as a State election. A provision should be inserted that the referendum must be held at least 12 months from the date of the State election preceding the referendum. It should be laid down that, when the referendum is held, that question—and that question only—can be put to the people. Also, proper cases should be submitted both for and against the referendum proposal.

If we look at the history of development in this State, it cannot be argued that this Parliamentary institution has impeded South Australia's progress. On the contrary, Queensland, where there has been a Parliament consisting of only one House for many years, has immense wealth, good natural conditions (including good rainfall) and good land, but it was held back. The sensible opinion is that Queensland was held back because it had a negative Government that was not prepared to exploit the natural resources of the State. On the other hand much of South Australia, which is not well endowed by nature, suffers from inadequate rainfall. Over the years we have made terrific progress in every way and our people are well served by this Parliament as it has been constituted. The majority of the people believe this and, if they were left to make up their own minds free from Party political propaganda, they would have no hesitation in saying so.

When a Parliament has a progressive policy, when it is putting forward to the people methods of developing the State, and when it is expanding the economy, the people appreciate what it does and support it. When a Government, however, has run out of ideas and when it has no progressive policy, then we find that it resorts to this kind of legislation to try to give it some sort of appeal to the people. We all know the terrific criticism that surrounds the Labour Government in Great Britain and we know the horrible mess into which Great Britain has fallen because of that Government's administration. To boost its falling fortunes it is trying to do something about the House of Lords, which has nothing to do with the economic mess in which Great Britain finds itself.

The Hon. R. A. Geddes: This is typical Socialism.

The Hon. C. D. ROWE: Yes. When the Opposition in South Australia has nothing constructive to put forward for the development of the State, when it has reduced South Australia's finances to what must have been the lowest level in almost any State in the Commonwealth—and certainly a disgrace to any Administration—it must turn to some new device to bolster falling public support.

We in the Legislative Council live in the same areas as do the people in the other House—we have the same likes and dislikes, we experience the heat and the cold, we have the same family problems and the same associations in all the contacts of life. The advantage that a slightly different franchise gives is of value to the community. One has only to instance the complete mess that the Labor Government made of its transport policy to realize the value of a second House of Parliament. If the members of the previous Labor Government were honest they would get up and thank us for saving them from the morass into which they would have fallen. The real basis of the Labor Party's proposal is not that it believes that we are in any way obstructive or redundant or difficult: the real basis is that it does not like to have us here because it thinks we will pick it up on the numerous mistakes it makes from time to time. No-one likes to be corrected when he is on the wrong road, but this check is very necessary and desirable.

I have been greatly encouraged recently by the number of people who have said to me, "Whatever else happens, Colin, see that Dunstan does not abolish the Legislative Council." I said I would certainly do what I

could, but in view of the resolution recently passed by the Bricklayers Association expressing dissatisfaction with his leadership, he may not be there and I may have to refer this matter to somebody else.

The Hon. C. M. Hill: Was it the plumbers' or the bricklayers' union?

The Hon. C. D. ROWE: I am not sure whether it was the plumbers or the bricklayers because I have seen so many of these reports and it is not possible for me to remember all of them at this time.

The Hon. D. H. L. Banfield: They have said various things about your ability and yet they are still good judges on this one point!

The Hon. C. D. ROWE: I think this is possibly one of the most important Bills that have ever come before this Council since I have been a member and, consequently, I think the Hon. Mr. DeGaris was more than justified when he asked for what is, after all, a very short period of one week to prepare his speech.

The Hon. D. H. L. Banfield: You would not give the same right the other day to the Hon. Mr. Bevan!

The Hon. C. D. ROWE: I commend the Hon. Mr. DeGaris for the speech he made and for his stand on this measure. In conclusion, I repeat that my attitude on this matter has not varied: I support the franchise being extended to the spouses of those voting at present; and I support the removal of the property qualification so that anybody with property of any value is entitled to vote for the Legislative Council. I am proud of the record of this Council and the contributions it has made throughout the history of South Australia. I hope that in the next 100 years it will continue to make equally important contributions to the welfare of this State.

The Hon. D. H. L. BANFIELD (Central No. 1): I support the Bill, and I congratulate the Hon. Mr. Rowe on his vicious attack on the four Ministers in the other place, as well as on the Premier of this State, who supported this Bill. It is only through their efforts that the Bill is before us today, yet the Hon. Mr. Rowe attempted to attack the Labor Party for bringing forward something that gives the right to every citizen in this State to vote for a House of Parliament that has more powers than the House of Lords.

Not only did the Hon. Mr. Rowe attack his own people this afternoon; he also made the most contradictory speech I have ever heard from a member of this Council. He said that this Parliament as at present constituted has worked satisfactorily for many years, and therefore should not be altered. The honourable member in the last few moments of his speech this afternoon said that this franchise should not be altered, but on October 9 he introduced a Bill to alter the present set-up. Where are we going? How are we to know the honourable member's beliefs? Can he change his mind overnight to the extent that today one thing may be right but tomorrow the exact opposite is correct? How can anybody give credence to a speech such as that?

The Hon. Mr. Rowe also said that his Bill provided for a family vote; that is far from being correct. The Bill (as introduced by the honourable member) did not allow a family vote at all because it still deprived many families from voting for the Legislative Council. Again, obviously, he did not know what was in the Bill he introduced on October 9 or he would not have said that he thought the present position should not be altered. He would not have said that it gave the family the right to vote, because that is not correct. The honourable member obviously is not prepared to let the people judge for themselves whether or not they want a Legislative Council. This Bill provides that before the Legislative Council can be abolished a referendum must be held to enable the people to decide whether they want this Council or not. They have not that right at present, because they are not able to decide it for themselves. All the people have is a right to abide by what the Hon. Mr. Rowe and a few of his colleagues in this Council say: "We shall never give you the opportunity to say whether you want a Legislative Council or not."

The honourable member referred to a Government without ideas, but it is not so many weeks ago when we read in the press that the Premier was appealing to the people of this State to give him some ideas as to how to run the State. The Premier admitted that he had run out of ideas how to get the State going, and what he was going to do; he appealed to the people to help him. The Hon. Mr. Rowe said today that it reflects on the Government when it has no ideas itself, but the Leader in the other place appealed to the public to give him ideas! The Premier received those ideas, but did not accept them. He knows that 99 people out of every 100 who sent advice told him to get out of Government and hand over to someone else who could run it. He was not prepared to accept that kind of advice.

The Hon. Mr. Rowe obviously considers he is in a better position than the High Court of Australia and that he knows more about the laws of the land than does the High Court because he doubts whether its decision regarding the abolition of the Upper House in New South Wales would hold water. How would he know the position? Why should he be in a better position to decide this than the judges of the High Court? How is it that he is making such a statement when he questions a decision of the High Court? The honourable member was afraid that this Bill would give 100 per cent of the people in this State a vote. Why he thinks that 85 per cent of the people should have the right (and the sole right) to vote for the election of members to this Council I do not know, nor did he tell us what he has against the other 15 per cent. He did not mention one thing about it, and I want to know what is wrong with that other 15 per cent of the people. They have to live under the laws made by this Council: why should they not have the right, if they desire to be enrolled, to elect members to it? I do not think he would be prepared to go out to the people and tell them what is wrong with that 15 per cent whom he wants to deny the right to vote for this Council. Is it any wonder that the *West Coast Sentinel* on October 30, 1968, stated:

> The situation within the Liberal and Country League illustrates the inability of Liberal Leader Steele Hall to lead his Party to anything other than a surrender of its declared Party platform.

The fact remains that the Government was prepared to take over the Treasury benches with less than 43 per cent of the vote, but it was not prepared to accept 49 per cent of the vote passed on North Terrace when an organization voted for full adult franchise for the Legislative Council. In a contest between the percentage of votes he would accept the decision of 43 per cent of the people but would reject the decision of 49 per cent of those who voted in the Liberal and Country League at their last conference when there was a bitter struggle between the Chief Secretary and the Premier, and yet—

The Hon. Sir Arthur Rymill: Will you read the rest of the extract from the *West Coast Sentinel*?

The Hon. D. H. L. BANFIELD: Yes, I intend doing so; it proceeds:

> It is within this element that we find the dictatorship of the majority.

How can there be a dictatorship of the majority? I have heard of a dictatorship by a minority but never of a dictatorship of a majority. That is what the *West Coast Sentinel* said, amongst other things, and I admit it was sticking up for the Legislative Council.

The Hon. Sir Arthur Rymill: Don't take it out of context. Tell us the truth.

The Hon. D. H. L. BANFIELD: As the Liberal members in this Council believe in a bicameral system, they must also be in favour of what this newspaper says about a dictatorship within the majority. Of course, that is the sort of thing that takes place.

The Hon. Sir Arthur Rymill: Why don't you read the whole article?

The Hon. D. H. L. BANFIELD: I am prepared to do so. Let us see just what sort of mess the Liberal Leader Steele Hall has led his Party into, according to the *West Coast Sentinel*. It states:

> The situation within the Liberal and Country League illustrates the inability of Liberal Leader Steele Hall to lead his Party to anything other than a surrender of its declared Party Platform.

