LEGISLATIVE COUNCIL

Wednesday, November 27, 1968

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

QUESTIONS

OCCUPATIONAL THERAPY

The Hon. D. H. L. BANFIELD: Has the Minister of Local Government, representing the Minister of Education, an answer to my question of November 19 regarding the establishment of an occupational therapy school in South Australia?

The Hon. C. M. HILL: My colleague, the Minister of Education, has informed me that in September she announced the formation of an advisory committee on paramedical studies to report to her and to the Minister of Health on the development of training programmes for paramedical personnel in South Australia. The committee, which is under the chairmanship of the Director-General of Medical Services (Dr. Shea), has on it a representative of the South Australian Association of Occupational Therapists, and its terms of reference include the investigation of means by which new training courses (including occupational therapy) can be introduced in South Australia. The committee has been asked to present its report not later than December 15, 1968.

Although the shortage of trained occupational therapists in this State is realized, it is considered unwise to take any action concerning the establishment of an occupational therapy school until the report of the advisory committee has been received and considered.

CONTAINERIZATION

The Hon. A. M. WHYTE: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture representing the Minister of Marine.

Leave granted.

The Hon. A. M. WHYTE: I am sure all honourable members were pleased to read in this morning's newspaper that the Commonwealth Government intends to enter the container shipping trade both to Europe and to North America. I know they will also be concerned that South Australia at this stage has no containerized shipping facilities and that all South Australian containers will be transported by rail or road to Sydney, Melbourne or Fremantle. Will the Minister of Agriculture ascertain from his colleague when South Australia will have facilities capable of handling containerized ships?

The Hon. C. R. STORY: I will take the matter up for the honourable member and obtain a report.

MINISTERS' OFFICES

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

Leave granted.

The Hon. L. R. HART: I believe that all honourable members recently received a memorandum regarding the change in locality of the office of the Minister of Roads and Transport. Together with that memorandum is a directory giving the extension telephone numbers of officers within that department, and I consider that directory, as well as the memorandum, is of considerable value to honourable members. Will the Chief Secretary take up with Cabinet the matter of all Ministers supplying honourable members with a directory similar to that received from the Minister of Roads and Transport?

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

GAS

The Hon. V. G. SPRINGETT: Has the Minister of Mines a reply to my question of November 20 about the hold-up of work on the pipeline from Gidgealpa?

The Hon. R. C. DeGARIS: The recent stoppage of work on the natural gas pipeline occurred as a result of a dispute between the contractor and certain Italian welders relating to the conditions of their employment, in respect of which the workmen had signed agreements prior to leaving Italy. The dispute followed a similar stoppage some 10 days earlier. However, on each occasion the stoppage of work was only for a comparatively brief period. The dispute concerned the contractor and his workmen and was not a matter requiring the Government or the Natural Gas Pipelines Authority to take any action at this stage.

URANIUM

The Hon. R. A. GEDDES: I ask leave of the Council to make a short statement prior to asking a question of the Minister of Mines.

Leave granted.

The Hon. R. A. GEDDES: In the financial section of this morning's paper there is a report that a mining company has found some quantities of uranium near Mount Painter. Can the Minister say whether the quantities of uranium

discovered are of a sufficient percentage to make mining possible and, if so, does he know whether the company has any plans for starting this project in the near future?

The Hon. R. C. DeGARIS: In South Australia at present there is great activity in the search for uranium. You, Mr. President, will recall that a few years ago this State was producing uranium for export but, owing to depressed world prices for uranium, activity in that direction has ceased in recent years. However, at present there is a rebirth of interest in uranium and much research is taking place. The company operating in the Mount Painter area has already publicly announced that it has reserves of about 500,000 tons of one-tenth per cent uranium. (That may not be correct as I am speaking only from memory.) At the moment work is progressing on a search for other ore bodies. The Council will appreciate that this is rather a small deposit in the total tonnage but it is encouraging to know that these deposits have been discovered in that area. At present there are no plans for economic exploitation of these deposits.

RADIO SERVICE

The Hon. R. A. GEDDES: Has the Minister of Agriculture a reply to my question of yesterday about V.H.F. radio equipment?

The Hon. C. R. STORY: This matter has been considered by the Bush Fires Equipment Subsidies Committee in the light of available information, and has been discussed with the Director of the Emergency Fire Services, the representative of the insurance companies on the committee, and the Radio Branch of the Postmaster-General's Department. A total figure of some $440,000 was arbitrarily estimated as the maximum ultimate cost of conversion of the H.F. radio equipment now commonly used to the V.H.F. equipment. It is expected that the changeover will be a gradual process, likely to extend over a period of 10 or more years, so that the annual commitment for subsidy on the new equipment at present rates is expected to be of the order of $22,000. Against this must be offset the subsidy that would have been paid in any case on radio equipment. Subsidy on V.H.F. equipment purchased will be considered only if certain conditions are met and the changeover has been recommended by the Emergency Fire Services.

If the honourable member desires any further information on this matter, I shall be prepared to make it available to him or to the Council. However, as this is quite a complicated matter, it will take me a little while to obtain it for him.

CONSTITUTION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from November 20. Page 2595.)

The Hon. V. G. SPRINGETT (Southern): In recent weeks in this Council criticism has been levelled by members of the Opposition at the speed with which a certain Bill was passed through its various stages. However, the speed with which that Bill was passed was perhaps less than the speed with which another Bill was passed in another place—the one we are discussing this afternoon. One ponders whether this speed indicates a mere trifle of no consequence, because only trivial legislation or that which registers urgency, such as in national crises, are usually associated with such speed of action, coupled with a degree of unanimity amongst members who are normally cautious as to the extent to which they embrace each other. This Bill is not a trivial measure, there is no undue haste required, and war has not been declared. It is characteristic that indecent haste is not being shown in this Council. Already this Bill has received longer consideration than it did elsewhere.

The Hon. A. J. Shard: But you will get the same result.

The Hon. V. G. SPRINGETT: The purpose of the Bill is to ensure that every person whose name is on the electoral roll for the House of Assembly shall have the right to vote for representation in this Council. It is not unreasonable—indeed, surely it is realistic in any discussion or debate involving so important a matter as the franchise of this Council—for one to ask what is the basic principle and plan of the designer of the Bill. Is it just what it says on paper, or is it possible that one bite of the cherry is being taken because the fruit cannot be swallowed all at once?

It might be said that I am suspicious, but is there anyone in any walk of life who does not look at a planned measure twice if it is of vital importance which, surely, this Bill is? As I see it, two alternative and diametrically opposed situations stand out: on the one side a belief in the bicameral system and, on the other side, a desire to destroy it. That is the heart of the matter: do we believe in the bicameral system? I ask this question again because I believe that in those words repose the whole essence of this Bill. It is not merely a case of how wide the franchise should be. Basically, we on this side of the

House, because of the geographical situation of the Parliamentary seats, are determined to do all we can to perpetuate in full working order the two-House system for the good of Parliament and for the benefit of future generations. On the other hand, the Opposition unashamedly and without equivocation proclaims its belief in the supremacy of a one-House system. One is therefore forced to ask, "Is it possible for this Bill to achieve these two diametrically-opposed objectives at one and the same time?"

It has been stated in another place by the Government that it does ensure and guarantee the safety and perpetuation of the Council. Nevertheless, this very Bill was introduced by the Leader of the Party dedicated to this Council's abolition. When subsequently introduced here by the Leader of the same Party in this Council we were told that this Bill, as it stood, would make it somewhat harder to abolish this Council. We were not told that there were any insuperable difficulties—just that it would be somewhat harder to achieve their determined end, the annihilation of the Council. However, as has already been pointed out so ably, especially by the Chief Secretary, there is more than a slight doubt whether it will be any harder at all, even following this Bill, if it becomes an Act.

What pleasure this Bill has created in the hearts and minds of those who are protagonists of abolition! This, by itself, makes me wonder how and if they are planning to apply the *coup de grace* to this Council, whose members, let us remember, have been likened to dodos. Reference was made in another place, and indeed here, to the House of Lords and it was suggested that this Council's powers should be trimmed to those of the noble Lords. If this ever came about, I would then say, "For heaven's sake, get rid of the Council altogether." In Great Britain the effectiveness and the importance of the Upper House have been nibbled away steadily and persistently by successive Socialist regimes until that House must be either reformed or destroyed.

From information I have received both from public media (press and magazine articles) and from private communications, I have been interested to learn that it is more likely that the House of Lords will be revivified. There is an all-Party realization growing apace that it is unhealthy to leave the supremacy of power in a one-House system, especially when certain people gain power. Anyhow, is it not fashionable to dissociate from Britain today in matters of responsibility? And rightly so, because we are an independent self-governing country. So why with all virtue should we say regarding this matter, "Let us follow the glorious example of Britain and make the second Chamber of no effect"? I say it is more important for us to face up to the needs of South Australia and the sustained stability of future Governments.

The Hon. S. C. Bevan: Why don't you do that with all legislation?

The Hon. V. G. SPRINGETT: I stand wholeheartedly in my belief in the importance and the value of the bicameral system. Members of my Party in another place have declared the same, although there is a difference of opinion there as to how it can be achieved. In this Council, perhaps, the lines of difference are more clear-cut and defined because it is more definitely reflected in Party lines of thought. May I say with the greatest respect to honourable members that one-fifth of the membership of this Chamber (all of one Party) has declared its determination, if given the chance, to liquidate this Council. That fraction (and it is not a small one) cannot possibly have a firm belief in the value of the function or the value of this Council.

If I may say so, it must be extraordinarily embarrassing to sit here for years taking part in the procedure of this Chamber with, if one may put it this way, one's tongue in one's cheek.

