LEGISLATIVE COUNCIL

Thursday, September 25, 1969.

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

PUBLIC PURPOSES LOAN BILL

His Excellency the Governor's Deputy, by message, intimated his assent to the Bill.

QUESTIONS

DRILLING

The Hon. H. K. KEMP: Last week I asked the Minister of Mines a question regarding the oil well near Kingston in the South-East. Has the Minister a statement to make on this matter?

The Hon. R. C. DeGARIS: The honourable member is indeed persistent in his request for information. I can comment now on the progress of the well at Lake Eliza. The well reached a target depth of about 5,000ft. and basement rock has been found at that depth. However, those operating the rig have returned to the rig coring at the 3,104 to 3,110ft. mark and there have detected a flow of gas. Although this does not appear to be of commercial interest, what I think is interesting is the fact that the presence of hydro-carbons has definitely been established in the South-East of South Australia.

WORKMEN'S COMPENSATION

The Hon. F. J. POTTER: I ask leave to make a short statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. F. J. POTTER: My attention has recently been drawn to a letter published in the *Advertiser* on September 5 from Messrs. Roberts and Cratchley, in which they complain about the inadequacies of the present Workmen's Compensation Act. One paragraph of the letter states:

The hardships and poverty endured by the workers under the present system are a condemnation of the outdated and regressive thinking by the L.C.L.-dominated Legislative Council, which was responsible for reducing the progressive A.L.P. Bill on compensation to its present inadequate form.

I do not think any honourable member will say that the Workmen's Compensation Act does not have some inadequacies or that there are no anomalies in it, but I think the paragraph I have quoted goes too far. Can the Chief Secretary say whether his attention has been drawn to this letter and, if it has, will he comment on it?

The Hon. R. C. DeGARIS: I did see the letter. I think every honourable member realizes that this Council over several years has been blamed for many things of which it is not guilty. Indeed, a false interpretation has often deliberately been given to the public in connection with amendments to legislation made by this Council.

The Hon. A. J. Shard: The *Advertiser* did a fairly good job for you this morning in connection with false impressions.

The Hon. R. C. DeGARIS: I become sick and tired of chasing statements made for a political end, that deliberately twist the significance of amendments made in this Council. I am not blaming the people who wrote the letter referred to, because it is obvious to me that neither of them knew anything about either of the two Bills considered by this Council in 1965 and 1966 in relation to amendments to the Workmen's Compensation Act. From memory, I believe the letter said that the Council had deleted from the Bill questions such as full wages for injured workmen, compensation for life in the case of total incapacity, and, in the case of the death of a workman, compensation equivalent to his earning capacity for the balance of his normal expectation of life. None of these matters was included in the Bills before this Council in 1965 and 1966, so I hope the public will understand that once again this Council has been blamed for something of which it is absolutely not guilty. I agree with the Hon. Mr. Potter that our present Workmen's Compensation Act may not be perfect, but to lay the blame on this Council is totally unreasonable.

QUESTION TIME

The PRESIDENT: I invite honourable members' attention to Standing Order 109. I am afraid that a stage is being reached where questions are debated before they are directed to the Minister, and then I obviously have to allow some liberty when the Minister replies. I shall be glad if honourable members will observe this Standing Order.

CHEMICALS

The Hon. V. G. SPRINGETT: Has the Minister of Agriculture a reply to my recent question about weedicides and pesticides?

The Hon. C. R. STORY: I have been furnished with a fairly comprehensive report on the questions raised by the honourable member which I am happy to supply to him.

Briefly, however, I can give him the following general comments in reply to the important matters he raised. First, as to the adequacy of our knowledge and control of agricultural chemicals, I assure him that a great deal is known about them; but he would appreciate that the search for more knowledge is a continuing process, and I would hesitate to say that our knowledge of any subject is ever adequate. I am advised that there is no evidence at present of any danger to human life or long-term crop prospects from the correct use of agricultural chemicals in this State. The manufacture and sale of agricultural chemicals are rigidly controlled and warnings regarding use, toxicity and residual effects (if any) are clearly printed on labels of the various materials marketed.