Of course, the fact remains that the people of this State have also said that Steele Hall is not capable of leading the Government correctly in this State, because 57 per cent of the people in this State voted against him. The *West Coast Sentinel* points out his inability to lead his Party to anything other than a surrender of its declared Party platform. It goes on to say:

> The attack being waged against the Legislative Council is one point in question. The outcome has left Mr. Hall in tatters and given an added incentive to Opposition Leader Dunstan to run roughshod over anything that might be left of the Constitution after Mr. Hall finishes with his undermining.

Let us analyse this, for I am sure Sir Arthur Rymill would not want just a bald statement read out. The fact remains that the Hon. Mr. Rowe attempted to attack the Labor Party for this Bill and not Mr. Hall who supported it and who put in these amendments. The Hon. Mr. Rowe is not prepared to go that far, but I am, because this Bill was introduced in the other place and was passed by the majority of the people in the other place in accordance with the Constitution.

The Hon. S. C. Bevan: Including Ministers.

The Hon. D. H. L. BANFIELD: Yes, including four Ministers. What we have to make up our minds about is whether we

accept it or throw it out. The article continues:

The Legislative Council has been friendly to the primary producer and country districts over the years.

That is possibly why it has already increased excess water rates, which is something that will affect primary producers and all country people. That is how friendly the Legislative Council is. The Minister of Roads and Transport in this House, in his friendliness to the primary producer, has cut certain railway services, and this will increase the cost of transport.

The Hon. C. M. Hill: They are travelling cheaper by buses.

The Hon. D. H. L. BANFIELD: No they are not; a man sending his cream from Cummins down to Port Lincoln has to pay double what he paid when the railway service was operating. That is an example of the friendliness of the Legislative Council to the primary producer and to the country districts. The article continues:

As a sober second thought on rash legislation, it has a vital function to play in the Parliamentary life of this State, but this can only be accomplished if the Upper House is free to adopt an independent approach without coercion being exerted by such men as Dunstan or Hall.

What is the position regarding a second thought on rash legislation? We find that this House has first thoughts on about one-third of the legislation that is passed in this State, so in that respect it does not have any sober second thoughts at all. The Legislative Council has the right to initiate Bills. I could go on, of course, and pick this article to pieces right through. It goes on to say:

Neither Hall nor Dunstan have any mandate from anybody to alter the Constitution or to change the function and means of electing the Upper House.

I wonder what mandate this House has regarding any legislation when in fact members in this place are elected by less than 27 per cent of the electors of the State. No member in this Council has received more than 27 per cent of electors' votes in his district, so where have the members of this Council a mandate even to have sober thoughts?

The Hon. R. A. Geddes: Why are you here?

The Hon. D. H. L. BANFIELD: The Constitution provides for the Legislative Council, so at least we have the right to come into this Council and put our views before the public, although we know we have no hope of getting the legislation through. The Hon. Mr. Hill said the other day, "We have the numbers." First, he said that the Government was elected, but he then changed his mind about being elected and said that at least his Party had the numbers. I agree with the Minister.

The Hon. C. M. Hill: That is why we are in Government.

The Hon. D. H. L. BANFIELD: The Liberal Party is not in Government because it has the numbers: it is in Government because it bought a certain person over, and the Minister knows it. The article goes on:

In fact when one considers that Mr. Dunstan campaigned violently to abolish the Upper House and failed even to gain a majority in the lower House, one wonders just what claim either man has to legislate on Upper House questions.

Of course, the fact remains that Mr. Dunstan received more votes than the Government received. The Labor Party has always received a greater number of votes in South Australia than has any Liberal Government.

The Hon. Sir Arthur Rymill: Are you still quoting?

The Hon. D. H. L. BANFIELD: So that the Hon. Sir Arthur Rymill will be able to read the full article, I will seek leave presently to have it incorporated in *Hansard*. If I cannot do that, I will be prepared to hand the article to Sir Arthur Rymill.

The Hon. Sir Arthur Rymill: I would very much like that.

The Hon. R. C. DeGaris: Would you like to tell us about the political situation in America?

The Hon. D. H. L. BANFIELD: It is more a question of what is wrong with South Australia. Let us look at our own legislation before we go elsewhere.

The PRESIDENT: Do I understand that the honourable member wishes to have the newspaper article inserted in *Hansard*?

The Hon. D. H. L. BANFIELD: Yes, Mr. President; I seek leave to have the article inserted in *Hansard* without my reading it in full.

Leave granted.

DICTATORSHIP?

The situation within the Liberal and Country League illustrates the inability of Liberal Leader, Steele Hall to lead his party to anything other than a surrender of its declared party platform. The attack being waged against the Legislative Council is one point in question. The outcome has left Mr. Hall in tatters and given an added incentive to Opposition Leader Dunstan to run roughshod over anything that might be left of the Constitution after Mr. Hall finishes with his undermining.

The Legislative Council has been friendly to the primary producer and country districts over the years and its mode of election determines legislation from a different area of interest. As a sober second thought on rash legislation, it has a vital function to play in the parliamentary life of this State, but this can only be accomplished if the Upper House is free to adopt an independent approach without coercion being exerted by such men as Dunstan or Hall.

Neither Hall nor Dunstan have any mandate from anybody to alter the constitution, or to change the function and means of electing the Upper House. In fact, when one considers that Mr. Dunstan campaigned violently to abolish the Upper House and failed even to gain a majority in the Lower House, one wonders just what claim either man has to legislate on Upper House questions. Both say the other was rejected by the people, but there is no doubt that the one body which emerged smelling like a rose after the election was the Legislative Council.

If the Dunstan-Hall axis has its way, the Assembly will be handed into the hands of the metropolitan area and the farming community will have the luxury of city folk determining how the country should be run. It is within this element that we find the dictatorship of the majority—the very dictatorship which Mr. Dunstan wants for himself as the State's next premier after Steele Hall.

Eyre member Ern Edwards has sounded the warning that such items as land laws would become restrictive under an A.L.P. government, and without the protection of the Legislative Council the farmer could very well find himself the victim of one vote one value. Hands off the Legislative Council! Who wants a second rate Assembly after watching the fumbling and bumbling going on within those Assembly walls during recent weeks?

The Hon. D. H. L. BANFIELD: I hope that when Sir Arthur Rymill and other members read it they will consider the points I have raised. I have already read to the House certain things that highlight the inability of the Liberal Party Leader to lead his Party to anything other than a surrender of its declared Party platform and the point with regard to the dictatorship of the majority. I should like a further interpretation of that.

This Bill differs from the other Bill that was introduced by the Hon. Mr. Rowe, which prevented 15 per cent of the people from being eligible to vote for the Legislative Council or even to be enrolled. This present Bill gives every person who is eligible to vote for the Assembly the right to be able to vote for the Legislative Council, and I can see nothing whatsoever wrong with that. The Hon. Mr. Rowe's Bill prevented people from voting for the Legislative Council unless they had certain qualifications other than being merely enrolled on the House of Assembly roll. That Bill raised a sectarian issue, in that it prevented the teaching sisters in Catholic schools and colleges from voting for members of this Council because they did not have the necessary qualifications. Why the sectarian issue is raised I do not know. Then a person who might be the Chief Justice of this State would not be able to vote for the Legislative Council if he did not have the necessary qualifications for being on the Legislative Council roll. That is what the other Bill did. This Bill will allow such a responsible person also to become enrolled even if he has not the qualifications stipulated in the other Bill.

The other Bill introduced thousands more electors to the Legislative Council roll but it excluded elderly married couples who might at one time have had certain limited qualifications. Because they were no longer able to look after their properties and handed them on to their children, they were taken off the roll by that Bill, after they had done so much for this State. Under the Bill introduced by the Hon. Mr. Rowe, those people are now to be deprived of exercising their right to vote. This Bill would remove that provision and would allow those people to exercise their right to vote, as they have been able to in the past. The other Bill prevented the matron of a hospital from voting unless she had certain stipulated qualifications. This Bill, however, allows her the right to vote. The Hon. Mr. Rowe has said from time to time that only responsible people should be entitled to vote. Could anybody be a more responsible person than the matron of a hospital, even if she had no property, or a sister in a Catholic convent or a teaching sister who did not own property? Are not they responsible people capable of exercising their right to vote? According to the Hon. Mr. Rowe they are not responsible and should not be allowed to vote.

Under the Hon. Mr. Rowe's Bill, where three, four or more people shared a flat equally with each other, only one would be eligible to vote; yet they all collectively bore the cost of the flat. How shall we distinguish which is the responsible person of those four or five people and which are the irresponsible ones? It will be impossible, yet under that Bill the honourable member was trying to deny those people the right to vote for the Legislative Council. (In fact, he was not only trying but also succeeding.) The Chief Secretary seemed to bemoan the fact that this Council

does not receive much publicity. I suggest he cannot complain of that now, because over the last few weeks this Council has received a ton of publicity and, if it is not prepared to give the electors of this State their just rights. it will again receive considerable publicity, which will probably suit the Chief Secretary.

Honourable members have expressed fears in the past about the possible abolition of this Council. The High Court upholds the provisions here, stating that the abolition of the Legislative Council cannot take place without there being a referendum. Surely there is nothing wrong with the people deciding for themselves whether they want to abolish the Legislative Council. Along with members in another place, I feel this Bill is a step forward and, along with the 49 per cent of the delegates to the Liberal and Country League convention in August, I feel that this is the right thing for this State. For these reasons, I support the Bill.