I am asking: what does full franchise achieve? The first factor I readily accept: the term has popular appeal, that is, "every man is equal", expressing himself equally. But I wonder why no similar force of feeling has been expressed regarding local elections and why my son and daughter, on having reached the age of 21 years, should be denied the right to vote in municipal elections if this yardstick being used regarding the Legislative Council is a fair one? Using this same yardstick, are they not second-class citizens?

I firmly believe, as I know every honourable member believes, that the popular House should always attract the popular vote. However, this Council has not, never has been, and never should be a duplication of the other place. People have tried to make it so, and the result has been a mass of folk inadequately informed as to the real purpose of the Legislative Council. This place should not allow itself to be recognized as a reduplication but as a body apart with a difference, and I say this with all deference. I am not suggesting we are a superior body:

of course not. I am not suggesting that we are automatically more learned, nor am I suggesting we are more wise; but as a second group whose deliberations either confirm, approve, or point out some weaknesses of decisions made elsewhere we have a valuable part to play in the Parliament of South Australia.

Is it impertinent, as some persons have tried to mislead the public into believing, that decisions of another place should be reviewed? Is it not arrogance to consider that one look (maybe hurried in many cases, and not excluding this very Bill) cannot be bettered for the good of the State? Let us not forget that when legislation is introduced into this Council the other place acts in the capacity of a second opinion on our decision. Our most understood responsibility is that of review, but too few of the public realize, or know anything about, our other functions: safeguarding the appointment of judges, the Commissioner of Police, and the Auditor-General, for instance. Such appointments under a one-House system could easily be varied overnight; in fact, just as quickly as this Bill went through that other place.

In view of all this, I think it is more than desirable that our electoral system for this Council should remain different from that of those who every three years express *in toto* the popular emotions of the times. Six-year terms, with only half the Council coming out each time, is a step in that direction. Voluntary voting is excellent in itself, but how voluntary is that voting if elections for both Houses are held on the same day and voting papers are handed out whether they are asked for or not? "Every member of this society shall this day enrol for the Legislative Council, and failure to do so will be noted and remembered against you"!

I sincerely believe that voluntary enrolment and voluntary voting is more democratic than forcing a man to vote on penalty of a fine. To give a man the right to vote is democratic, but it is questionable whether refusing him the right under penalties to withold his vote is democratic. The whole issue of this Bill is not just a case of whipping up a latent mass emotion and appearing fair; surely logic comes into it, and when this latter standard is applied to the Bill it means, either by design or chance: how can we at least curb or, at most, abolish the Legislative Council?

The nature of our work here does not lend itself to the same degree of popularity as these catch phrases, "two classes of citizens", "the popular vote", or "the popular will of the people". I repeat that I believe unequivocally in the will of the people, although I wish they were better informed of the true facts. I believe in the overruling justice of the full franchise and the popular vote for the popular House. There are no two classes of citizens in my book, nor in that of the Party to which I belong, but I firmly believe in the value of the bicameral system designed in the interests of the people and to safeguard their rights, not just as a pawn for one group seeking cheap popularity and by another as a dead-sure method of achieving abolition.

Mr. President, as I see it, it would be a very dark day when, if ever, this Council ceases to be an integral force in the Parliament of South Australia. I recognize, however, that that day will dawn and in no distant time if the method of electing members of the Council is not safeguarded and at the same time the public is not told the true facts of the value and worth of the Legislative Council as part of this State's sovereign Parliament.

The Hon. Sir ARTHUR RYMILL secured the adjournment of the debate.

LICENSING ACT AMENDMENT BILL

In Committee.

(Continued from November 20. Page 2597.)

Clause 3—"Permits"—to which the Hon. R. C. DeGaris had moved the following amendment:

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

The Hon. A. J. SHARD (Leader of the Opposition): The Committee reported progress at my request to give me an opportunity to consider this amendment. I have now examined the amendment, and I raise no objection to it.

Amendment carried; clause as amended passed.

Clause 4—"Letting of permitted club premises."

The Hon. G. J. GILFILLAN: This clause amends section 67 of the principal Act relating to the licensing of clubs. Although I have no objection to the proposed amendment, there are other matters affecting clubs that are not included in it. As it could be contrary to Standing Orders to attempt to re-introduce such matters later this session, I ask that progress be reported so that members may have time to have further amendments drafted.

The Hon. A. J. SHARD: The Hon. Mr. Gilfillan was good enough to speak to me on this question before we assembled today. As I have some sympathy with him in the point he has raised, I do not object to progress being reported. However, for personal reasons I should like this Bill to pass before the end of next week, and I hope that honourable members will co-operate with me to achieve this.

The Hon. C. R. STORY (Minister of Agriculture): I should be very happy to do anything that would make the Leader of the Opposition happy. Therefore, in order to give honourable members the opportunity to draft amendments and to take advice on the matter raised by the Hon. Mr. Gilfillan, I agree to progress being reported.

Progress reported; Committee to sit again.

INDUSTRIAL CODE AMENDMENT BILL

Second reading.

The Hon. A. F. KNEEBONE (Central No. 1): I move:

That this Bill be now read a second time.

The purpose of this short Bill proposing an amendment to the Industrial Code, 1967, is to give additional powers to the Industrial Commission of South Australia, which is constituted under that Act. The existing powers of the commission are as laid down in section 25 of the Code. One of these powers is in regard to industrial matters, giving to the commission authority to deal with all industrial matters. Section 5 of the Code interprets, amongst other things, what are industrial matters, and these cover a wide field. Industrial legislation of the nature of the Industrial Code is on all the Statute Books of all the Australian States and of the Commonwealth of Australia. The main purpose of such legislation is to endeavour to maintain peace in industry by providing the means of setting fair standards of remuneration and working conditions in industry.

In providing that the Industrial Commission of South Australia shall have power to deal with industrial matters, the means are established in the Code for achieving such peace in industry. Up to the present time the record has been one of which we have all been proud. Honourable members wishing to inform themselves of the extent of the commission's powers in dealing with industrial matters would be advised to read the interpretation placed on this term in section 5 of the Industrial Code, 1967.

The Bill that I have introduced proposes an amendment to section 25 of the Code which will enable the commission, after providing for peace in an industry by laying down fair standards of remuneration and conditions of employment, to protect those standards from being undermined by the direct or indirect use of persons who are not subject to that award.

Many a subterfuge has been used by unscrupulous employers to evade the provisions of an award. I have had the experience during my own industrial life of an employer who, to evade being covered by award provisions in relation to one of his employees, sublet one of his machines to that employee on a rental basis. The employee had then to endeavour to earn a living from the machine, facing up to whether there was enough work to keep the machine going and working long hours to make the same wages as the award provided. In addition, the employee was then denied the conditions of the award, such as the 40-hour week, overtime provisions, sick leave, annual leave, public holidays, etc. Also, this set-up denied this employee the protection of workmen's compensation legislation. A variation of this procedure is practised in the transport industry, where some operators sell trucks to drivers on time payment or hire-purchase. The driver then drives seven days a week in an attempt to make wages; there is no time or money available to the driver under this arrangement and the inevitable happens: tired out and with a sick truck through lack of proper maintenance, an accident occurs and the driver is lucky if he escapes with his life. Under this set-up, of course, he gets no workmen's compensation, either; neither does he receive the other award conditions I referred to in the previous case. He then goes bankrupt because he cannot afford to pay the balance owing on the truck.

There is also another variation where the employer installs a machine in the home of the employee. I know personally of such a case. The machine worked at all hours of the day and night. Probably this was necessary so that a reasonable weekly wage could be achieved. Here again award conditions were evaded. In addition, the home was not registered as a factory and therefore did not receive any inspection for breaches of safety precautions provided by legislation. The arrangement was an undercover one and so evaded registration. These are a few of the actions taken by some people to break down the conditions of the award by the use of direct or indirect labour.

The passing of the Bill I have introduced will give the power to the Industrial Commission to include provisions within awards to provide proper conditions in such instances.

The Hon. C. R. STORY secured the adjournment of the debate.

EXPLOSIVES ACT AMENDMENT BILL

The Hon. C. R. STORY (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Explosives Act, 1936-1966. Read a first time.

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

That this Bill be now read a second time.

It makes a number of miscellaneous amendments to the Exposives Act, 1936-1966. Perhaps the most significant amendment made by the Bill is the removal of the inflexible provisions of the Act dealing with the position in which a magazine licensed under the Act is to be situated. At present, a magazine cannot be licensed unless it is situated more than 200 yards from any building, public street or road. This provision is struck out with the intention that the tables of safety distances used by the British Home Office, which provide realistic and adequate safety distances, should be brought into effect. At the same time, the provisions relating to the licensing of magazines are amended to ensure that adequate power will exist to enable the Chief Inspector of Explosives to cancel a licence where any breach of the Act or the conditions of the licence occurs. The Bill also contains provisions removing certain administrative difficulties that have been experienced by the Department of Marine and Harbors in relation to ships carrying cargoes of explosives.

The provisions of the Bill are as follows: Clause 1 is merely formal. Clause 2 inserts definitions of "licensed magazine" and "licensed premises" in section 4 of the principal Act. Clause 3 amends section 21 of the principal Act. The kinds of place that may be licensed as magazines are expanded under subsection (1). The provision that the magazine must be more than 200 yards from any building, public road or street is struck out and, in its place, a more flexible provision is inserted enabling the Chief Inspector to impose conditions appropriate for each magazine. Clause 4 brings section 22 of the principal Act into consistency with section 21. Clause 5 amends section 31 of the principal Act. This section deals with ships carrying cargoes of explosives. Subsection (2), which provides that explosives shall be discharged into magazines before the ship enters a prohibited area, is made more practicable by providing that the master shall discharge the explosives and cause them to be conveyed into licensed magazines.