Secondly, the provisions of the Agricultural Chemicals Act and the Health Act are considered to give adequate protection for most aspects of agricultural chemical use. Following problems encountered in the Murray Bridge district due to spray drift, however, legislation is being prepared to regulate agricultural chemical spraying. Thirdly, I can say that the whole question of environmental pollution, of which agricultural chemicals are but a lesser source, is receiving close attention throughout Australia, and although no serious problems have arisen in this country, all new chemicals are carefully screened before marketing, and studies are made of the levels of pesticide residues detectable in agricultural produce, animals and the environment. I shall be happy to let the honourable member have a copy of the departmental report.

INSECTICIDE

The Hon. H. K. KEMP: The new systemic fungicide Benlate is available in South Australia and is urgently needed. Trial has shown it to have unique qualities and, without doubt, it can save losses from many plant diseases for which we have only partially effective remedies. It is, for instance, equally as or more effective in apple scale control than Melprex, and it can be used on varieties on which Melprex cannot be used because of the russet blemish which results from application of the latter early in the year.

It has been shown that it is very effective against brown rot which, in spite of our best present methods, caused huge losses in our stone fruits last year, and it is the only safe material so far that is effective against the mildew diseases of vines and so many other plants. A similar report attaches to its effectiveness against a wide range of fungus diseases affecting apples and pears, citrus, figs, grapes, peaches, cherries, almonds and strawberries grown in South Australia.

This product is amazing and completely new in its action, in that it is a truly systemic fungicide, which is equally as effective sprayed or watered on the ground for root uptake. Beans, carrots, celery, the cabbage family, cauliflowers and brussel sprouts can all be treated with it. I am wondering whether the Minister will see whether Benlate can be released for use in this State.

The PRESIDENT: This sounds more like an address on insecticides.

The Hon. H. K. KEMP: It is a statement of fact, all of which is current and relevant. I wish to have your ruling, Sir.

The PRESIDENT: The honourable the Minister of Agriculture.

The Hon. C. R. STORY: I do not know yet what the honourable member wants me to do. He has not come to that part.

The Hon. A. J. Shard: Not a bad second reading speech, though, is it?

The Hon. C. R. STORY: I suggest that the honourable member concludes what he was saying, as I should like to know what I am supposed to do about it.

The Hon. H. K. KEMP: I seek your permission, Sir, to continue with my statement of fact.

The PRESIDENT: The honourable member should ask his question.

MOTOR VEHICLES ACT AMENDMENT BILL

The Hon. C. M. HILL (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1968. Read a first time.

UNDERGROUND WATERS PRESERVATION BILL

Second reading.

The Hon. R. C. DeGARIS (Minister of Mines): I move:

That this Bill be now read a second time.

Its purpose is to repeal the Underground Waters Preservation Act, 1959-1966, and to enact new provisions relating to the preservation and protection of underground waters in its place. In most countries of the world it has been found necessary to introduce legislation to control the use of underground water. This has been the case also in most States in Australia, but the need in South

Australia to conserve and preserve water, of any kind, is recognized by all in this State. Most of South Australia has, unfortunately, a low annual rainfall, and in many areas we are almost completely dependent on the supply of underground water.

In some countries legislation to control the use of underground water has been delayed to the critical stage, and remedial measures, although very expensive to a country and often drastic in their impact on the rights of its citizens, have not always been successful. A very serious situation exists in this State in respect of the northern Adelaide Plains groundwaters and this area is receiving very close attention by the Government. It is extremely important, therefore, to ensure that a similar situation is not permitted to develop in other areas.

Over two years, extensive experience with the present legislation has clearly shown the need for considerable amendment. It is necessary to provide for more positive control in some spheres, to simplify administrative procedures for the benefit of landholders and drillers, and to provide more acceptable provisions for the examination and licensing of drillers. The advisory committee constituted under the existing Act has functioned most satisfactorily. Any question referred to it has resulted in pertinent advice being tendered to the Minister and, in particular, every application for a permit has been very carefully and most thoroughly investigated and considered. Under the Bill before the Council it is made mandatory for the Minister to refer all matters specifically affecting an individual in his use of underground water to this committee while retaining the power to review any recommendation made to him on such matters. The Government considers that this provision, in conjunction with a reconstituted appeal board, will adequately protect the rights of the individual. I will deal more fully with the proposed new appeal board, and the reasons for it, at a later stage.