The Hon. V. G. SPRINGETT secured the adjournment of the debate.

LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 14. Page 2491.)

The Hon. C. R. STORY (Minister of Agriculture): I see some merit in this private member's Bill although I do not quite know why it was introduced at this time when it was apparent that the Licensing Act would be amended soon. However, the Bill is here and I shall deal with it entirely on its merits. Several points arise that need explaining. It is strange that, when the original Bill was in this Council, these matters were all raised and given a good airing but, unfortunately, they were not acceptable at the time. It is remarkable what a little time and experience does in these things! I remember two divisions on one clause, which was contested strenuously, but now that provision is accepted. I refer to clause 2 of the Bill, which removes the wine saloon section of the principal Act, as it is generally accepted that the old concept of wine saloons is not desirable. However, there are other concepts of the wine saloon. Chesser Cellars has given a good lead to a number of small bistros that I believe will spring up as a result of this legislation if we can make sure that the Act is amended to enable it to operate successfully. It will mean, of course, that a meal will have to be served in the saloon, which is desirable because the old concept of the wine saloon was a place where people went to buy bottled wine or to drink wine (sometimes to excess) and there was no provision for them to have a meal. That was never a good thing. The provision in this Bill is good. This will apply to good quality wines.

The Hon. R. A. Geddes: Good quality wines produced in the State?

The Hon. C. R. STORY: Yes.

The Hon. R. A. Geddes: Do you think that is right?

The Hon. C. R. STORY: I think so.

The Hon. R. A. Geddes: "Wines of good quality produced in this State"; does that mean they cannot sell any other sort of wine?

The Hon. C. R. STORY: There are no other wines produced in this State.

The Hon. R. A. Geddes: Or anywhere else?

The Hon. C. R. STORY: It is getting to the stage now where we could almost brag "not anywhere else" because, when we can go abroad to international wine festivals and get gold medal first prizes for practically every class of wine, we have reached a high pitch of efficiency in the wine industry. This is happening, too, in Hungary and Yugoslavia, which were making wines for thousands of years before we were ever thought of here. So we have reached a high standard of efficiency.

The Hon. A. J. Shard: To say the least, our wines are of world standard.

The Hon. C. R. STORY: Yes, and, what is more, the ordinary person in the street can buy a bottle of this good quality wine where in other parts of the world people pay much higher prices for a fine wine. Fine wines here can be bought at a moderate cost. The wine industry has expanded terrifically; we can say that 90 per cent of our product is being consumed within the country. We could work in with the cost structure in selling to countries that have a much higher standard of living than we have. I believe the wine industry has stabilized in the last two or three years because on several occasions we have had a great upsurge in the drinking of wine. The object is for us to have civilized drinking, and if we can achieve that aim we shall not experience half the problem of alcoholism or drunkenness compared with the days of the old wine saloons.

The Hon. R. A. Geddes: What about the wine grown in South Australia and blended with a New South Wales wine; is that a wine produced in this State?

The Hon. C. R. STORY: There are certain characteristics of wine in New South Wales that we do not have here, and *vice versa*. A

large quanity of wine consumed in New South Wales is mainly produced in South Australia with another blend, and it is necessary to do a two-way trade on these matters. Clause 3 deals with the age of a person being served in a bar by a barman, and is the defence clause. I know it is difficult for a barman to ascertain the age of persons, because he is dealing with many people. It is difficult for a barman to sort out such people, particularly as many adolescents grow long hair and sideburns down the jowl. Also, girls have hair on top where it ought to be in pigtails. It is difficult to assess the age of such people, and it is, I believe, unfair for a barman to have to do so. I suggest that this matter should be dealt with in another way: a person who is challenged as to his right age should have to produce to the barman definite evidence of his age.

The Hon. A. F. Kneebone: That is registration. I have heard your people talking about taking away the registration of people. They don't like it.

The Hon. C. R. STORY: We have just altered the dog licence fee. We don't object to registration.

The Hon. A. F. Kneebone: Would you charge for this?

The Hon. C. R. STORY: No.

The Hon. R. A. Geddes: Even drivers are licensed, and that is a type of registration.

The Hon. C. R. STORY: Yes.

The Hon. S. C. Bevan: How could registrations help in peak periods in a bar?

The Hon. C. R. STORY: This would apply only if the barman suspected that a person was under age, when he would challenge him.

The Hon. A. F. Kneebone: But they could be trading with this sort of registration. There could be one ticket between half a dozen lads.

The Hon. C. R. STORY: Yes, but I do not think this should be left to the barman. This gets round the difficulty to a certain extent and lifts the onus from the barman only if it is to be used as a defence. I believe the onus should be placed on the person concerned to prove that he is of age. I now refer to permitted clubs and licensed clubs.

The Hon. R. C. DeGaris: We had a long argument about this before.

The Hon. C. R. STORY: Yes, we did have a lively debate on this matter, and it seems to me that for once the Leader of the Opposition in another place is on side with us because he has accepted what we wanted to do, and I am indeed pleased with that.

The Hon. A. F. Kneebone: But it doesn't go quite as far as you wanted it to go.

The Hon. C. R. STORY: It will go further, when the next Bill before another place has included in it an amendment by a private member. At the moment it does go some of the way. The Bill provides that nothing in the Act or at common law shall prevent the letting-out of premises of permitted clubs at times other than those when the club may sell or supply liquor to its members in pursuance of the permit, and makes it clear that a club may cater in food or drink other than liquor to the people to whom it lets out its premises, and that those people may apply for a special occasion permit for the club premises when they are holding a function there. That is fair and reasonable, and we have said so. The same applies to clause 4 regarding the letting-out of other fully licensed clubs. I have read reports regarding excepted persons, but I cannot mention here where I have read them. I read that there were some reflections on the police, that the police had been difficult with some people who were on licensed premises and were cleaning up in a bar.

The Hon. R. C. DeGaris: Cleaning up what?

The Hon. C. R. STORY: The true circumstances are that these people were cleaning up the keg and receiving money for it after the time prescribed for so doing. I mention this only because we hear so often complaints about police officers, who are only doing their duty.

The Hon. A. J. Shard: You have never heard it in this Chamber.

The Hon. C. R. STORY: That is the reason why I cannot mention the source of my information at this time. These people were not there for the purpose of cleaning up but were continuing on with their business. I have no objection to legitimatizing this, but I do not like the reason given for including an amendment of this nature. A person not resident on the premises and who is in the bar after the time prescribed for closing is in difficulty. By and large, I will accept the amendments. The Chief Secretary has foreshadowed an amendment, but I will not deal with it now. In principle, I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Permits."

The Hon. R. C. DeGARIS (Chief Secretary): I move:

After "age" to insert "and that person was actually of or above the age of 18 years".

Section 153 (1) of the principal Act provides:

Any person, who, on any licensed premises, sells or supplies, or permits to be sold or supplied or consumed, any liquor to any person under the age of 21 years, shall be guilty of an offence.

Subsection (2) (*b*) provides that it shall be a defence in any proceedings to prove the following:

That the person to whom liquor was sold or supplied was actually of or above the age of 18 years.

This means that in licensed premises, if a person supplies liquor to a person actually over the age of 18 years, this shall be taken as a defence in any proceedings against that person. This clause amends section 66 of the principal Act, subsection (10) of which provides only one defence, as follows:

The holder of a special permit in respect of unlicensed premises shall not, during the hours and in the rooms or places specified in the permit, supply or permit any person to supply liquor to a person under the age of 21 years.

This amending clause inserts in section 66 one of the defences that apply in section 153, and my amendment adds the second defence that the person was actually of or above the age of 18 years.

The Hon. A. J. Shard: What if he is not above 18 years?

The Hon. R. C. DeGARIS: Section 153 provides two defences for a person who supplies liquor to a person under the age of 21 years. If a person charged had reasonable cause to believe that the person to whom the liquor was sold or supplied was of or above the age of 21 years, that is a defence. The second defence is that the person to whom the liquor was sold or supplied was actually of or above the age of 18 years.

The Hon. A. J. SHARD (Leader of the Opposition): I have seen this amendment only this afternoon. Because I am not a lawyer, I should like to have a look at it and see what it means. Consequently, I ask that progress be reported.

Progress reported; Committee to sit again.

BULK HANDLING OF GRAIN ACT AMENDMENT BILL

The Hon. C. R. STORY (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Bulk Handling of Grain Act, 1955-1964. Read a first time.

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

That this Bill be now read a second time.

It is intended to give South Australian Co-operative Bulk Handling Limited the power to rationalize the acceptance of deliveries of grain to its facilities. Honourable members may be aware that, owing to improved seasonal conditions, the estimated wheat deliveries this year will be more than 70,000,000 bushels, nearly twice the average deliveries over the past three seasons. It is not unlikely that the previous record delivery will be exceeded by more than 20,000,000 bushels.

At the moment about one-fifth of last year's delivery, amounting to 5,000,000 bushels, is still in the silo system by way of carry-over. This carry-over, coupled with the expected record delivery, points to the need for some form of rationalized delivery system that will be fair to all producers. If this legislation is passed reasonably speedily, the co-operative has indicated that it will be possible to accept almost 75 per cent of the total of accurately estimated deliveries. This will ensure that every producer will get some immediate return for the bulk of his crop.