Clause 6 amends section 32 of the principal Act. This section requires the keeper of a Government magazine to give receipts for explosives lodged in the magazine under section 31. The provisions of this section are expanded to cover licensed magazines as well as Government magazines. Clause 7 amends section 33 of the principal Act. This section requires the master of the ship to report the intention to land explosives. The amendment provides for the master to give prescribed notice prior to landing explosives. Clause 8 amends section 40 of the principal Act. This amendment enables the Minister to delegate his authority under section 31 to permit a ship carrying explosives to be brought within a prohibited area. Clause 9 amends the regulation-making powers in the principal Act. The Governor is empowered to prescribe the notice to be given by the master of a ship prior to landing explosives. Clause 10 makes decimal currency amendments to the principal Act.

The Hon. S. C. BEVAN secured the adjournment of the debate.

LICENSING ACT AMENDMENT BILL (No. 3)

Second reading.

The Hon. C. M. HILL (Minister of Local Government): I move:

That this Bill be now read a second time.

Its purpose is to reduce the age limit at which liquor may be sold or supplied to persons under licences and permits granted under the Licensing Act from 21 years to 20 years. The provisions of the Bill are as follows: Clause 1 is merely formal. Clause 2 amends section 65 (5) of the principal Act. This section deals with the granting of a certificate for the supply of liquor by a publican in a booth or building at a fair, military encampment, agricultural exhibition, races, regatta, rowing match, cricket ground, or other place of public or private amusement. Subsection (5) at present provides that a certificate is not to be granted for an amusement held by an association the members of which are or may be of less than 21 years of age. The amendment reduces this age limit to 20 years.

Clause 3 amends section 66 of the principal Act. This section deals with special permits for the supply or consumption of liquor at entertainments to be held on licensed or

unlicensed premises. The amendment deals first with subsection (10), which at present provides that the holder of a special permit in respect of unlicensed premises shall not supply or permit any person to supply liquor to a person under the age of 21 years. The age limit is again reduced to 20 years. A corresponding amendment is made to subsection (11), which at present provides that a person under the age of 21 years shall not consume liquor during the hours and in the rooms or places specified in the special permit. Subsection (16) is also amended. The section is at present anomalous in that there is no provision that a person who contravenes its provisions is guilty of an offence. This anomaly is remedied by the amendment.

Clause 4 amends section 89 (1) (*h*) of the principal Act, which deals with the rules of a club that is to be licensed under the Act. Paragraph (*h*) at present provides that no person under the age of 21 years shall be admitted to full membership of a club except where the club is primarily devoted to some athletic purpose, in which case no limitation is placed upon the age of membership. The amendment reduces this age limit from 21 years to 20 years. Clause 5 amends section 137 of the principal Act. This section at present imposes a duty upon a person who is upon licensed premises to state whether he is under the age of 21 years, upon request being made by a member of the Police Force. The amendment requires him to state whether or not he is under the age of 20 years.

Clause 6 amends section 153 of the principal Act. Paragraph (*a*) strikes out the words "twenty-one" occurring in subsections (1) and (2) (*a*) and inserts, in each case, the word "twenty". The effect of these amendments is to permit a licensee to sell or supply liquor to a person above the age of 20 years, and to provide that it is a defence in proceedings for an offence under the section if the person charged proves that he had reasonable cause to believe that the person was of, or above, the age of 20 years and that person was actually of, or above, the age of 18 years. Paragraph (*b*) of the amending clause amends subsection (3) of the same section. This subsection is anomalous in that, whilst it creates an offence if a person attempts to consume liquor on licensed premises, it is not an offence if he actually consumes it. In its amended form the subsection will provide that any person under the age of 20 years who obtains or attempts to obtain any liquor from any person on licensed premises or consumes any liquor on licensed premises is guilty of an offence.

Clause 7 amends section 154 of the principal Act. The effect of this amendment is that a male person of 20 years or over may be employed to sell or serve liquor in a bar-room or a female person of or above the age of 21 years may sell or serve liquor in a bar-room. Consequently, there is a reduction in the age of male persons who may be employed in this kind of work.

The Hon. A. J. SHARD secured the adjournment of the debate.

PUBLIC EXAMINATIONS BOARD BILL

Adjourned debate on second reading.

(Continued from November 26. Page 2716.)

The Hon. C. M. HILL (Minister of Local Government): I thank members for the interest they have displayed in this important measure. I noted with satisfaction that the Hon. Mr. Kneebone, speaking on behalf of the Opposition, indicated that as the Bill was only slightly different from the measure introduced by the Labor Government during the last session he and his colleagues intended to support it. Some strong feelings have been expressed during the debate, and I notice that certain amendments have been placed on honourable members' files. I cannot but suspect, judging from the remarks made and the amendments on file, that our Education Department is being questioned as to its wisdom in either bringing in or recommending to the Government a measure of this kind or pursuing its intention by reintroducing the measure during the term of a second Labor Government.

The Education Department is a very highly respected department; its senior officers are dedicated, highly-qualified personnel, and the suggestions that those officers make in a measure of this kind are proposals that they and the present Government consider to be in the best interests of the vast subject of education as a whole, not viewed simply from one angle or one sector or another. I am not concerned about the general aspect whether we deal with primary, secondary or tertiary education or whether we deal with private or State schools. The Government views this matter from the point of view of education as a whole. This Council has a responsibility to review this measure bearing in mind this fact. The Government is concerned with all schoolchildren and with all parents.

Irrespective of the political Party in power, our senior departmental officers have recommended these measures. Indeed, this is the

second time they have done so. The present Government has fully considered these proposals; it is not being led blindly in the matter. There has been considerable discussion about the recommendations made by officers of the department and, as a result, this Bill is before us today. Three principal matters seem to have been raised, and these concern the amendments to which I referred. I wish to take these matters one by one and to provide some information that I know will be seriously considered by the members to whom this information is particularly directed. I know that it will be seriously considered, and I hope those honourable members might reconsider the arguments and the points they made when information that tends to rebut some of their arguments is put before them. The first matter I wish to deal with is that raised particularly by the Hon. Mr. Springett, who suggested that on the Public Examinations Board there should be eight representatives from the independent schools and eight from the State schools.

His suggestion involves an alteration to the numbers of representatives provided in the Bill, which are six from the independent schools and 10 from the State schools. The proposed composition of the board was arrived at by agreement between the various interests concerned. I make this point strongly: agreement was reached by the various interests concerned. I take it that the Education Department has had discussions with representatives of the private schools.

The Hon. M. B. Dawkins: Can you assure us on that point?

The Hon. C. M. HILL: If the honourable member wants an assurance on who has attended these conferences, I shall be quite prepared at the appropriate time to report progress and obtain the information required. I did not know that this point would be disputed, but I shall be only too pleased to confer with the Minister of Education. The composition of the board takes into account the broad divisions of tertiary and secondary education and of the different interests within those divisions. Thus, although the Adelaide University is relatively large and the Flinders University is relatively small, the disparity is only temporary, because Flinders University will catch up. This point, of course, relates particularly to the question of the representation of the two universities. In these circumstances, the two universities agreed that they should have equal representation on the board. This, of course, is an example of two bodies of different size getting together in conference and agreeing to accept equal representation, each knowing that ultimately it will be of about the same size as the other.

The situation as between Government and non-government secondary schools is in no way analogous to that between the two universities. The Education Department system of schools is large and complex, whereas the sector of private schools in our community is small. In 1967, for which comparative figures can be given, the total enrolment in Government secondary schools was 65,200 students, of whom 8,130 were in fourth year and 2,470 in fifth year. The total enrolment in private schools in that year was 13,470, of whom 2,420 were in fourth year and 1,330 were in fifth year. This considerable disparity will probably increase: it will almost certainly not grow less.

Some honourable members who are closely connected with private schools—and I am in this group, because I serve on the council of a private school—know that when these schools endeavour to increase their enrolments they face great problems. There is no justifiable basis for the proposal put forward by the Hon. Mr. Springett to make the representation of Government and non-government schools equal. Government schools provide by far the majority of secondary enrolments, a very large majority of candidates for the Leaving certificate, and a considerable majority of candidates for Matriculation. They employ by far the greater number of secondary teachers appointed to schools in this State.

There is a far greater number of Government schools and a greater diversity of schools (in the sense of high, technical high and area schools). Between them, these represent the different interests of town and country much more extensively than the private sector could ever do. The agreement reached by the parties concerned on 10 representatives to be nominated by the Director-General of Education and six representatives from non-government schools reflects something of this disparity, although a more exact proportion would be closer to 12 representatives of Government schools and four representatives of private schools. The nature of the non-government schools, however, with their three identifiable spheres of interest—boys schools, girls schools and Catholic schools—led to a decision mutually agreed upon to have six representatives of private schools.

Ignoring the fact that the Public Examinations Board should, in justice, reflect by its proportionate composition at least something of the nature and extent of the interests that

it serves, the Hon. Mr. Springett claims that independent and State school representation should be based on a standard basis of quality, not just on the relative size of membership. In this connection, he argues that the independent schools have led the way in the development of new methods, experimentation and significant techniques. At best, the honourable member says, the State schools are merely catching up; on these grounds, equality of contribution must be recognized and the number of non-government school representatives made equal to that of the Government schools. I in no way wish to denigrate the non-government schools, but these claims made by the Hon. Mr. Springett are quite fallacious.

I point out that I have a great deal of respect for and sympathy with private schools not only because of the office I hold but also because my sons were educated at private schools, and I therefore take a great interest in school activities. Extensive new course development in existing subjects, the formation of new subjects, particularly in the fields of electronics, plastics, social studies, film study, innovations in teaching methods, including the audio-visual field, and the consequent production of much resource material, have all been going on continually in Education Department schools since 1940. These activities took their impetus from the creation of technical high schools and have now spread right through the service.