I now turn to a brief explanation of the Bill as presented. Part I (clauses 1 to 6) is the preliminary Part containing the Short Title, date of commencement, repeal of the previous Acts, transitional provisions and the definitions. Part II (clauses 7 to 23) is concerned with wells and includes the permit system for the drilling, repairing and backfilling of wells, the last-mentioned being an important omission from the present Act, especially in relation to the prevention of the contamination of good quality underground water from saline waters. Other clauses in this Part require the forwarding of information to the Minister regarding existing wells.

Clause 10 sets out the limits of the discretion of the Minister in refusing a permit. A permit may only be refused if, in the opinion of the Minister, the work carried out under the permit would be likely to cause contamination or deterioration, inequitable distribution, undue loss or wastage or undue depletion of underground water. Clause 11 enables the Minister to review a permit after twelve months. If the permitted work has not been carried out in that time, it is considered advisable for this review to allow the circumstances to be subject to scrutiny.

Clause 16 re-enacts the basic provisions of section 17 of the present Act but sets them out more precisely. The previous wording proved in practice to be vague and impossible to enforce. One of the most important clauses of the Bill is clause 17 under which the Minister may issue certain directions in the form of a notice requiring the owner or occupier of land on which there is a well to take or refrain from certain action for the prevention of contamination, deterioration, inequitable distribution, loss, wastage or undue depletion of underground water. The addition to these directions of the requirement to repair or modify a well is very important as previously if the owner was not prepared voluntarily to rehabilitate a repairable well which came within any of the categories which I have listed, the only alternative was to order him to backfill the well. The clauses dealing with artesian wells contain essentially the same provisions as are in the present Act and are included in this Part.

In addition to these points, there have been a number of small, but quite important alterations to the machinery of a number of the provisions contained in the present Act. Part III (clauses 24 to 27) deals with the advisory committee. The first thing that honourable members will notice is that the title has been abbreviated by removing the words relating to contamination which gave a restrictive overtone when, in fact, the duties of the committee were and will be related to almost all facets of the administration of the Act. The membership of the committee is essentially the same as previously, and although the requirement for the appointment of an officer of the Department of Agriculture is now mandatory such an officer was, in fact, appointed under section 21 (2) (*f*) of the present Act. The quorum has been increased

from three to five and, as mentioned previously, provision is made for it to be obligatory for the Minister to refer any question relating to wells, permits and notices to the committee for investigation and report.

Part IV (clauses 28 to 39) deals with the examination and licensing of water well drillers. In general, the types of licences provided for under the present Act have not been considered either by the Mines Department, or the well drillers themselves, as satisfactory. The classes "A" and "B" have proved controversial and shown to be too broad in their scope, and therefore inclined to be restrictive on individuals. It is proposed in clause 29, therefore, to provide for the regulations to set out the details of licence types which can then be varied more readily in the light of further experience in this matter. What is envisaged is simply a "well driller's licence" which will contain conditions which in the main will set out the type of plant which may be used by the licensee and the area or areas in which he may operate and, if necessary, the types of wells which he is qualified to drill in those areas. Thus, a man experienced with only cable tool type drilling and who has gained his experience only in the Adelaide Plains (within which there is a defined area), and is considered competent, will be licensed to operate in this area only, using a cable tool rig only. If there exists a driller who has had many years experience in all parts of the State with all types of drilling rigs on all types of wells he could qualify for an unrestricted licence.

In the present Act the Director of Mines has to be satisfied that a driller was qualified for the licence required. This Bill sets up an examination committee to investigate all applications and to advise the Minister. It is considered that the composition of this committee will ensure a highly qualified group of men representative of all those connected with well drilling in this State and remove the main objections to the provisions of the present Act. I must mention, however, that from the very beginning a smaller but similar type committee has been advising the Director on these matters, and I know he is very grateful for the time, thought and effort applied to those problems by the members of that committee.