In form, the Bill grants the company the widest powers to rationalize deliveries since it is thought that considerable flexibility in planning is desirable, and the Government is confident that the company is sensitive to, and appreciative of, the true welfare of the producer. In addition, the company has been given, subject to the Barley Marketing Act, 1947-1967, some powers necessary to rationalize barley deliveries.

The Bill gives to the co-operative the right to implement a scheme that it will put into operation, and it will be in the hands of the directors. I have a letter from the United Farmers & Graziers of S.A. Incorporated dated November 14, 1968, which reads:

I desire to inform you that the grain section of the United Farmers & Graziers of S.A. met in Adelaide this day and held a long discussion on the question of rationalization of deliveries of wheat in bulk to the S.A.C.B.H. for this season, and the following resolution was carried:

> That the grain section of the U.F.G.S.A. requests the Minister for Agriculture to amend the Bulk Handling of Grain Act to enable S.A.C.B.H. to regulate deliveries of grain into the silo system in the interests of growers as a whole.

I am therefore instructed to request you to give effect to the above resolution by bringing down an amendment to the relevant Act as quickly as possible. I feel certain that you would appreciate the reason for the

urgency in this matter, as growers have already started delivering wheat into the silo system.

The reasons for the amendment are that a fairly large section of growers who are in the later grain maturing areas will find that the silos in their localities have been filled by the earlier districts and consequently these unfortunate growers will not be able to deliver their wheat into the silo system and would therefore be unable to receive the $1.10 first advance on their wheat; this could prove to be very embarrassing to these farmers. You are aware that wheat must be delivered to the licensed receivers of the Australian Wheat Board before they can receive their first advance. I am also to say that the grain section believes that this would be the most equitable way of protecting the interests of all growers in South Australia. I feel sure that, on consideration, you will see the logic of our request, and I trust you will give favourable consideration to this matter by bringing down the amendment to the Act next week. Thanking you in anticipation of your favourable co-operation,

Yours faithfully,
(Sgd.) T. C. Stott, M.P.,
General Secretary

I have also received a letter (an unsolicited testimonial) from the General Manager of the South Australian Co-operative Bulk Handling Limited, which reads:

Rationalization of bulk wheat deliveries: Following many individual requests from growers, we have now received a letter from the United Farmers and Graziers of S.A. Incorporated advising that the following resolution was carried at a meeting of the grain section of that organization on November 14, 1968:

> That the grain section of the U.F.G.S.A. requests the Minister for Agriculture to amend the Bulk Handling of Grain Act to enable S.A.C.B.H. to regulate deliveries of grain into the silo system in the interests of growers as a whole, and that the General Manager of S.A.C.B.H. be also notified of this resolution.

We understand that the United Farmers and Graziers of S.A. Incorporated also wrote to you on November 14, 1968, advising that the following resolution was carried:

> That the grain section of the U.F.G.S.A. requests the Minister for Agriculture to amend the Bulk Handling of Grain Act to enable S.A.C.B.H. to regulate deliveries of grain into the silo system in the interests of growers as a whole.

This authority in the limited time available, has discussed with you the procedures proposed to be adopted to enable all wheatgrowers in the State to deliver with a minimum of delay 75 per cent of their expected wheat deliveries, season 1968-69, in bulk into the silo system. Our board of directors, at a special meeting on Friday, November 15, 1968, approved the implementation of the proposed scheme, subject to your support, by the urgent introduction of enabling legislation into State Parliament. We would appreciate your action, therefore, in the support of this proposed legislation and its urgent introduction into State Parliament as soon as possible.

Yours faithfully,
(Sgd.) P. T. Sanders, General Manager

As soon as I received those letters I went to Cabinet and obtained permission to give notice yesterday (the first day possible) that I would introduce this legislation. Honourable members will remember that the Hon. Mr. Geddes asked a question three weeks ago about rationalization of deliveries of grain, and at that time it was not envisaged that this scheme could be implemented. However, in the meantime the Hon. Mr. Whyte, some honourable members from another place, and a number of grain producers have spoken to me on this matter, and they have been in touch with zone directors of the co-operative as well as with officers of the United Farmers and Graziers of S.A. Incorporated.

In commending the Bill to honourable members, I wish to comment especially on several points. First, it will be necessary for the Stabilization of Wheat Bill, which left this Chamber yesterday, to be passed by another place and then assented to by His Excellency the Lieutenant-Governor. Secondly, it will be necessary for all State Parliaments and the Commonwealth Parliament to ratify similar Bills before this Bill is effective because the power enabling the co-operative to do this is contained in those enabling Bills and the Commonwealth Bill. I want to make that clear: this Bill cannot be acted upon until all State Governments and the Commonwealth Government pass enabling legislation. The operation of this Bill is contingent upon the passage of those other pieces of legislation.

I hope that the co-operative will be able to make the best use of the proposed amendments to the Act. It is prepared to try and it is the desire of the producers also. I have received six telegrams asking me to take other action, but "one swallow does not make a summer" and, because the bulk of the people want this legislation, and the co-operative has every right to implement any rationalization scheme it may desire, it is given that power in the Act. It will be for wheat producers to contact their own organizations to see whether any scheme that they think is better than the one visualized by the co-operative is brought into operation. The Government is happy to facilitate the suggested amendments to the Act, and I am sure Parliament will support this Bill.

The Hon. A. J. SHARD (Leader of the Opposition): I take the unusual step of not moving that the debate be adjourned. In his second reading explanation, the Minister said:

If this legislation is passed reasonably speedily, the co-operative has indicated that it will be possible to accept almost 75 per cent of the total of accurately estimated deliveries.

As far as I am concerned, we will deal with it reasonably speedily, in accordance with Standing Orders. The Minister spoke about the importance of this legislation, but then he said he did not know whether the Acts of the other States and the Commonwealth had been amended and that this Bill could not take effect until the legislation was passed by other Parliaments. If we speedily deal with the legislation in this Parliament we should be in line with the other people.

If we take this action in accordance with Standing Orders, I do not think we can be criticized. I have been touched on the raw regarding Standing Orders, and I say that if they are to apply to one section of this Chamber they must apply to all sections. That is where I stand on that point. My colleagues and I are prepared to assist Parliament right up to the limit of Standing Orders in order to get Bills through. However, we have not had the co-operation from this Chamber on other matters that we would have liked to get out of the way. It is necessary to point out why we take that stand, because there are errors in this printed Bill that have to be corrected. I would not like to have to ask you, Mr. President, to certify that something was correct when it was not.

I think the Bill is reasonable, if it works all right. However, I would not like to be the party who has to estimate 75 per cent of a farmer's crop. In theory it may be ideal, but I do not think it will work out so ideally in practice. However, it is not for me to criticize that. We do not wish to delay this Bill; we want it to pass as quickly as possible, within the realms of Standing Orders. It is someone else's job to give effect to it. With those few remarks, I support the second reading.

The Hon. A. M. WHYTE (Northern): I, too, support the Bill, which was well explained by the Minister. The South Australian Co-operative Bulk Handling Limited has been approached not only this year but in a number of years to try to implement some means of rationing and the rationalization of wheat cartage. During the previous several bumper seasons, trucks have remained in queues a mile long or even longer and for days on end have been waiting their turn to dump a load of wheat into a silo. Had some method of quota rationing been introduced, all this could have been avoided. People whose crops were ripening later than others would have had extended to them the facilities to which they were entitled, having paid as much toll as anyone else, and they, too, would have been able to deliver part of their crop to the silos before they were filled.

During those years many approaches were made to the co-operative, but at that time it did not see eye to eye with the growers. In some districts rationing and quota schemes were implemented, but they were not legal and on odd occasions physical persuasion had to be employed to see that these schemes operated completely to the satisfaction of 99 per cent of the growers. As the Minister has said, it is imperative that this legislation pass as quickly as possible. The longer it is delayed the less effectve it will be, for people who are already carting wheat would take advantage of the fact that their neighbours' crops were not ripe and perhaps there could be a bottleneck at delivery points, as there has been in other good seasons.

The co-operative is doing its very best to extend facilities by erecting temporary silos in the form of sheds, most of which will contain about 500,000 bushels, and it is doing this as speedily as contractors and finance permit. Other schemes have been mentioned, such as communal dumping and various other things that I have tried to explain to the Minister on other occasions. I will not go further into that aspect now because it may confuse the issue. In any case, I believe the co-operative is doing its very best to provide temporary storage, which is preferable to open dumping.

The Leader of the Opposition referred to the difficulty of being able to estimate 75 per cent of a grower's crop. I, too, realize that this would be an almost impossible task, if it were not for the honesty of the grower. Growers are asked to fill in forms detailing the acreage sown and their expected yield, and as a good many farmers are now reaping they have a reasonable idea of what their yield will be. If this becomes questionable, I believe that the authorities will have the power to ask any farmer to sign a statutory declaration as to the estimate of his acreage and his yield.