Few independent schools have been able to experiment in these ways, and none has made the bold changes in general curriculum that have occurred in State high schools in recent years. It is interesting to note that, at a time when the guide-lines represented by the Intermediate syllabuses are being withdrawn, many requests are being received from independent schools to use the syllabus materials and course guides being developed by committees of teachers in departmental schools. Teachers in independent schools appear to have more confidence in the experimentation and experience of the teachers in State schools than has the Hon. Mr. Springett.

The honourable member's references to a fancied inferiority in matters of educational development show a complete unawareness of the facts. It is not relevant to dwell on certain errors of fact in the honourable member's remarks, except as they bear on his misconception of the role of the board, which he sees somewhat narrowly. The Public Examinations Board began almost 70 years ago, not 30 years age. Although the independent schools once had a monopoly of the opportunities of preparing students for universities, the situation even 30 years ago had already changed considerably.

At least a third of the candidates for Leaving Honours came from State schools at that time, and an undisclosed number would have gone on to the university from fourth-year Matriculation. Now, of course, the situation is completely different: the Government schools put up double the number of matriculants. Moreover, the Public Examinations Board will be concerned with two different kinds of public examination—the Leaving examination and the Matriculation examination.

The honourable member appears to overlook the fact that members of the board will need to hold the balance between the needs of many types of student seeking a public examination certificate, including would-be matriculants and a great many others with no intention of going to the university. It will, therefore, be most desirable that some members of the board are members of the Education Department. Such members, themselves the product of academic training, would also be widely informed from practical contact with other types of children and schools all over the State and would be in a much stronger educational position to safeguard interests covering a wide range.

The second point dealt with by the Hon. Mr. Springett was that out of ten nominees he thought it proper and desirable to write into the measure that at least three should be women. The honourable member's background for the compulsory inclusion of women into the membership of the board cannot be supported. Representatives should be the best persons available to serve the various interests concerned, whether men or women. The choice should be the prerogative of the legally appointed nominator. To take the matter further, where is the honourable member's logic? He does not require that the university representatives should include a compulsory number of women, nor that the Director of Catholic Education should be compelled to select a woman. The Director-General of Education, however, is not to be trusted to use his commonsense, and he alone must appoint three.

The Hon. Sir Arthur Rymill: Did the Director-General write that report?

The Hon. C. M. HILL: This report has come to me from the Minister of Education.

The Hon. M. B. Dawkins: The Director-General will not have to appoint three; he will only appoint two women if the amendments are passed.

The Hon. C. M. HILL: I am now going to deal with the third matter I said I would mention. There was some form of amalgamation of amendments.

The Hon. Sir Arthur Rymill: Can you tell us who wrote that report for the Minister of Education?

The Hon. C. M. HILL: The honourable member knows full well that any Minister has at his disposal the services of his respective departments, and officers within those departments.

The Hon. Sir Arthur Rymill: But "he" is a "she" on this occasion.

The Hon. C. M. HILL: Yes, in this case. I think the honourable member knows full well that it is a lady, and the Minister has no doubt referred to her department and she has completed her reports after such conferences. Following the arguments that have been put forward a little further, presumably as a corollary the Director-General of Education must appoint nine men although the circumstances may be such that at a given time he would prefer to have fewer men and more women to ensure the best representation. The Government is very firm on the point that on no account should any proposal for compulsory representation of this sort be entertained.

The third matter upon which I comment deals with the speeches made by the Hon. Mr. Dawkins and the Hon. Mr. Gilfillan, together with later amendments placed on file. Both honourable members have indicated that they would support an amendment in line with that proposed by the Hon. Mr. Springett together with a further amendment in favour of some representation, on the departmental side, nominated by the South Australian Institute of Teachers. The Hon. Mr. Dawkins's wording is tentative, but his intention is clear. I quote from his second reading speech as follows:

> Eight shall be members of the teaching or administrative staff of the Education Department some of whom shall be nominated by the Director-General and some shall be nominated by the South Australian Institute of Teachers.

The logic of this is hard to follow. No fault is found with the representatives of the two universities and the Institute of Technology being nominated by the official governing bodies of these institutions without reference to their staff associations. The Director of Catholic Education is to be responsible for nominees representing Catholic schools, again without staff associations being involved. The associations of the independent schools are named in the Bill because no other corporate bodies exist to give identity to the concepts of independent schools; yet the Director-General who, under the Education Act, has the official responsibility for administering Government schools in South Australia, is not to be trusted to select his own nominees.

The South Australian Institute of Teachers exists to preserve and further the interests of the teachers, and has no official responsibility for the conduct of education in Government schools. It has no more claim for independent representation on an academic board such as the Public Examinations Board than have the various staff associations referred to by me a moment ago; or indeed than such kindred bodies as the Australian Medical Association or the Law Society of South Australia, which could be said to have a vital stake in the successful working of the Public Examinations Board.

The Hon. Mr. Gilfillan appears to believe that the involvement of teachers in teaching students and marking examination papers is somehow separate from their role as employees under the Director-General; and presumably the Institute of Teachers is responsible for teacher involvement of this sort. The fact is that under the authority of the Director-General hundreds of teachers have long been involved and will continue to be involved in examining and in committee work for the Examinations Board. There have never been difficulties over this; the Director-General himself has sponsored such an arrangement and teachers have always had their full say. The general principle of representation contained in this Bill is that the bodies or persons held responsible for different sections represented should make the nominations to the Minister for representatives on the board. It is beyond reason to suggest that this principle should be broken only in the case of the Director-General, and that nominations for the sections over which he has authority should be shared with a body without authority, such as the Institute of Teachers.

I realize that these arguments have been rather lengthy, but as honourable members now understand they are also rather strong and they reflect the attitude of the Government in the matter. As I said before, I trust that all honourable members who contributed to the debate very sincerely and, in some

respects, made worthwhile contributions to the debate, will consider fully these relevant matters to which I have referred.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Establishment of Board."

The Hon. V. G. SPRINGETT: I move:

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

I listened with interest to the Minister's remarks and I am surprised, because it seemed to me that the suggestions made were given with sincerity, both by my colleagues and by myself. The reply that we have received suggests that we have touched somebody's soft spot, and therefore perhaps a more pungent and a more intense reply has been given than otherwise would have been made. I am not convinced by what has been said that there is any need or any reason or wisdom in withdrawing the amendment standing in my name. Although this amendment and the other amendments stand in my name, they are the result of the Hon. Mr. Dawkins, the Hon. Mr. Gilfillan and I agreeing to our various views being correlated in this manner. The desirability of this first amendment has been highlighted, and I do not think it is necessary for me to labour the point. The other amendments are self-explanatory.

The Committee divided on the amendment:

Ayes (12)—The Hons. Jessie Cooper, M. B. Dawkins, R. A. Geddes, G. J. Gilfillan, L. R. Hart, Sir Norman Jude, H. K. Kemp, F. J. Potter, C. D. Rowe, Sir Arthur Rymill, V. G. Springett (teller), and A. M. Whyte.

Noes (7)—The Hons. D. H. L. Banfield, S. C. Bevan, R. C. DeGaris, C. M. Hill (teller), A. F. Kneebone, A. J. Shard, and C. R. Story.

Majority of 5 for the Ayes.

Amendment thus carried.

The Hon. V. G. SPRINGETT moved:

In subclause (4) (*a*) after "Department" to insert "six (of whom at least two shall be women)".

The Hon. Sir ARTHUR RYMILL: It seems to me that the Hon. Mr. Springett is unduly partial to the opposite sex, because there is no protection for the men in this amendment at all. His amendment reads "of whom at least two shall be women"; it does not say that at least two or some other number shall be men. Therefore, under his amendment all these persons could be women but only four of them could be men.

The Hon. V. G. SPRINGETT: My intention was that at least two would be women, on the assumption that the other four would be men. If it was necessary, I would be happy to specify that at least two shall be women and at least two shall be men, or something along those lines.

The Committee divided on the amendment:

Ayes (11)—The Hons. Jessie Cooper, M. B. Dawkins, R. A. Geddes, G. J. Gilfillan, L. R. Hart, Sir Norman Jude, F. J. Potter, C. D. Rowe, Sir Arthur Rymill, V. G. Springett (teller), and A. M. Whyte.

Noes (8)—The Hons. D. H. L. Banfield, S. C. Bevan, R. C. DeGaris, C. M. Hill (teller), H. K. Kemp, A. F. Kneebone, A. J. Shard, and C. R. Story.

Majority of 3 for the Ayes.

Amendment thus carried.

The Hon. V. G. SPRINGETT: I move:

In subclause (4) (*a*) after "Education" to insert "and two (of whom at least one shall be a woman) by the South Australian Institute of Teachers"; in paragraph (*b*) to strike out "six" and insert "eight"; to strike out "two" first occurring and insert "three"; and to strike out "two" second occurring and insert "three".

These amendments deal with the number of representatives from the independent schools. Much of the Minister's reply was taken up by his asserting unequivocally that he did not agree with what I had said. It is their competitiveness and their limited control from outside that enables the independent system to offer so much of value to what is contemplated in this clause.

The Hon. M. B. DAWKINS: I support these amendments. As I have said previously, the independent schools have done a remarkable job in this State in the field of education. If these amendments are carried, it will still mean that only 25 per cent of the Public Examinations Board will consist of representatives of the independent schools.

Amendments carried; clause as amended passed.

Remaining clauses (4 to 21) and title passed.

Bill reported with amendments. Committee's report adopted.

STAMP DUTIES ACT AMENDMENT BILL (No. 1)

In Committee.

(Continued from November 26. Page 2709.)

Clause 5—"Repeal of ss. 82 to 84c and enactment of sections in their place."