Part V—appeals (clauses 40 to 51)—in the Bill differs significantly from the provisions in the present Act in that the constitution and powers of the appeal board have been reviewed. This has been done after very careful consideration of legal and scientific advice. The composition of the proposed board varies according to the matter under appeal. A serious defect in the composition of the present board is that there is no member who is a scientist with geological background. The board proposed in this Bill will provide three members of professional standing who will sit on the hearing of all types of appeals. Additionally, there will be members who will sit only when their particular qualifications are applicable to the appeal being heard.

An important variation arises in respect of the well drillers' appeals in that the description of the well drilling member is changed from "a member of the Licensed Well Drillers Association" to "a person widely experienced in well drilling". It is considered extremely desirable that the choice of this member of the board should not be restricted to one particular organization within the well drilling industry or that only one organization should be invited to nominate persons to be considered for appointment to the board. The main concern should be to obtain the services of the most suitable person to make available his knowledge during the deliberations of the board and not to create the impression that the member is representing certain interests. All members of the board are appointed to apply their knowledge in a judicial capacity and not to act as representatives of any section of the community.

Under the existing Act such wide powers were vested in the appeal board that it could, in effect, dictate policy if it so desired and place the whole purpose of the Act in jeopardy. The powers permitted in this Bill are a curtailment of the present powers of the board but still allow ample latitude in the hearing and determination of an appeal.

Part VI (clauses 52 to 61) contains the general provisions and differs from that part of the present Act in that those portions dealing with permits which were previously included in this Part have, in this Bill, been included in "Part II—Wells". The power to prescribe defined areas and depths has been included in the regulation clause; some clauses have been redrafted and the "powers of entry" clause (clause 52) has been extended. The lastmentioned has been found necessary, as experience has shown that the previous provisions did not give the Minister or authorized person power to enter the land to obtain information as opposed to a straightout inspection. Clause 52 also gives the Minister power to carry out such operations on a well as may be necessary to investigate the condition of the

well. This provision is designed to enable headworks of wells to be modified to allow the insertion of instruments, such as electric probes, to determine the condition and position of casing and the site and extent of subsurface loss of flow in artesian wells. The latter has particular application at present in artesian wells in the South-East defined areas.

An additional provision is also made in the regulation clause (clause 61) to allow the proclamation of areas in which it is not considered necessary or practicable at that stage to be subject to all the provisions of the Act but which warrant a measure of preliminary control to ensure that only competent drillers operate therein. In such areas only licensed drillers would be permitted to engage in work on wells deeper than the prescribed depth for the particular area. It is not at present proposed to prescribe such areas, but the provision is included in case it should become necessary in the future to do so.

The Bill, as with the present legislation, is designed not to be essentially restrictive but to provide the means whereby the State's groundwater resources can be used to best advantage, both now and in the future. Its intention is merely to provide for control and remedial action when sufficient evidence is available that a particular resource is being or could be over-exploited or contaminated.

The Hon. A. F. KNEEBONE secured the adjournment of the debate.

DAIRY INDUSTRY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 24. Page 1699.)

The Hon. H. K. KEMP (Southern): I wish to speak only briefly to this Bill, first foreshadowing an amendment to the definition of "milk" which I am sure, as it reads, is meaningless scientifically. In fact, it could be grossly misinterpreted and could lead to many secretions beyond milk being included under the definition in the Act. I am sure that it is not the Minister's intention to include sundry secretions in the definition. My amendment will be a very simple one: it will refer only to the udder secretions of a cow or of a goat.

The Hon. Mr. Kneebone dealt with clause 4, which is a very necessary clause. In the greater number of our smaller country towns we have milk retailers purchasing from a dairy farmer in the vicinity, and in this case it seems to be utterly ridiculous that the milk should be subject to all the testing in regard to protein and fat content and the weighing procedures laid down for factory receival. In no way does it give escape from the responsibility of the producer to keep the milk quality up to the standard required.