Probably there will still be some anomalies, for some people will always try to beat any

such legislation. However, the intent of this Bill is to provide some rationalization that will allow every wheatgrower to deliver 75 per cent of his wheat in a reasonable time and be paid his first advance on that wheat. We hope that by then the co-operative will be starting to find room for the other 25 per cent.

The Hon. S. C. Bevan: What if that room can't be found?

The Hon. A. M. WHYTE: I believe that in that case the grower organizations would have to ask for temporary storage, and every effort will have to be made to see that the Wheat Board accepts that wheat and pays for it. If that wheat had to be dumped in the open, I believe the growers would have to foot any loss incurred during the time it had to stay in the open.

The Hon. S. C. Bevan: Would the temporary storage that you mentioned be available?

The Hon. A. M. WHYTE: Not at present, because all the temporary storage will now be taken to handle the 75 per cent intake.

The Hon. S. C. Bevan: If this Bill comes into operation this season, what will happen to the surplus wheat?

The Hon. A. M. WHYTE: It is hoped that by the time the 75 per cent is received sufficient sales will have been made to enable the other 25 per cent to be received. That is the desire and the hope not only of the Wheat Board but also of the growers. If sales have not been effected to the proportion of 25 per cent, then further efforts will have to be made by the growers and their organizations to see that some type of storage will allow the Wheat Board to accept the other 25 per cent.

I believe that a card system will be adopted. We had hoped at one time that not only the quota system but also a zoning system would be established, for this would make the quota system more effective. However, the bulk handling company has thoroughly investigated this and believes that zoning on this side of Spencer Gulf would be almost impracticable. For that reason, it has adopted what it calls a rationalization system, which entails the use of a card bearing the grower's estimate of 75 per cent of his crop. Wherever he delivers wheat, he has to take that card and have it checked; so there is no control of a person's point of delivery but, when the card shows that 75 per cent of the estimated crop has been received, no more grain is acceptable from him. Because these cards are ready and waiting and because the more quickly they can be issued by the agents the more effective this legislation will be, I urge honourable members to give this Bill a speedy passage through this Council.

The Hon. L. R. HART (Midland): I suppose one should almost rejoice at the introduction of this Bill because it indicates we shall be having a record harvest in this country this year, and a record harvest not only benefits the individual growers but also is of considerable economic advantage to the whole of Australia, because wheat is one of our export commodities by means of which we build up our oversea reserves.

The alternative to delivering wheat to the silos this year will be mainly farm storage. There are always, of course, problems in connection with farm storage, the greatest for the grower being that he does not qualify for the first advance on the grain he has stored on his property until he is in a position to deliver it. I asked the Minister recently whether it would be possible to make some percentage advance to the grain-grower where farm storage was necessary. Of course, many farmers still bag their wheat. I assume that, once a grower has delivered 75 per cent of his grain to the bulk handling company facilities, he can bag the remainder of it and receival depots will still be available to him to which he can deliver his wheat, for which he will receive his first advance.

The Hon. A. M. Whyte: Will it be possible to buy the bags? Are these bags available?

The Hon. L. R. HART: I should say the prudent farmer who has probably foreseen the possibility of being placed in this position will have provided himself with bags. Many farmers, in the first instance, bag their grain, which is then emptied into bulk bins for transport to the terminals, so at least some wheatgrowers will have some bags by that method. Some growers have provided themselves with bags because of the possibility of farm storage.

In the last year or so the practice has grown up of rebagging bulk wheat at Wallaroo, because some countries still require the delivery of wheat in bags—mostly oversea countries with no port facilities. So, rather than bulk wheat being rebagged it is possible that much of the grain bagged this year will find its way to the ports in this manner. The Hon. Mr. Whyte mentioned zoning. There has been this problem over the years of some grain-growers still delivering their grain to the shipping terminal. They do so because a considerable price differential is involved. At times, it has meant they have driven past silos

not completely filled. That is not in the best interests of the industry. When silos are still open for the receival of grain, it should be delivered to them by the people in the locality. If delivering grain to the terminals is to be preferred to delivering it to the local silos, there is a case for the people doing this paying the ton-mile tax.

A problem not only facing us this year but to be faced in future years is the carry-over of large amounts of wheat, as is the present position. It further complicates the problem of the storage of the present crop. This situation developed, to some extent, because of low wool prices. Because of that, people have gone into graingrowing in preference to wool production, and this may continue. So we must look seriously at this question of the reduction of acreages that have been sown to wheat, because in some areas where farmers are growing wheat today, previously wool was grown. Large acreages, amounting to 20,000 acres on some properties, are being sown to wheat. These are the properties at present creating many of the storage difficulties. I do not think we should reduce the wheat acreage while we can sell the wheat, but we are reaching the stage where other countries are becoming self-sufficient in wheat production. Some of them that have suffered the ravages of drought in recent years are now enjoying good seasons, with record productions of their own. We have the problem of countries where the wheat farmer is subsidized. These are exporting countries, taking from us some of our traditional markets, which poses a further problem. South Australia has many advantages in wheat storage. We have more outlet facilities in South Australia than has any other State.

In 1965 I had the opportunity of travelling from Sydney to Broken Hill. All along the track in the middle of February I noticed lines of trucks waiting to deliver their wheat to silos. I gathered from local gossip that some trucks had been in one position for a fortnight without moving. So, even two or three years ago, New South Wales had this problem of lack of storage facilities, which is more serious when there is a record harvest. We appreciate the storage problems facing the industry, and anything we can do to alleviate the situation we should. I have much pleasure in supporting the second reading.

The Hon. M. B. DAWKINS (Midland): I support the Bill, which has been introduced in the exceptional circumstances of a probable outstanding harvest. The Leader of the Opposition said that the Bill would not be ideal and, of course, that is so. Indeed, no-one says it is ideal, but we will do the best we can to handle the very difficult situation we are in. The honourable gentleman also said that we cannot accurately estimate 75 per cent of the farmers' crops. Here again there is difficulty, but the Hon. Mr. Whyte dealt with that matter and, indeed, it will be dealt with by all concerned as competently as possible. Of course, the scheme will be subject to the honesty of the farmer, and we hope that it will work reasonably well.

It was said that South Australian Co-operative Bulk Handling Limited has not always been keen about this approach, but, in fairness, it could also be said that not many primary producers in some areas would have desired this scheme in normal years. On the other hand, in other areas (and I think the Hon. Mr. Whyte may well represent some of these areas) many primary producers would have desired such action, as was indicated by the honourable member. There are, as Mr. Whyte said, in all districts plenty of areas which find themselves in difficulty because silos are full before the farmers can get their wheat there, or by which time large queues are waiting. Later districts also suffer because silos are full before their wheat is ripe.

I believe that in the present circumstances most people in the farming and cereal growing community desire something along these lines so that they can get three-quarters of their grain into storage. The Hon. Mr. Whyte also said that Co-operative Bulk Handling Limited is doing its best in the present circumstances; it is certainly doing all it can to arrange temporary storage. Indeed, some sheds that have been previously used have been renovated to enable them to hold grain, and other storage places have been erected. The need for a scheme of the type envisaged in the Bill is evident. In those circumstances I shall not delay the Council further. I support the Bill.

The Hon. H. K. KEMP (Southern): I merely speak in support of this Bill to put it on record that it has my full support and that of my Southern District colleagues. We give it our strongest backing and hope it has a speedy passage.

The Hon. C. D. ROWE (Midland): I endorse what my colleagues and the Minister have already said. In the Ardrossan area, in which I have a particular interest, there is a

real problem because the crops in that area ripen very late, while the crops more distant from it ripen early. Consequently, this earlier-ripening wheat is brought into the silos, and the local farmers often find that the silo is full when they want to deliver their wheat. The Bill is designed to meet that situation. I cannot conceive a better way to approach this problem, and I hope everyone will realize that to a large extent it will be a matter of honour as to the declaration of the quantity of wheat that will be delivered. This will rest on the conscience of the farmer and, consistent with the difficulties of estimating what a crop will be, I hope people will realize that a community effort will be needed and that, by doing the right thing, they will help not only themselves but others. I congratulate Co-operative Bulk Handling Limited on its proposals and I wish it every success.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

DAIRY CATTLE IMPROVEMENT ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

LICENSING ACT AMENDMENT BILL (No. 2)

Received from the House of Assembly and read a first time.

FRUIT AND PLANT PROTECTION BILL

Received from the House of Assembly and read a first time.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2)

Read a third time and passed.

STAMP DUTIES ACT AMENDMENT BILL (No. 1)

Adjourned debate on second reading.

(Continued from November 19. Page 2522.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading, but with other speakers who have taken part in the debate I, too, regret that the financial position of this State is such that measures of this nature have to be introduced in order to correct the position. The Bill is designed to raise, along with additional duty on third party insurance certificates and the widening of hire-purchase taxation arrangements, a further $2,500,000 this year towards the State's revenue.

This situation has been brought about, of course, by the very unsatisfactory state in which the Treasurer found South Australia's finances when he assumed office earlier this year. The position is being aggravated by the great crisis that is rapidly developing in Commonwealth-State financial relationships. I wish to refer to a report in this morning's *Advertiser* of an address by Prof. R. L. Mathews to the annual conference of the Railway Institute of Public Administration. Referring to the federal system, in relation to finance, he is reported as saying:

> It has become the most divisive force in Australian society and the chief factor responsible for economic inefficiency and inadequacy in the public sector.