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

In new section 84 to insert the following subsection:

(10) For the purposes of this section—

(*a*) "receipt" includes any endorsement made on any document and evidencing the receipt of money; and

(*b*) where any document containing any endorsement evidencing the receipt of money is stamped as a receipt, it shall be deemed to be a duly stamped receipt.

This amendment is designed to ensure that any endorsement made on any document evidencing the receipt of money and duly stamped as such will be regarded as a duly stamped receipt. In speaking to this matter during the second reading debate the Hon. Sir Arthur Rymill raised the question of whether a person could stamp bank statements and other documents as receipts. Although it is felt that the definition of "receipt" in new section 82 is wide enough to cover this matter, the inclusion of new subsection (10) will put the matter beyond doubt. I agree with Sir Arthur Rymill that it is necessary that any of these documents can be looked on as documents or receipts and the amendment will, I believe, facilitate the working of this legislation.

The Hon. Sir ARTHUR RYMILL: I thank the Chief Secretary for his explanation and for taking up my suggestion. This suggestion occurred to me when discussing the matter with Sir Norman Jude. I think it will be valuable to the ordinary individual because, from my reading of the Bill, it would appear that I and other people in private business would have to keep a special receipt book and write out a receipt for everything received that was not exempt. Whether that is so or not, I am certain that is how the public would have read the Bill, if it were passed. Even if this amendment is only a clarification, it will be a valuable one.

After I made the suggestion in the second reading debate I suddenly had the idea that the words "or any documents evidencing the receipt of money" might be the way of getting over the problem. I therefore hastened to the Parliamentary Draftsman, only to find that he had already drafted that amendment for the Chief Secretary using exactly the same words. The proposed amendment is eminently satisfactory because it will save the private individual a tremendous amount of paper work which, we all agree, is not always productive. The saving of this work will be valuable not only to the total economy but also to the individual.

Suggested amendment carried.

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

In new section 84c (1) after "person" first occurring to insert "or as reimbursement of a payment previously made by the solicitor or agent out of his own funds on behalf of his client or principal".

This amendment will render it unnecessary for a solicitor or agent to pay duty on the receipt of money by him in reimbursement of a payment previously made by him out of his own funds on behalf of his client or principal.

The Hon. Sir ARTHUR RYMILL: This is a necessary amendment because the clause seemed to conflict with the general purpose of the Bill. This is a valuable and proper amendment and I support it.

Suggested amendment carried.

The Hon. H. K. KEMP: I would like some instructions here. The Chief Secretary has intimated that he is willing to report progress until the people interested in the amendment I have on the files are able to examine its consequences.

The Hon. R. C. DeGARIS: I am willing to report progress at this stage for the honourable member.

Progress reported; Committee to sit again.

Later:

The Hon. Sir ARTHUR RYMILL: I think I am in order in speaking to the clause under consideration because the Hon. Mr. Kemp did not move his amendment. However, I ask for guidance, Mr. Chairman, because there is an amendment that the Hon. Mr. Potter may move.

The CHAIRMAN: The amendments will be taken in sequence, and it is in order for the Hon. Mr. Potter to move his amendment.

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

In new section 84c (2) to strike out "also".

This will overcome the difficulty of possible misinterpretation where the word concerned could be taken to mean "in those circumstances". This is a somewhat technical Bill and this new subsection must be read carefully before one realizes the circumstances to which it applies. It has been said that it is intended that double duty will not be paid. New section 84c (2) reads:

Where money has been received by a solicitor or agent on behalf of his client or principal, and a duly stamped receipt has been given by such solicitor or agent . . .

These circumstances would arise where payment is made by an insurance company to a solicitor for damages due to a client. In that case, a solicitor must issue a stamp unless the client or principal used an S.D. system. The new section continues:

Any receipt for that amount to be given by any other solicitor or agent who receives the money for transmission to the client or principal of the first-mentioned solicitor or agent shall be exempted from duty . . .

This could be the position where a city solicitor acts for a country solicitor (again a common practice) or vice versa. It is clear that the second receipt from the solicitor or agent would be exempt. The new subsection concludes:

And the receipt to be given by that client or principal when such money is received by him shall also be exempt from duty.

In other words, it may be interpreted, because of the word "also", that it is only in those circumstances where there is an intervention by another solicitor that double duty is avoided. The amendment clears up the position.

Suggested amendment carried.

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

In new section 84 to insert the following subsections:

(4a) No provision of this Act shall be construed as requiring a society to which this subsection applies which has received money in the course of its business, from any of its members or from the sale, disposal or distribution of any commodity or animal owned by, or acquired by it from, any of its members, or from the marketing of any such commodity, whether packed by it or not, or of any product derived from the processing of any commodity owned by, or acquired by it from, any of its members, to pay duty under this Act on the receipt of such money or to include the amount so received in a statement to be lodged by the society with the Commissioner pursuant to paragraph (*a*) of subsection (1) of section 84f of this Act.

(4b) For the purposes of subsection (4a) of this Act—

(*a*) "society" means a society as defined in the Industrial and Provident Societies Act, 1923-1966, as amended—

(*a*) the members of which are—

(i) persons engaged in the business of primary production as defined in the Land Tax Act, 1936-1967, as amended, or in the fishing industry;

or

(ii) societies defined in the Industrial and Provident Societies Act, 1923-1966, as amended, the members of which are engaged in the business of primary production as so defined;

and

(*b*) the primary object or one of the primary objects of which is—

(i) the sale, disposal or distribution of commodities owned by or acquired by it from any of its members or from members of such societies as are members thereof;

or

(ii) the processing, packing or marketing of commodities owned by, or acquired by it from any of its members or products derived therefrom;

and

(*b*) a reference to a society to which that subsection applies is a reference to a society, as defined in paragraph (*a*) of this subsection, in the ordinary course of whose business, commodities and animals owned by or acquired by it from any of its members are sold, disposed of or distributed by it or such commodities or products derived therefrom are packed and marketed, where the receipts from the sale, disposal or distribution of such commodities and animals so sold, disposed of or distributed or the amount of its receipts from the marketing of such commodities, whether packed by it or not, or of any such products derived from the processing of any such commodities of its members is not less, respectively, than ninety per centum of the total value of commodities and animals sold, disposed of or distributed by the society, or of its receipts from the processing, packing and marketing of such commodities or products.

The effect of the amendment is to relieve the co-operatives of the multiple taxation that will accrue through their integral structure and also of some of the very heavy work that would be entailed. I do not think I need go through the detail of the amendment again, but I think one small illustration is warranted. A fruitgrower in the Adelaide Hills this year is being returned $1.76 a case for his fruit as delivered to the co-operative. If the Bill goes through as it stands he will pay tax not on that $1.76 but, through his membership of the co-operative, a multiple tax at every change of ownership of that fruit through the chain of its sale in Britain.

Finally, in some circumstances he is paying tax in South Australia on an amount which can be about 75s. sterling for a commodity on which he gets $1.76 a case. Certainly, he will not have to pay this tax at that degree right through the chain, but essentially through the co-operatives, because the co-operatives are themselves growers in the fullest sense of the word, this multiple taxation must occur and it is a very costly thing. It occurs also on

the purchase side, with the co-operatives buying materials for production. These will be taxed from the seller to the purchasing co-operative, the Murray River Wholesale Co-operative, from that co-operative to the local co-operative, and from the local co-operative to the grower. Each of those stages will be taxed, and certainly it is a gross injustice. The grower working outside the co-operative directly will pay tax once.

The Hon. R. C. DeGARIS: I move to amend the Hon. H. K. Kemp's suggested amendment by striking out subsection (4a) and inserting the following subsection:

(4a) Where a society to which this subsection applies receives any money in the course of its business from the sale, disposal or distribution of any commodity or animal owned by, or acquired by it from, or for any of its members or from the marketing of any such commodity, whether packed by it or not, or of any product derived from the processing of any commodity owned by, or acquired by it from, any of its members, the society shall, for the purposes of this Act, be deemed to receive such money as agent for and on behalf of such member, notwithstanding that the property in or ownership of such commodity or animal may have passed to the society.

I fully appreciate many of the facts put by the Hon. Mr. Kemp. However, his suggested amendment is a little inconsistent with the treatment of similar cases in this Bill. Its effect is to free a co-operative society that does 90 per cent of its business with its members from paying any duty on any payments received by it from any of its members or from the sale of commodities and animals owned by, or acquired by it from any of its members, or from the marketing of any such commodities, or of products derived from commodities owned by or acquired from any of its members. This means that, even if a member buys any merchandise from a society or pays any subscription to a society, the society is not liable to pay duty on the money received by it on account of that purchase or subscription.

The Government would be prepared to ensure that duty would be payable only once in respect of the sale of commodities and animals owned by or acquired from members or from the marketing of commodities or of products derived from commodities owned by or acquired from them by treating all co-operative societies that do 90 per cent of their business with their members as agents of the members in respect of moneys received by them in connection with those transactions. This would enable the society to recover the duty from the members themselves and avoid any further duty being imposed on any person.

I think I said earlier that the Government was very keen to ensure that double duty did not occur in the administration of this legislation. The essential difference as I see it between the Hon. Mr. Kemp's suggested amendment and mine is that in the Hon. Mr. Kemp's suggested amendment the co-operatives are absolutely exempt on all transactions in which they engage. As long as the transaction is for or on behalf of a member of that society, I believe that it should not be taxable; but where a co-operative acts as a principal and probably has dealings with people who are not members of that co-operative, I believe that it should not have a blanket exemption.

The Hon. S. C. Bevan: You are not very consistent. First you say that this cannot be passed on, and then you move an amendment whereby the co-operatives are passing it on.