In fact, these retailer distributors and the producers are just as subject to health and quality inspections as are any other milk retailers in the State, and certainly the quality as far as butter fat content and protein content is concerned is exactly the same in each case. The amendment is to remove the legal necessity for the rigmarole of sampling and recording and the expensive equipment for testing necessary in factories to be used in the case of this one retailer or one producer set-up that obtains, I think, in the great majority of country towns which have a fresh milk supplier. I do not think there is any necessity to go into further detail. I think that the Bill is highly desirable and that it certainly warrants our support.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 24. Page 1700.)

The Hon. R. A. GEDDES (Northern): I consider it is time that a look was taken at the whole complexity of the Licensing Act, which I think should be designed so that a reasonable service can be provided for the public consistent with the protection of existing rights and privileges of those in the trade. This should be the first consideration. The Act should not be a protection for monopolies nor should it allow monopolies to occur; it should be designed to cover all contingencies so that it is not necessary to write in special sections to deal with such things as Windy Point or Graham's Castle or Wilpena Pound. The legislation should be more consistent and not grant favours to some sections of the trade and impose restrictions that are possibly unnecessary on other sections.

If a man's business is selling men's clothes and he finds it unprofitable, he can of his own volition change to selling both men's and women's clothes and he may thereby prosper. He does not have to go to a court and incur costs to widen his trade and earn a livelihood. However, because of the restrictive nature of this legislation, this is happening in the liquor trade: those who wish to sell a wider range of products must apply to the court and pay high legal costs. Should the court refuse the application, the applicant's trade is restricted and he has to face economic hardship.

I realize that the licensing legislation, which in many ways I consider to be too restrictive, has grown from necessity and from the moral indignation in respect of the demon liquor that was prevalent years ago. However, with social changes and the influence of immigrants, some degree of laxity could well be allowed today. The legislation should lay down guide lines for the behaviour of those in the liquor trade, which should operate in the freedom that other trades enjoy. The laws of supply and demand should be the deciding factor in connection with the number and location of hotels and other liquor outlets. Every time Parliament debates further amendments to this legislation the more complicated and restrictive it becomes; it helps one section but not always another. New section 17a provides:

(1) Notwithstanding any other provision of this Act, a limited publican's licence may be granted to the Workers Educational Association of South Australia Incorporated (in this section referred to as "the association") in respect of the residential college under the control of the association and situate at Goolwa known as "Graham's Castle".

Why is it necessary to spell this out? Why is it necessary to specify that one particular place may have a licence? Why can the Bill not be drafted in such a way that if a licence is needed there the organization can get it in its own way, just as a man who wants to register his motor car can do so in his own way? It is beyond me why this organization should be allowed to have this kind of licence. I cannot see why it cannot apply for a permit and obtain its liquor from the nearest hotel, as other organizations do. This provision grants to the Workers Educational Association privileges denied to many other organizations that may wish to have similar conference centres and enjoy the convivial glass.

Some people have told me that it is mainly youngsters who attend this residential college —it is a type of youth camp; if it is, it is wrong to grant it a limited publican's licence. If my information is correct and if youth organizations sometimes use the college and at other times adults use it, the adults can apply for a permit if they want the privilege of drinking alcoholic liquor. My amazement has been occasioned not by the fact that the Workers Educational Association is involved but because it has been found necessary to write this sort of thing into the legislation. Clause 8 involves an unfair anomaly. New section 21 (2) provides:

Subject to subsection (3) of this section, a wholesale storekeeper's licence granted before the commencement of the Licensing Act Amendment Act, 1969, shall not be renewed unless the court is satisfied that the predominant proportion of the whole of the trade conducted in pursuance of the licence consists of the sale and disposal of liquor to persons licensed under this Act . . .