Another speaker at the conference, Dr. R. J. May, an economist with the Reserve Bank of Australia, is reported as saying:

> The wide disparity between revenue sources and expenditure obligations at the two levels of government creates a situation in which priorities in public expenditure are bound to be weighted in favour of Commonwealth functions, simply because it is the Commonwealth which has the bulk of the revenue.

These remarks are very timely. It is obvious that both State and Commonwealth politicians are becoming increasingly aware that some real effort must be made not in the distant future but here and now to solve the very grave crisis that has developed in Commonwealth-State financial relationships. If that crisis was in some way resolved, if the States got a better deal from the Commonwealth in respect of their revenues, then I do not think measures like this would be necessary. This measure will tax in a widespread way all business and commercial activitity in the State and it will mean that many people engaged in commerce and industry and in professional activities will be put to much trouble and expense to see that this new duty is collected for the Government. This is a regrettable situation, and I agree with the Hon. Sir Arthur Rymill, who said yesterday that, if we could possibly find ways of lessening the burden on people who act as agents in the commercial transactions of this State, we ought to do so.

I should like to suggest again that there is no real reason why people who occupy the position of solicitors or agents in the community should really be involved in this at all, because they are dealing with other people's money. I can understand that the Government wants to collect its revenue in the easiest

way possible. It wants an easy way of policing the collection of revenue under this Bill, but agents, in particular, will have a very heavy administrative burden, because additional staff and additional bookkeeping will be necessary. I think some of the examples that the Hon. Sir Arthur Rymill gave yesterday indicated what a fiendishly difficult task some people, particularly those in the woolbroking and stock agency businesses, will have in allocating this duty.

Solicitors are affected by this Bill because they act as agents in transactions. The Bill requires solicitors to affix duty stamps to receipts in certain circumstances. When I first read the Bill I thought that something would have to be done to deal with some rather difficult matters that would obviously arise in respect of solicitors' trust accounts. I am pleased to see that the Chief Secretary has foreshadowed some amendments that will deal with, I think, the most difficult questions that I wanted to refer to. However, I do not know that those amendments will deal with every circumstance. In fact, even when one takes them into consideration, there is one matter that is still incompletely covered.

New section 84c exempts from double duty money that is received by a solicitor or agent from his client or principal for payment to another person. Of course, this provision is obviously necessary, but it provides no general exemption from double duty for moneys received by a solicitor or agent from a third party for payment to his client or principal. Most solicitors are involved in receiving money from both these sources regularly, and it is hard to see why these two cases should be treated differently.

The situation appears to be even more anomalous in respect of the following matters. If the money is received by the solicitor or agent on behalf of a client or principal and he has given notice of election in writing to the Commissioner pursuant to new section 84 (*e*) (1) then the double duty is not incurred. Secondly, it is also clear that, if the money received by a solicitor or agent on behalf of his client or principal is not transmitted direct to the client or principal but goes by another solicitor or agent, double duty is not incurred. In view of these exemptions, it appears to me that there is an anomaly concerning the question of receipts from third parties. Much money does, in fact, come to solicitors from third parties for transmission to their clients.

The amendments that appear on file in the name of the Chief Secretary deal with two very important matters which I think otherwise would have been left in the air and could not be dealt with very satisfactorily under the legislation as it was originally drafted. His amendments allow a solicitor to be reimbursed for any payments he has made on behalf of his client from his own funds. From my experience, this is something that occurs daily in every solicitor's office. Disbursements are made regularly for Government office fees, court fees, duty and that kind of thing by solicitors from their own funds, because it is not possible to wait a sufficient length of time to get them from a client in the first place. Often time is of the essence, and a solicitor invariably makes a prepayment from his own funds. I am pleased to see that now he may recover these and be exempt from duty on the return of his own money.

The second amendment does, in fact, allow the solicitor to recover any stamp duty that he places on a receipt for the money which has to go to one of his clients from that client himself. Sir Arthur Rymill yesterday asked whether or not this entitled the solicitor actually to make a deduction from the money eventually paid to the client. I do not pretend to answer that, but I think as a matter of practice there will not be any difficulty with the legal right to recover the amount, anyway. I think that the old saying about possession being nine points of the law will apply there, and I do not think any real difficulty will arise. I doubt very much whether the matter could be covered in any other way than by the amendment put on the file by the Chief Secretary. I think those two matters are important.

The other question that was mentioned to me, regarding whether or not moneys received by a third party who was not really the client of the solicitor would be entitled to be treated as exempt from stamp duty will, I think, iron itself out. The matter has been solved in Victoria by an interpretation there by the Commissioner of Stamp Duties which, in effect, says that the Government department regards payment from a third party (who is not strictly the client in the accepted sense of the word in a solicitor and client relationship) as payment from a client or as a principal for the purpose of this particular exemption. I hope that this interpretation will be applied here. I think it can be clearly inferred from the wording of section 84c that in fact

the persons from whom money, such as a prepayment of stamp duties or fees or for the registration of Lands Titles Office documents, is received are notionally clients or principals of the particular solicitor. Nevertheless, despite the fact that these matters have been attended to by the amendments to which I have referred, I still think that the Act is a very complex one. There will be some period of time before people will really become fully acquainted with its provisions and with what they should and should not do, and I have no doubt at all that even in the best regulated offices some great care will have to be taken for a while before people get into the hang of this legislation and know clearly what is an exempted receipt and what is one which must bear a duty stamp.

Because of this fact and because, after all, principals cannot be continually on the go seeing that their office clerks are doing the right thing, I was rather impressed yesterday when Sir Arthur Rymill made the suggestion that perhaps a completely new section 84c in more simple terms would be a great benefit to agents and solicitors generally. I have had another look at that, and I consider there is a good deal of merit in the suggestion. I also think that the suggestion for allowing the duty stamp to be affixed to some bank teller's receipt or monthly statement (the onus, of course, being on the person who received the money to do this) is also a very constructive suggestion. After all, it is the person who is actually receiving the money who ought to be responsible for seeing that the duty is, in fact, paid. The burden ought not to be put upon the solicitor or the agent in any circumstances, because although it is easy for the Government to ask them to do this, it will, in fact, be burdensome and, after all, they are only acting as agents between two or more parties.

The Hon. D. H. L. Banfield: I suppose the solicitors will put up their fees.

The Hon. F. J. POTTER: I cannot see that solicitors will be imposing any extra charges on their clients for doing this. At the same time, in principle it should be the responsibility of the person receiving the money himself to pay his stamp duty: the onus should not be put on a solicitor to do it for him. I notice in the suggested amendments of Sir Arthur Rymill that, in lieu of the agent or solicitor actually paying the stamp duty on the receipt, in order to make the client (the person who is actually going to receive the money) liable some notice of the credit to the client in the books of account of the solicitor or agent would be sent, and it would be at that period that the client's liability would arise. I am not sure that that actually is much better than the actual affixing of the stamp, because notices of credit have to be made out and dispatched (sent by post, presumably), and again this is going to add to the administrative burden and the costs of solicitors and agents.

There is nothing more I want to say on this now, because it is a complex tax measure. To this extent, it should be carefully examined at the Committee stage, which I await with interest to see whether or not further amendments can be suggested to new section 84c, which seems to be, above all, the troublesome clause as regards agents and solicitors.

I regret the need for this Bill, but there is no alternative for the State Government in view of the position in which it finds itself this year. I hope that perhaps at some future time when a better financial arrangement can be worked out between the Commonwealth and the State (which is imperative and inevitable) the lifting of this tax will be considered. Indeed, we read that it may have some shaky legal foundation anyway: it is under challenge in the courts. However, apart from that, whether or not it is legal, it is most unfortunate that the business community and the community generally should have to be bothered in this way. It is a shame that the State Governments should be driven to introducing this kind of measure in order to raise the necessary money, without which they cannot exist. I support the Bill.

The Hon. D. H. L. BANFIELD (Central No. 1): I rise to take issue on the attitude adopted by some honourable members of this Council to this Bill, when they claim that the financial chaos was caused by the Labor Government. The State would not now be in quite such a bad position had honourable members in this Council adopted a more reasonable attitude when the Labor Government was in power and passed some measures that were thrown out. I have no doubt that the present Government now wishes that this Council had not acted in that way, because it finds it is now necessary for it to introduce these unpopular measures, none of which were mentioned by the Liberal Party at the time of the last election. So it is difficult to understand the Government's attitude on this occasion. Also, when it criticizes the previous Government and blames it for the present financial position, it does not tell us what expenditures it would have cut out. Perhaps it would

have cut expenditure on education, because when people are educated they wake up to what is going on. They would have woken up to what was being done by the L.C.L., so perhaps it would have wanted to cut down on education. Perhaps it would have reduced work on the hospitals or stopped the building of the State Government offices. I do not know on what it would have cut down; it does not tell us. The fact remains, however, that not only were members of the L.C.L. prepared to deny the last Government the right to increase taxation but also they now say we should have cut down, possibly, on education.