The Hon. R. C. DeGARIS: I do not think the honourable member has grasped the significance of this. The agent in all respects has to collect the tax in these matters, and he can deduct it. This is exactly the situation with regard to co-operatives. My amendment provides that, where the co-operative is acting for a member and not as a principal, double duty will not take effect, but, where the co-operative is acting in its own right as a principal and has dealings with people who are not members of that society, it should not be looked on as acting as an agent. I believe my amendment is consistent with the principles of the legislation.

The Hon. H. K. KEMP: I have no alternative but to oppose the Chief Secretary's amendment. The parent co-operative concerned has not been able to look at the implications of this in its present form. In its previous form this provision is completely unacceptable, because although it ensures single taxation on the sale it does not remove the onus of triple taxation on the purchase of commodities. The point the Chief Secretary has raised does not, in my opinion, arise to any great degree. Co-operative societies are forced to observe very carefully indeed the 10 per cent only trading outside their membership. The cost of not observing this is very high, and the amount of outside trading that is done by co-operatives is negligible. Practically every co-operative, because of this provision, has been forced to set up subsidiary companies, which are registered under the Companies Act and do not in any way enter into true co-operative trading.

One was mentioned to me privately by the Chief Secretary a few days ago—South Australian Fishermen's Co-operative Limited. To

make full use of its machinery and equipment, it has set up a subsidiary company which distributes all sorts of frozen goods to make use of this machinery when it is not in co-operative use, but it makes no profit out of it whatsoever. This is a subsidiary company that is subject to taxation in exactly the same way, and it plays no part in the co-operative.

The Hon. R. A. Geddes: But surely it would make some profit?

The Hon. H. K. KEMP: Yes, and it is taxable, but it does not enter into the work of the co-operative.

The Hon. Sir Norman Jude: Surely the dividend is taxable?

The Hon. H. K. KEMP: The whole lot is taxable; there is no attempt to escape responsibility in this case. We are trying to load this small amount of 10 per cent with taxation. It would be acceptable to the co-operatives if a provision was inserted to exclude trading outside the membership, but if the provision is left as it is without our having an opportunity to examine it to see what the implications are, I ask that the Chief Secretary's amendment be rejected.

The Hon. G. J. GILFILLAN: The Hon. Mr. Kemp concluded by saying that he had no objection to any transactions outside the membership of a co-operative being brought into taxation. This is probably fair and correct, because we should not put one section of the trading community at an advantage compared with another. However, that is only one aspect of it. The honourable member referred to the Chief Secretary's amendment, stating that it covers the point for the sale but not for the purchase of goods. As I read the Chief Secretary's amendment, I observe two words inserted in ink that I presume are part of it. The wording is "or acquired by it from or for any of its members". Would not that meet the point about goods being purchased through a co-operative for its members? It is an important point.

The Hon. H. K. KEMP: When I asked the Chief Secretary to report progress, my purpose was to allow the Murray River Wholesale Co-operative Limited and its legal advisers time to look at this matter. It is half an hour since we contacted the solicitors in Pirie Street. They have telephoned to say that they have not yet been able to look at it, so I have no alternative but to ask for my amendment in its original form to be carried.

The Hon. C. M. HILL (Minister of Local Government): I think the Government's attitude to co-operatives is fair. The point about the co-operatives trading outside their membership is not relevant to the issue. If a co-operative acts as an agent it is exempt from tax, as is any other agent, whether he be a solicitor or anyone else; but, as soon as the co-operative starts to trade and buys and sells goods, it becomes a trading firm. I cannot see much difference between a co-operative that trades and a stock company with shareholders that trades.

If a co-operative takes part in the business of buying and selling, it should be prepared to pay tax, and its members should be satisfied with that position. However, that is an entirely different set of circumstances from a co-operative that acts simply as an agent and sells the produce of its members. That is the difference, as I see it, in the position of the co-operatives.

The Hon. R. C. DeGaris: What about farm machinery?

The Hon. C. M. HILL: I take it that farm machinery is bought by co-operatives on attractive terms as agents for their members.

The Hon. H. K. KEMP: The implication here is that the co-operatives are trying to avoid taxation, but they are not. They are not trying to avoid fair taxation. When a co-operative buys from a merchant, tax will be paid. Because we have set up a co-operative and all the charges that come to that co-operative return to the grower, why does he have to pay tax at any stage?

As growers, we shall be taxed, but to tax the co-operatives in the way proposed will break them completely. We shall, in effect, be paying tax on a commodity that is sold in Britain at about 75s. sterling this year when we get about $1.76. Is that fair?

The Hon. R. A. GEDDES: I am now confused. The Hon. Mr. Kemp says that if a grower sells his product to a co-operative at a figure—

The Hon. C. M. Hill: He does not get taxed.

The Hon. R. A. GEDDES: The honourable member mentioned the figure of $1.76. This means that the net value of that product when it goes to the co-operative is $1.76?

The Hon. H. K. Kemp: Yes.

The Hon. R. A. GEDDES: And, when the product is sold overseas, its value appreciates to about 75s. sterling? Which figure does the grower actually get: $1.76 or part of 75s. sterling?

The Hon. H. K. KEMP: He gets $1.76, which is left after all the charges have been taken out.

The Hon. R. A. Geddes: So that is the figure he would pay tax on?

The Hon. H. K. KEMP: Yes, that is the money he receives. The co-operative receives a certain amount from its oversea buyers less the selling charges over there. It will have to pay tax on that figure, and so on down the line.

The Hon. G. J. GILFILLAN: I believe the whole purpose of the amendment is to protect the co-operatives from paying multiple taxation on the one transaction. I am somewhat at a loss because I believe the proposed amendment does this; I would like it pointed out where it does not. I have every sympathy for the problems that co-operatives face—

The Hon. C. M. Hill: We all have.

The Hon. G. J. GILFILLAN: —but it is not a question of trying to convince me that the co-operatives face problems. It is a question of ascertaining which is the best way of overcoming the problem. I think the Chief Secretary's amendment overcomes the problem of multiple taxation.

The Hon. H. K. KEMP: I draw members' attention to the tremendous complexity of the amendment. I have no alternative but to ask for its rejection because there has not been sufficient time to consider its full implications.

The Hon. L. R. HART: This is complex legislation, and I understand that one of its principles is that a transfer of money from one person to another will be subject to duty only once. This is the basis of our whole objection to the Bill in relation to co-operatives. Certain problems are peculiar to co-operatives alone, and for that reason I believe we should resolve this matter now. The Chief Secretary says that his amendment to the Hon. Mr. Kemp's amendment will have the desired effect, but members are not convinced that this will happen. Somewhere along the line there must be a middle course where the trading of co-operatives can be protected. No-one wants to evade the payment of duty once, but within co-operatives, by the very nature of their trading, a number of transfers occur. We are at variance on the question of the multiplicity of transfers.

I have received telegrams from people who trade within the co-operatives and who are part of the co-operative system, and these people are concerned with the effect of this legislation on their trading. Perhaps they have not been properly informed how this legislation will affect them. I believe that we should, as the Hon. Mr. Kemp has suggested, report progress now so that members of co-operatives can study the Chief Secretary's amendment and see whether it will in fact protect their interests. This is a reasonable request because, if it is not done now, the matter will have to be raised again, perhaps in another place. If it can be resolved here, it will be the logical thing to do. Will the Chief Secretary therefore report progress?

The Hon. R. C. DeGARIS: All the people involved in this amendment have had ample time to study its implications, but I do not wish to be difficult.

The Hon. A. J. Shard: We will not be any better off tomorrow.

The Hon. R. C. DeGARIS: Some comments have been made regarding triple taxation. I do not know any way in which this can occur with this legislation. The point is that under new subsection 4b a society may be a society as defined in the Industrial and Provident Societies Act, as amended. That deals with the societies that will come under this provision. If there are co-operatives either within co-operatives or working with co-operatives they are all exempt under this amendment. I cannot understand, therefore, the suggestion that triple taxation could be involved. The whole attitude of the Government has been to ensure that double duty is not paid, and I am convinced that the suggested amendment to the Hon. Mr. Kemp's amendment adequately protects the interests of co-operatives.

However, where the co-operative acts as a principal and deals with people who are not its members, I do not believe there is any case for it to be exempted from paying stamp duty under this legislation. I say that because I believe the Committee should be in a position to judge the merits of the amendments before it. As honourable members want more time to consider this matter, I ask that progress be reported.

Progress reported; Committee to sit again.

STAMP DUTIES ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from November 26. Page 2702.)

The Hon. S. C. BEVAN (Central No. 1): This Bill is lengthy, and the Minister's second reading explanation was lengthy, too. I will not deal with the various clauses at this stage, because I am sure they will be discussed during the Committee stage. By its refusal to make more money available to State Governments, the Commonwealth Government has caused State Governments to increase taxation in those fields over which they have direct control. The

Commonwealth Government is receiving much more in income tax collections today than it did a few years ago, but it has steadfastly refused to review the reimbursement formula until 1971.

In this morning's *Advertiser* the Commonwealth Treasurer is reported as saying that, following the $1.35 increase in the general wage, the Commonwealth Government's income tax collections are estimated at $50,000,000, but of this amount only $10,000,000 will be refunded during 1969-70. It is a really good handout: the Commonwealth hangs on to $40,000,000 and hands back to the States $10,000,000! As a result, State Governments are forced to enlarge their fields of taxation to finance expenditure. During the Labor Government's term of office, when it was pointed out that the Government was forced to introduce legislation to increase taxation because of the Commonwealth Government's policy, the Government was accused of attempting to blame the Commonwealth for its own folly and maladministration. Now, of course, the boot is on the other foot, and apparently it pinches. We now hear Government members saying that the taxation measures are evidence of a responsible Government. It is a pity that those members were not a little more responsible towards the State when they were in Opposition.

I well remember Liberal members' attitudes to the Labor Government's proposals to increase land tax, succession duties, stamp duties and other forms of taxation. They said that taxation in this State was too high, that we were taxing ourselves out of markets, and that the economic position of the State would suffer accordingly.