This is how we would imagine a wholesale trader would operate, but new subsection (3) provides that some traders can be exempted; it provides:

If, upon the application, next ensuing after the commencement of the Licensing Act Amendment Act, 1969, for the renewal of a wholesale storekeeper's licence, the holder of the licence satisfies the court that, by reason of subsection (2) of this section, the trade conducted by him in pursuance of the licence up to the date of the application could not continue undiminished, the court shall exempt that person from the provisions of that subsection . . .

So, we have one definition of a wholesale trader; then we have a definition of a wholesale trader who can do other things. New subsection (4) provides:

A wholesale storekeeper's licence shall not be granted after the commencement of the Licensing Act Amendment Act, 1969, and a licence granted after that date shall not be renewed, unless the court is satisfied . . .

I hope the Minister will explain this play on words, which I cannot follow. The subsection provides that a wholesale storekeeper's licence shall not be renewed unless the court is satisfied as follows:

. . . that a proportion of not less than ninety per centum of the moneys paid or to be paid to the holder of the licence in respect of the sale and disposal of liquor pursuant to the licence is, or will be, so paid in respect of the sale and disposal of liquor to persons licensed under this Act . . .

So, first, we have a provision that the trade must be predominantly wholesale, then we have a provision that some shall be exempt, and now we have a provision that 90 per cent of the trade must be wholesale, leaving only 10 per cent to the general retail trade. Why is this necessary? Let us consider the firm of Harris Scarfe Limited, where a storekeeper can buy wholesale and where John Citizen can buy both at wholesale and at retail rates. I use that firm only as an illustration, because there are dozens of others. In other sections of trade and commerce there is no restriction: the businesses decide what kind of discounts they will give, and they allow them to the type of clients they have.

The Hon. S. C. Bevan: Would you apply this principle to opticians?

The Hon. R. A. GEDDES: We are not debating the Opticians Act Amendment Bill at the moment.

The Hon. A. J. Shard: When things are different they are not the same.

The Hon. R. A. GEDDES: Perhaps. This gives, takes away and restricts in three ways, which in my opinion is not right or just. As members know, I have a contingent Notice of Motion on file dealing with certain other problems in relation to this clause.

I turn now to clause 9, which deals with vignerons' licences. A section of the trade has complained that the words "or, in the case of a sale to a person or organization licensed to sell liquor, is sold and delivered at that place or at the licensed premises of that person or organization" could mean that a vigneron would be able to deliver to a hotel any quantity, whether only half a bottle or many gallons were involved. I do not think this complaint can be justified because the Act clearly provides that every vigneron's licence shall authorize the person licensed to sell and dispose of mead, wine, cider or perry on any day except Sunday, Good Friday and Christmas Day between the hours of 5 o'clock in the morning and 6 o'clock in the evening in any quantity to any person or organization licensed to sell liquor, or in quantities of not less than two gallons at a time to persons not licensed by the Act. If it is correct that a vigneron with a vigneron's licence could sell to the retail trade only in two-gallon lots or more, the amendment would be satisfactory. However, if it means that the vigneron could do what he wishes with his product, such as delivering it himself to a hotel, even though I believe the Act should be broadened and made more realistic in the light of present-day circumstances, I think this matter should be examined to ensure that no-one will come in by the back door.

New subsection (2) inserted by clause 9 provides that the holder of a vigneron's licence shall not be entitled to sell or dispose of brandy in pursuance of the licence unless he satisfies the court that he uses each year not less than 1,000 tons of grapes in the course of his business as a vigneron. This is a necessary amendment that will help a section of the trade which, because of the peculiarities of the cost of making brandy and other relevant factors involved, has its brandy made elsewhere and delivers to its own bottle outlet. It is also necessary because, although there are only five principal champagne makers in Australia, many champagne brands are sold. Therefore, a provision making this practice legal should be written into the Act. Surely, if such firms want to make brandy in this way they should be able to go about it as they desire.

The Hon. Sir Norman Jude's foreshadowed amendment is also necessary for the trade, but I would not debate that point because of its general acceptance outside of this Council. The Hon. Mr. Whyte said he could see no reason why the words "recognized youth centre" should be removed from the Act by clause 14. I am rather surprised that it should have been considered necessary for these words to be removed, although the Minister said in his second reading explanation that these words, which had been inserted in the Act by this Council but which had been disagreed to by the House of Assembly, had remained in the Act.