This Bill puts into effect just one of the seven new taxation measures announced by the Treasurer when introducing the Budget. In addition to this one, which proposes to impose a duty of 1c in every $10 or part thereof, similar to the tax operating in Victoria, the Government also threatened the possibility of this tax being extended to wages and salaries, for it could see the amount of money being recouped by Victoria from a duty of 1c in $10 imposed on wages and salaries. No doubt, this Government will impose such a tax, but it did not tell the people at the time of the last election that this would happen. We have also been studying another Bill to impose a stamp duty of $2 on compulsory third party insurance certificates. Then there is to be a gift duty at rates comparable with those levied in other States. I remember the number of times we were told that we should not follow what was happening in the other States, that we should not do what the other States were doing. Not only were we told this by Liberal Party members but we were stopped from putting into operation things that were already operating in other States. Yet, in spite of that, these measures are introduced because it is being done in other States.

There is to be an extension of the present hire-purchase duty of 1½ per cent and there is to be an increase from 5 per cent to 6 per cent in the fee for liquor licences, because 6 per cent is in operation in the other States: therefore, it must operate here. Also, the Government is taking 45 per cent of the profits made by the State Bank: that will go into Consolidated Revenue, thereby retarding the State Bank from continuing to assist the State as it has done in the past. There has also been a steep increase in hospital charges. All these measures are being adopted although not one of these increases was announced prior to the last election. It is true the Government did say, prior to the election, that it would remove the winning bets tax, but so far that election promise, along with other election promises (few as they were), has not been implemented. However, we have heard that there is to be an increased tax on bookmakers' turnover and stamp duty on betting tickets, but these increases were not announced by the Government before the last election when it announced it would remove the winning bets tax. We do not know when it intends to do so: in fact, it may never remove it, although it was one of the Government's election promises. These other measures were not election promises but still are being introduced.

In addition to the proposed increases I have mentioned, the Government has also taken action to increase fishing licences by 100 per cent, from $2 to $4. Boat licence fees have also been increased, and bus fares have been increased for some sections, including 100 per cent increase for the first section. An announcement has also been made that train fares are to be increased. This will no doubt result in less patronage for the railways, giving the Minister of Roads and Transport added support in his attempt to hand the railways over to private enterprise. It has already been announced that the Minister is looking for ways and means of allowing private enterprise to build and maintain our highways. This is the Minister who was put in charge of the Railways Department to look after our railway assets, and here we find he wants to hand them over to private enterprise. He makes no apology for it and he takes every opportunity to hand them over when it is his duty to look after them. The Government has also increased charges for excess water. This hits the person in the country harder than it does the city dweller.

Again, there was no mention of this prior to the last election. Had this been announced the members for Murray and Chaffey would not be in the other place today. However, it was not prepared to say this to the people, and the Government got into office under false pretences, having obtained only 43 per cent of the vote. The Government has lifted price control on many items since it took over the Treasury benches, with the result that there have been increases in the prices of many items that have been decontrolled. It has given the green light to firms to increase the prices of many of their items and to discontinue the practice of many

years' standing of giving 2½ per cent cash discount which, in addition to the one cent receipt duty on each $10, means an additional increase of 25c for every $10. These and many other increases have taken place since the Government's undignified take-over of the Treasury benches.

Where do members of this Council stand in relation to leaflets put out by the Liberal and Country League prior to the election? It was interesting the other day to hear the Hon. Mr. Kneebone speak about the disagreement between the Premier and the Chief Secretary regarding the principles of their Party. There were many interjections all round, saying that they did not differ on policy but on principle. It is interesting to ask why it does not put its principle into policy. Principle is one thing; policy is another. So one could go on.

What happened prior to the last election? What inference should one draw from the pamphlet called *The Voice of South Australia,* put out by the L.C.L., which states:

State taxation is too high, said an 81-year-old retired South Australian.

Of course, the person was not named. It continued:

Hundreds of other South Australians interviewed in their own homes echoed this sentiment.

A few are recorded on page 2, where it says:

A 38-year-old teacher says—

again, the person is unnamed—

Labor put up rates and prices which hit the little man they are supposed to protect.

Surely the inference to be drawn from this leaflet is that, if returned to the Treasury benches, the L.C.L. would ensure that these things would not happen.

The Hon. A. J. Shard: Do you think it was a bit of a three-card trick?

The Hon. D. H. L. BANFIELD: Yes. In the leaflet a 33-year-old record librarian is alleged to have said:

The Labor Government has increased taxation, including stamp duties and land tax.

But what does this Bill do? It not only increases stamp duties but it introduces a new stamp duty. A 29-year-old housewife (I do not know whether she had the right to vote for the Legislative Council; I do not suppose she did, but at least she was supposedly responsible enough to give an opinion) said:

I don't like the Labor Party because it didn't mention before the election the putting up of land tax and then blaming the other Party for its mistakes.

What items of the new taxation being imposed by the L.C.L.-Stott Government did it mention before the election that it intended to bring forward, let alone any new taxes or increasing the ones we had before? If that is not misrepresentation, I do not know what is. I do not know whether this was the principle or the policy of the L.C.L., but this is the sort of leaflet that it brought out prior to the last election. The leaflet continues, under the heading "The Facts about State Labor Charges":

What the people of South Australia are saying about Labor's high-tax policies is true. Every one of the following facts are reported in the South Australian daily press:

The Minister for Works (Mr. Hutchens) has announced higher water rates.

What has this Government done? It has already increased the rates on excess water. To read this one would assume not that the L.C.L. would increase the rates but that it would possibly reduce them. That is the inference that people would place on such a statement. The pamphlet continues, under the heading "Tram and Bus Fares Up":

Tram and bus fares rise from today week.

This implies that had the L.C.L. been in power there would have been no increases. However, within seven months of taking over the Treasury benches, bus fares rose in some cases by up to 100 per cent, and it has also been promised that there will be increases in train fares. The pamphlet later states that double stamp duty on all South Australian cheques was forced through Parliament, and it continues:

Since assuming office in March, 1965, South Australians are now paying $35.96 per head in State taxes as against $29.23 under the former Liberal and Country League Government.

That represents an increase of $6.73 over a three-year period. What does the introduction of this Government's Budget entail? The Treasurer set out seven ways in which he was going to raise taxation, and he said:

The measures that the Government now proposes for 1968-69 are estimated to bring about $3,820,000 this year and about $8,300,000 in a full year.

Within seven months of taking office the Government intends to raise State taxation by $8 a head, and it thinks it still has two years to run in office. It complains and claims that the Labor Government was responsible for an increase of $6.73 over three years, compared with an increase in this L.C.L. Budget of $8 a head in less than seven months of its taking office.

That is the way in which the Liberal and Country League misled the people. It was not prepared to tell the people that it intended to raise one extra cent by way of increased taxation, yet it issued this leaflet condemning the Labor Government. The Government claims that that is its principle or policy. As a result of the legislation the people of this State have to pay an extra $8 a head for the benefit of having the minority Party take over the Treasury benches. We have heard much about the policy of the L.C.L. to retain the Legislative Council. Its leaflet entitled "Why South Australia needs the Legislative Council" says:

Because it stands in the way of any Government pursuing policies greatly exceeding election promises.

If $10,000,000 worth of taxation does not greatly exceed election promises, when not $1 of extra taxation was promised, I do not know what does. However, one finds Government members one after the other getting up and supporting this measure. Apparently it is their policy and not principle, and this is where they can get away with it. The Government is now implementing principle and not policy, because it did not mention any increases in taxation, and it has attempted to blame the previous Labor Government for this position. The Government could have said prior to the election that it intended to follow Sir Henry Bolte in the imposition of the receipts duty of 1c in each $10. Also, since coming into office the Government has pointed out that it may introduce this receipt duty on wages and salaries also.

Will this Council stand by the L.C.L., it having told the electors in its pamphlet that the Legislative Council stands in the way of any Government pursuing policies greatly exceeding election promises? I challenge any member of the L.C.L. to get up and put this into operation, but not one is going to do this, yet they are not prepared to admit that this was a lot of boloney. They had no intention of carrying out one of these items. Then they wonder why they can never get the confidence of South Australians!

They will never get the people's confidence if, when the pressure is on, they put out this trash, which does not mean a thing. The Liberal and Country League should have a look at this matter. Why does it not stand up for its principles? It does not have one iota of principle, or it would stand by these leaflets put out prior to the last election. The average person is not the only type of person dissatisfied with this increase: no doubt every honourable member has received a letter from the Local Government Association of South Australia Incorporated. I shall read the letter for the benefit of those people who read *Hansard;* it is headed "Stamp Duties Act—Receipts Tax" and it says:

The legislative standing committee of this association has instructed me to seek your assistance in connection with the proposals of the Government to require local governing bodies in this State to pay the higher rate of duty prescribed in the new Bill on receipts other than for rates, which are already exempt. The committee considers that exemption at present reading "Receipt for any payment for rates or any payment made from Government funds to a council as defined under the Planning and Development Act 1966-1967" should read as follows: "Receipts for any payment made to a council as defined in the Planning and Development Act, 1966-1967".

The committee has been unable to find any merit in this proposal, and cannot think of a single reason why a council should be called upon to pay taxes to other forms of government. The imposition of this tax on local government will have the following effect: (1) Each council becomes a tax gatherer for the State; and (2) if the tax is to be refunded by way of increased grant, its collection serves no purpose other than to keep a number of people in employment.