The Hon. Sir Arthur Rymill: Quite right.

The Hon. S. C. BEVAN: But what do we find today? Since the present Government has come to office we have considered several Bills increasing taxation, and there are more to come. Had Liberal members been more repsonsible when they were in Opposition, the State would not be in its present position. Before the last election Liberal members knew that, if they were returned to Government and if the State was to continue to progress, they would have to increase taxation, yet they continually side-stepped the question of taxation increases every time it was raised. The Chief Secretary said yesterday that he had said on the election platform that it would be necessary to increase taxation, but every time this question was levelled at the present Premier he deliberately side-stepped it.

This attitude of the Premier is similar to the attitude he displayed when addressing a meeting at Unley on the Metropolitan Adelaide Transportation Study Report. He said that he knew for a fact that the Labor Government had had the M.A.T.S. Report, but that it had put it in cold storage because it was afraid of the effect it would have on the electors of the Norwood District. The present Premier knew that this was a lie and that the report was not available. No-one knows this better than does the Minister of Roads and Transport, because he received the report after the change of Government. It is no good saying that the present Government has been forced to increase taxation because of the actions of the Labor Government. Honourable members will find, if they listen to the views of the community, that this flimsy excuse has worn rather thin.

All these taxation increases hit the people who can least afford them—the people in the lower income brackets. I pose the question: who use this form of credit finance? It is not those who can afford to pay cash or who can arrange a bank overdraft—it is those who, by force of circumstances, must hire goods with or without the right of purchase. Sometimes such people are not even able to afford a deposit. I realize that the Bill provides that this tax cannot be passed on and that it must be borne by the financier, but whom does this provision fool? It certainly can and will be passed on by increases in prices and interest charges. As at present there is no control over these matters, it will be passed on quite legally.

I admit that the principle of this Bill may be quite sound—I am not denying this. If the principle was given effect to, it would be all right. Some of these companies, however, have got around the imposition of a 1½ per cent stamp duty on hire-purchase transactions by making a personal loan to the borrower whereby he pays cash for the goods and repays the personal loan over a period at a good rate of interest. Regarding the provision in this Bill relating to an interest charge of 9 per cent or more, I ask: where can one borrow money from any of these institutions, other than a bank, at less than a 9 per cent interest charge? As these interest charges are made on a flat basis, the interest rate doubles in the second and subsequent years. The normal procedure in the past was for a flat rate of 10 per cent, which doubled to 20 per cent over two years, so people in the lower income brackets (who are forced to use this type of finance) will, in the final analysis, have to pay up.

This Bill can only have the effect of retarding the sale of and lessening the demand for goods, thus affecting the manufacturer and wholesaler as well as the retailer. It could have the effect of creating unemployment because of the falling off in demand for goods, and the economic position of the State would suffer accordingly. I do not intend to go into all the ramifications of the various clauses of the Bill but, for the reasons I have given, I intend to vote against the second reading, and, if necessary, against the third reading also.

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

LICENSING ACT AMENDMENT BILL (No. 2)

(Second reading debate adjourned on November 26. Page 2710.)

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

PRICES ACT AMENDMENT BILL

(Second reading debate adjourned on November 26. Page 2713.)

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

ELECTORAL DISTRICTS (REDIVISION) BILL

Adjourned debate on second reading.

(Continued from November 26. Page 2715.)

The Hon. H. K. KEMP (Southern): I oppose this Bill. South Australia has a very long history of political and industrial stability, but we seem to have entered a silly season for the time being. The easiest way to perpetuate the patent present instability is to make the profound changes which are proposed, before South Australians have had time to digest the legislation that has been crowded on to the Statute Book over the last four years and before the public has realized the full consequences of the legislative spree.

To take representation in one stroke from where it has long lain and to place complete dominance in the hands of people in the city area is wrong. Many of these people have not been long enough in South Australia to have truly-developed political loyalties. They do not realize that the stability, the prosperity and the opportunities which this State offered and which attracted them came from the stable countryman's Government, not from the high-pressure salesmanship of politics that has so terribly coloured and obscured the real issues in the last few years. On these grounds I oppose the Bill.

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

FRUIT AND PLANT PROTECTION BILL

Adjourned debate on second reading.

(Continued from November 26. Page 2714.)

The Hon. H. K. KEMP (Southern): I support this Bill with certain reservations, with which I shall deal in some detail. It is with regret that I see the old Vine, Fruit and Vegetable Protection Act repealed, because it has been a very good Act that has given South Australia effective protection over many years.

There have been many successes that have saved South Australia many millions of dollars annually as a result of pests and diseases being kept at bay. Examples of such pests are phylloxera, Sirex wasp, the Argentine ant and fruit fly, the last-named being the pest that city people have been mainly concerned with. Phylloxera is not directly covered by this Bill but it was originally covered by the old Act. Separate legislation now covers phylloxera.

We could still grow grapes if phylloxera gained entry into this State, but to grow them every grape vine would have to be grafted on to a root stock resistant to the phylloxera aphid. To do so and to maintain our present vineyard acreage would call for more than 1,000 acres of vineyard devoted to raising resistant stock alone and it would call for accepting the very high cost of grafted vines. A high percentage of take is rare and regular replanting would be necessary because grafted vines are not long-lived.

If we look at the costs involved as a result of the presence of the other pests I have mentioned (Sirex wasp in our pine forests, Argentine ant in our houses and fruit fly in our gardens) the money value of the old Act begins to show at the edges. This Act has enabled us to control and contain those pests that have crept through the barriers of plant quarantine.

There have also been costly troubles as a result of oriental peach moth. How much it has cost the Government in man-hours over the years I would hate to say. The number of times that ponderous title "Vine, Fruit and Vegetable Protection Act, 1885" and the titles of the two amending Acts have been typed out and written since 1885 would probably be extremely great. In fact, the first amendment I propose to suggest to the

Minister is that the new title be shortened even more to "Plant Protection Act". This love of ponderous titles is very costly both to the Government and to the people who deal with these Acts.

Regarding clause 3, I have a query that I hope the Minister can resolve for me: it relates to the definition of "Chief Horticulturist", to which no further reference is made in the Bill. He is the person chiefly responsible for the day-to-day administration of the Act, but he may not necessarily be the Chief Inspector. Perhaps his inclusion is to console that person for his exclusion, or perhaps the definition is at fault. In clause 4, the old clause 4 (*a*) of the Vine, Fruit and Vegetable Protection Act has been omitted. Subclause (*a*) of the latter Act reads:

Revoke, either wholly or partially, any proclamation in force at the time of the coming into operation of this Act or made under this Act.

I think that provision should be retained and regulations added to it. Many of the regulations under the old Act have been in force for so many years that they are of no more use than the man with a red flag in front of the motor car that until a short time ago decorated the Road Traffic Act.

In dealing with clause 8, I agree with the Hon. Mr. Kneebone that its provisions are far too savage and it is, in fact, impracticable. Fortunately, it is rarely that the need arises for condign punishment for flagrant cases of concealment. I believe, without being aware of all the facts, that the reason oriental peach moth got out of control may have been due to a mistake. On the other hand, in my experience it is remarkable the conscientious co-operation the public of South Australia has given over the years when the need has arisen. People have reported even the slightest suspicion of fruit fly, for instance.

Inspectors are not infallible. Shortly after the Second World War downy mildew was reported by a Coonawarra grower. An inspection was carried out, but the disease was not recognized. It was again reported and again not recognized; only at the third attempt did this grower manage to get recognition of his problem. In that case the inspector was the person who should have been punished, not the grower.

A Sirex wasp infestation of our pine forests would have occurred but for a conscientious carpenter at Keswick. While sitting with his crib at lunch this carpenter saw a wasp drill its way out of a billet. This man took immediate eradicating measures with a hammer and brought in his victim at once. The billet was removed to the Waite Research Institute section of the University of Adelaide and was found to be crowded with wasps ready to emerge. Just outside the carpenter's shop in the gardens were enough suitable trees for it to have got away and thrived.

The Hon. A. J. Shard: How many years ago was that?

The Hon. H. K. KEMP: That was in 1950.

The Hon. A. J. Shard: There is a more recent case than that; haven't you heard of the waterside worker who found a Sirex wasp?

The Hon. H. K. KEMP: Yes, and he was suitably rewarded.

The Hon. A. J. Shard: I am not suggesting anything like that; I did not know whether you knew of the case or not.

The Hon. H. K. KEMP: I did, and this man was a good South Australian. The years are sprinkled with hundreds of such instances, but to reward them with this clause goes too far. It is impracticable, in my opinion, for even the most conscientious grower of long experience to be expected to recognize all dangerous new pests. The most highly-qualified inspector is able to recognize only a limited range of pests and diseases with which he is familiar. If on the alert, an inspector may recognize something new as requiring attention, and in such cases he would always send it to a specialist, usually at university level, before making a decision.

I believe only one person in South Australia is regarded as sufficiently well trained to identify San José scale, one of our feared pests, so how can this burden possibly be laid on a private gardener with, perhaps, a single tree, which he probably calls a plum but which in reality may be a prune? I think the provision is impracticable.

Clause 11 (1) deals with powers of entry, and provides that any inspector may enter any bank and demand admission to any strong room and deed boxes contained therein. Such a provision goes too far. It is reasonable to grant entry to gardens and orchards and premises in which plant products are stored or processed, but before an inspector is allowed to enter a dwelling or premises other than those mentioned without the express permission of the owner or occupier he should at least be required to obtain written authority from the Chief Inspector who bears the delegated power of the Minister.

A further necessary section in the old Act has been omitted, and I refer to old section 9 (2), which reads:

The inspector shall, as soon as practicable after serving such notice, report that fact and the circumstances of the case to the Minister.

I think that section should be retained. In addition, a further subsection has been omitted dealing with an appeal to the Minister. I refer to section 9 (7), which reads:

The Minister may, notwithstanding anything contained in this Act, hear and determine any appeal from the decision or direction of any inspector.

Clause 17 (*b*) deals with the service of notices by post, and it is not good enough. I believe the whole clause should be examined in detail. It reads:

Where under this Act provision is made for an inspector to serve a notice upon the owner of any land or premises that notice may be served—

(*a*) personally; or
(*b*) by post; or
(*c*) by affixing it in some conspicuous place upon the land or premises.

I believe that where notice is given by post it should at least be sent by registered post. I also believe that where notice is posted on land or premises, service within seven days, either personal or by registered post, should also be required.

I am aware of the difficulty that is faced at times by the department when a neglected old tree in a vacant block is perhaps found harbouring a pest or disease. Such instances are not at all uncommon, and I have been involved in several such cases. However, it is just not good enough to stick a piece of paper to a tree or a fence post and say that that is that.

Salutary powers are given for costly work to be carried out if the need is urgent enough. However, every attempt must be made to locate and inform the owner of what is going on, for months or even years may elapse before he visits his vacant block of land, which may be anywhere in the State. Clause 19 deals with the making of regulations. When I last had occasion to examine the regulations under this Act I found that many of them were hopelessly outdated. I believe that this should not be allowed to occur.

Methods of pest control, materials with which to do the job, and knowledge of biology change daily, almost hourly. I believe that every regulation under this Act must be under constant review and not just left on the books, for many regulations as they stand today are ridiculous, even though they may have been very necessary at the time they were brought in. We have some areas under strict control, with heavy penalty for failure to carry out very costly treatments. In this case I refer to the red scale quarantine areas of the Murray River. Over the border we find growers who have the same pest being encouraged to drop all present methods and allow natural biological controls to carry out the work for them. This is the contrast that can go on, as knowledge changes so quickly.

To test this aspect, I will move an amendment that no regulation under this Act remain in force for more than five years but must then be redrafted. I believe that review at this interval is necessary and that it should be carried out not by the Chief Inspector alone in his office but by people who are engaged in research into these problems and who know what is going on world-wide.

I believe that, under this Act, proclamation, necessary in emergency and empowered in clauses 5, 6 and 7, must not be the standard rule. Such proclamations should be only for the short-term implementing of control measures in an emergency, and should be replaced by regulations which have gone through the process of examination and approval by both Houses of Parliament.

Finally, I believe that this Act should say not only what must be done but what must not be done. I believe we have come to the stage where certain insecticides should not be used except in certain areas where we have no substitute. These are the broad spectrum modern insecticides which have been a God-send—D.D.T., chlordane, dieldrin and endoin are the group in question immediately, but there are others which in turn must be questioned.

These materials were, of course, emotionally attacked by Raechel Parson in the book *Silent Spring*. It is in my view a pity that this book was written, because these compounds have saved millions of lives and millions of people from starvation. The control of typhus (in the war and post-war periods), malaria, and the tsetse fly alone justify these materials until better ones become available.

The Hon. R. A. Geddes: What about the indiscriminate use of them?

The Hon. H. K. KEMP: Until better materials without the side effects of these materials can be found, their use must be restricted to where they are still indispensable. I have already on a former occasion told the Council that D.D.T. residues have been found in the fat of penguins in Antarctica, which is a good example of the persistence and insidious

nature of materials such as these. This seems to be the appropriate Act to regulate their use. Already, restriction has been placed on them in the livestock industries.

I do not think this Bill is any great improvement on the old Act. It takes care of some of the faults in the old legislation, and it is valuable in that it gets rid of the terribly long, ponderous name of the old legislation. I have pleasure in supporting it.

The Hon. L. R. HART secured the adjournment of the debate.

ABORIGINAL AFFAIRS ACT AMENDMENT BILL

(Second reading debate adjourned on November 26. Page 2717.)

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

MARINE ACT AMENDMENT BILL

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

BOILERS AND PRESSURE VESSELS BILL

Adjourned debate on second reading.

(Continued from November 26. Page 2696.)

The Hon. A. F. KNEEBONE (Central No. 1): I support the second reading of this Bill which, like the Act it will replace if it is passed, is essentially an industrial safety measure. A Steam Boilers and Enginedrivers Act has been on the Statute Book of this State for a long time. The present Act goes back to 1935, and the previous Act went back to 1911. As can well be imagined, there has been an enormous change in the use of boilers and pressure vessels and also in the techniques of manufacture over the period of 57 years since the earlier legislation was introduced. There has also been a great change in the means of locomotion and of the sources of power used for driving machinery since those days, when all the engines used to pull trains would have been steam, as would have been most other engines used to drive machinery in all types of industry. It is only in comparatively recent years that diesel power has almost completely eliminated steam in locomotive operations. Electric power as one of the means of driving machinery in industry showed its influence at an earlier stage than diesel, of course. This being so, it is understandable that the Act as at present constituted applies only to vessels in which steam or air is generated or stored above atmospheric pressure.

With the changes brought about by technological advances in industry, bringing with them the use of many different types of gas—liquefied gases and liquids, many of which are stored at high pressures—it became evident that there was a need for a new approach to this type of legislation. Indeed, the Bill was being drafted while I occupied the position of Minister of Labour and Industry in the previous Government. There appears to be at least one carry-over from the days when steam was used to operate almost everything in the way of machinery that moved—the continued reference in this Bill to cranes or hoists. In the industrial legislation in this State, regulations for the use of lifts, cranes and hoists are spread over a number of Acts. These include the Industrial Code, the Lifts Act, the Mines and Works Inspection Act and the Steam Boilers and Enginedrivers Act. I suggest to the Minister that consideration be given to bringing all matters in relation to lifts, cranes and hoists, both mobile and stationary, together into one Act. When this is being done, I would also suggest that there are other types of lifting and hoisting machines now not regulated that should be considered.

The operators of some types of lifting and hoisting devices are required to possess competency certificates whereas the operators of other such devices, which to the lay mind at least would appear to require an equal degree of skill, are not required to possess competency certificates. For this reason, it is my opinion that something should be done to bring these matters together in the one Act and to review them in the light of developments in recent years.

I do not intend to go through the clauses of the Bill individually. However, there are one or two on which I should like to comment. Part II, Division 2, provides for the appointment of an Enginedrivers Board. There was also an Enginedrivers Board constituted under the Steam Boilers and Enginedrivers Act. The members of that board were required to have certain qualifications, as the members of the board suggested in this Bill are required to have certain qualifications. On the old board one of the appointees was to be the Chief Inspector of Boilers and two were to be properly qualified persons, one of whom was to hold a winding enginedriver's certificate, the highest certificate of competency issued. However, in recent years this qualification requirement has caused considerable difficulty, persons with this latter qualification being few and far between.

Another difficulty was that under the present Act members of the board received no payment for their services. Persons with the winding enginedriver's certificate were usually employed in industry and could not afford to lose time and wages to attend meetings of the board. This, of course, caused great difficulty in getting sufficient people to attend board meetings. I see that in this Bill this difficulty has been overcome in two ways. First, to become eligible to be appointed a member of the board, a person is required to have been a Chief Inspector or an inspector under the Act, or a Chief Inspector of Boilers or an inspector under the Steam Boilers and Enginedrivers Act. This would appear to me to overcome completely the previous difficulty, because there are sufficient inspectors and the Chief Inspector available, and there is also the provision that, if these people had retired or were working outside the department after being inspectors and could be appointed, they should be paid.

The provision in Part III regarding the design and construction of boilers and pressure vessels is a wise one providing as it does for the forwarding of plans of construction to the Chief Inspector before commencing the construction or manufacture of the boiler or pressure vessel. The provision that the manufacturer may be required to carry out tests in the course of manufacture is also a wise one. These clauses help to ensure that the boilers or pressure vessels will be constructed in accordance with the standards laid down by the Standards Association of Australia and, therefore, are as reasonably safe to operate as such tests can ensure.

Clause 30 refers to the suspension of an inspection certificate in certain circumstances, and clause 31 provides that a person shall not operate a registered boiler or a registered pressure vessel in respect of which there is not a certificate of inspection of full force and effect. The suspension is to be between the time a boiler or pressure vessel, not being movable, is removed from its location and the time a new certificate is issued; or between the time any repairs or alterations other than repairs carried out in the ordinary course of maintenance of the boiler or pressure vessel are begun to be carried out and the time a fresh certificate is issued. I have expressed to other people my concern that in the latter circumstances the repairs during the ordinary course of maintenance of the boiler or pressure vessel could include some quite substantial repairs to the boiler or pressure vessel. I have not spoken personally to the Minister of Labour and Industry about this problem but I have been informed by those who have spoken to him that he has given an assurance in another place that these words actually mean a repair not to the boiler or pressure vessel itself but to the ancillary equipment attached to the boiler for its operation and control. If this is so, my fears are allayed.

Part IV provides that the Enginedrivers Board may issue certificates of competency of various categories which are, with one exception, the same as those issued under the present Act, the exception being that under the latter there was a third-class enginedriver's certificate. This has been replaced with a boiler attendant's certificate. I have spoken to people employed in the industry and I have been told this is not of great consequence.

Part V provides that only persons with a certain standard of compentency in welding shall be permitted to work on the manufacture of pressure vessels. For this purpose, certificates of competency will be issued to persons with the appropriate degree of efficiency in welding. I agree with this safety precaution, as serious consequences could result from inefficiency in this direction. With those few remarks, I support the Bill.

The Hon. L. R. HART secured the adjournment of the debate.

ADJOURNMENT

At 5.32 p.m. the Council adjourned until Thursday, November 28, at 2.15 p.m.