Of course, we know that South Australia has the highest percentage of unemployment on the mainland. The letter continues:

Do you know that total Government expenditure in Australia amounts to some $500 per head per annum? Do you know that most councils in South Australia receive less than 5 per cent of that amount? Do you think State revenue should be increased at the expense of local government? If the Government has in mind that it will collect this form of tax from councils and give them increased Government grants as compensation, who is going to pay the cost of administration? Should councils be called upon to do so and for what real purpose? The committee, with the greatest of respect, expects you to give proper consideration to this matter. If councils are to be required to pay this tax, they would like to know for what reason.

I therefore ask the Chief Secretary to give us the reason, when he replies. The letter continues:

If there is no good reason, the committee considers that ratepayers should be advised of the circumstances, which are set out in a proposed form of letter to ratepayers. A copy of that letter is enclosed for your information.

On the expectation of the Government's not acceding to the request that councils be exempted from this duty, they propose to send

out the following letter, which is headed "Council finances":

You are no doubt aware that Parliament has recently amended the Stamp Duties Act to impose a receipts tax which is now payable by your council, except in respect of receipts for rates. The Local Government Association, of which your council is a member, took all possible action to avoid the imposition of this tax by one form of government upon another, and the association would like to draw your attention to the following matters:

(1) It made representations to the Minister of Local Government to enable councils to be exempt from this form of tax but without success.

Surely it would have known that its appeals would fall on deaf ears. The letter continues:

(2) It wrote to every member of Parliament and objected to the imposition of the tax on local government—again without success.

No doubt they already know the Government's attitude: they already know that Government members do not intend to take up the cry of the association. So, it is left to Labor Party members to do this. The letter continues:

(3) The association and your council do not express any view as to the wisdom of this form of taxation, but we object strongly to measures under which the State or Commonwealth Governments impose taxes on local government which can only have the following results:

(*a*) Your council becomes a mere tax gatherer for the State;

(*b*) As a ratepayer, an increased tax burden is imposed upon you so that you are placed in the position that you pay a tax upon a tax;

(*c*) Even if the tax which we collect from you for the State Government is refunded to us as a Government grant, somebody must pay the cost of collecting it, receiving it, and paying it back again to the council. This all involves work which is wholly unproductive. You, the ratepayers of this State are also the taxpayers and we can see no reason why you should be called upon to meet the cost of keeping some persons in superfluous employment; and

We heard much about this employment position when the Bill was before the Council to increase the stamp duty on cheques. These were the very things said by Government members on those occasions: "You are imposing much work without getting any results from it, other than to assist the Government." The letter continues:

(*d*) Local government does not regard itself as a tax gatherer for others and it objects to its ratepayers being required to pay salaries to persons who are engaged in work which is not necessary, desirable or productive. The imposition of this tax on councils can only have that result.

A copy of the form of this letter was sent to your member of Parliament before the amendment was made to the Stamp Duties Act. He was well aware of our views when this matter was before Parliament. Your council recognizes that you as ratepayers have a democratic right—

that is a good one—

to exercise your votes in local government to ensure that your affairs are properly conducted. You have the same rights as regards your members of Parliament. This letter is sent to you by your council as a member of this association.

It appears that the Local Government Association has already attempted to look after its own interests because it has already pointed out to the Government what an imposition it is placing upon councils, but the Government has not been prepared to accept this position. It is, however, prepared to bleed money from everyone, not only from the kids who will have to pay a cent in duty every time they purchase an ice cream but also from councils, which are handicapped at present through a shortage of funds. When speaking on the Appropriation Bill (No. 2), the Chief Secretary said:

Regarding turnover tax, we heard the Hon. Mr. Banfield speaking today about an impost of a cent on a bunch of carrots. This is emotionalism at its worst.

Now, we find that, in his second reading speech on the Bill now before the Council (a few days after he talked about emotionalism being at its worst), he said:

Principally and primarily it imposes an obligation to issue a receipt, and, where the receipt is chargeable with duty, to issue a duly stamped receipt on every person receiving any payment of money, no matter how small . . .

It was even worse than a bunch of carrots, for it could apply to a box of matches.

The Hon. R. C. DeGaris: Have you read the Bill?

The Hon. D. H. L. BANFIELD: I am reading what the Chief Secretary said two days after I had referred to the impost of 1c on a bunch of carrots. It is true to say that traders can get around this by taking certain action and making bulk payments. It is also true that they do not have to get around it in that way if they do not wish to. Many of the smaller places will still elect to pay on the individual items sold.

The Hon. R. C. DeGaris: How can you tell?

The Hon. D. H. L. BANFIELD: I have been informed of the position. Obviously, the Chief Secretary has not heard any complaint from these people, and equally obviously he has not got his ear to the ground on these matters. If the Minister wants to know these things he could have made the same survey as I made.

The Hon. R. A. Geddes: What you have spoken about is specifically exempt from duty.

The Hon. D. H. L. BANFIELD: Then it seems that in the Chief Secretary's second reading explanation we are getting something that is a complete contradiction of the Bill. I always understood that a second reading explanation was given by the Minister introducing the Bill for the purpose of giving us guidance as to what is contained in the Bill. Now, because I have read out what the Chief Secretary said in his explanation, I am accused of saying something that is not in the Bill, when in fact I am quoting the explanation.

The Hon. A. F. Kneebone: He tells you to read the Bill instead.

The Hon. D. H. L. BANFIELD: That is right. Obviously, it is like the L.C.L. principle and its policy: there is a difference. From what the Chief Secretary says, there must be a difference between what is contained in his second reading explanation and what is included in the Bill, and that is not good enough. If there is this difference, the Chief Secretary should tell us about it and not mislead us.

The Hon. R. A. Geddes: And don't you mislead us.

The Hon. D. H. L. BANFIELD: I am not; I am merely quoting what the Chief Secretary said in regard to this matter after I had said that there was to be a 1c impost on a bunch of carrots. He said that on receiving any payment of money, no matter how small, except in certain specific cases or unless the person receiving the money or the transaction under which it was received was exempt, this duty would be payable. There are qualifications, but there are also some instances where this is exactly what applies. The Chief Secretary accused me of emotionalism at its worst. However, I would like an explanation from the Chief Secretary, when he replies, as to whether this impost applies to people receiving payment for long service leave. We know that at present wages and salaries are exempt. However, other people, like me, are not sure whether payment for long service leave is exempt.

The retail traders are perturbed because they have to make alterations to their cash registers. When the change to decimal currency took place, the Government reimbursed firms for having to make alterations to their cash registers. I do not know whether the Government intends to make a payment to people who have to alter cash registers now. I know that the retailers have a choice of the bulk payment system, but whatever system is used it will be necessary for the retailer to alter the printing mechanism of his cash register to print the stamp tax serial number, and this costs up to $5 or $6 for each register. This is a further impost on commerce, for up to now commerce believes that it has to bear this cost. It is estimated that it will cost the largest retailer about $2,000 to have the alteration made. Who is going to pay this $2,000? Obviously it is going to be passed on in addition to the 1c tax. I ask the Chief Secretary also to answer the query of the retailers about the position regarding items traded in as part payment. Does the value of the article traded in count as part of the amount for the receipt, and is it liable for this duty?

I also want to know what is the position with receipts given when people return cash purchases. At present a person can make a cash purchase from some stores on the understanding that if he is not satisfied with the article he can return it and get his money back. The person making the purchase has already paid the 1c duty on the article, and when he returns it and receives the money back is it then his turn to give a receipt for the money? There is no provision for exemption in those circumstances. Therefore, I ask the Chief Secretary whether that is the intention of the Bill. If it is not, will he include it as an item for exemption?

I believe that this Bill is a better money spinner for the retailer even than was the change to decimal currency, and we know how much money was made by retailers and other people as a result of that change. As $4,800,000 is to be raised in a full year as a result of this tax, no-one is going to be silly enough to believe that this is going to be borne by the traders. Obviously, those people will pass it on. I know of one instance where a charitable organization was purchasing cardboard containers. The contract ran out, and after the introduction of this Bill that organization asked for another quote. It then found that the quote had risen by approximately the amount that will be involved in this new duty.

So already, before the Bill is passed, certain people have passed on this extra payment to the consumer.

I suggest that every article will be treated by the retailers as a single sale, with the extra 1c for every $10 added on for every article, no matter how small, and that this is going to be passed on to the consumer. I suggest that this is a green light to the retailers to go ahead and make excessive profits. Not only will they impose the extra charge but they will also take advantage of the half-yearly set-up under which, in effect, they have to pay only 1c on each $10 of their turnover, even though there may have been 10 separate cents added on to the articles purchased.

I intend to go along with the policy of the L.C.L. in this regard, and that is to uphold the Council's right to oppose legislation which does not conform to election promises. I feel that my colleagues and I will have to uphold the dignity of this Council for which the L.C.L. makes such a plea but in respect of which it does not follow the policy it printed in its pamphlet prior to the election. I oppose the Bill.

The Hon. C. D. ROWE secured the adjournment of the debate.

ADJOURNMENT

At 5.51 p.m. the Council adjourned until Thursday, November 21, at 2.15 p.m.