The Act contains a list of objections that can be lodged to the granting or renewal of a licence. Indeed, there are several pages of objections. It is interesting to note that if a man is interested in keeping a brothel or a house of ill fame objection can be raised, although another Act contains a provision that those places are not allowed anyway. It appears that we still have to include in the Act a long list of things that one can and cannot do.

Section 48 (2) (a) provides that objections can be lodged against an application regarding premises not previously licensed if the said premises are in the vicinity of a church or other place of public worship, or a hospital, recognized youth centre or school, and which would, if licensed, be the cause of inconvenience or annoyance to the persons using or frequenting such church, place of worship, hospital, centre or school.

If we believe that youth centres have merit (which I do) and that youth needs these sorts of centre to help them grow up into manhood, is it a real problem if a recognized youth centre is near proposed licensed premises? Also, should people be able to object to it? I find this provision rather strange, and I should appreciate it if the Minister, bearing in mind that his second reading explanation in this regard was so brief, would explain later the reasons why this alteration is necessary.

Another problem exists regarding clause 22. It amends section 65 of the principal Act, which sets out the way in which a person can apply for a booth licence. Subsection (5) provides:

Nothing in this section shall apply to the occasion of any cadets' military encampment, or any races, regatta, rowing or other match or sports held in connection with any college or school, or any association of which the members are or may be of less than 20 years of age.

That is, in my opinion, fair enough. Proposed new subsection (6) provides that a certificate may be granted subject to such terms and conditions as the court thinks fit. Does that mean that the court in its wisdom may, if the amendment is passed, allow drinking at races, regattas, and other events held by schools, or is it applicable to the whole meaning of the special authority to sell liquor pursuant to a booth keeper's licence? It does not read on into the sequence of the principal Act, as I interpret it.

Clause 25 allows a person at least seven days before the day on which an application for a permit under this section is to be heard the right to object to the granting of a permit to a club. This is rather a strange thing. Again, the second reading explanation does not say why this provision is needed. I recognize that people should have the right to object in a case like this, but I am worried because, particularly in a small country town, if a football club wants a club permit to sell liquor at certain times and the local hotel man says, "This will be detrimental to my trade; I shall oppose this", and he asks the hotels association whether it will help him to oppose it, will it mean that the financial weight and prestige of the hotels association could virtually swamp such a club in a country town and prevent it from getting its licence as it would not have the money to brief counsel to represent it in court? It is good that new subsection (6c) states:

If, in the opinion of the court, a person who objects to the grant of a permit under subsection (6a) of this section has failed to show a good and sufficient reason why the permit should not be granted, the court may order him to pay such costs as the court deems just to the applicant.

Those are sound words to be inserted but, if this is designed to prevent clubs growing to become cancers in society, a different argument can be used. I do not know whether a club permit applies to big or to small clubs.

Clause 26 stipulates that certain clubs can have a permit for the keeping of liquor upon club premises. New section 67a (3) provides:

A permit under this section shall be granted upon condition that liquor consumed upon the club premises must be provided by, and at the expense of, a member of the club and that a member of the club shall not introduce more than three visitors to the club on any one day.

We see that section 67 of the principal Act provides that in a certain type of club a member can invite one visitor, but under new section 67a a member of a certain type of club can invite three visitors, while under section 89 a member can invite five visitors. What distinctions and discriminations do we introduce into this game of hide and seek in respect of drinking beer, brandy or whisky? A member of one type of club can have one visitor, the member of another type of club can have three visitors, and the member of yet another type of club can have five visitors. This does not seem to be very sensible.

Finally, clause 33 amends the Act in respect of entertainment permits—at least, I presume it does, for I cannot understand it. The principal Act imposes certain restrictions on licensed premises in respect of theatrical performances, etc. For instance, it provides that on certain days, such as Christmas Day, restrictions must be placed on performances by artists. Clause 33 introduces the words:

if the music is not provided by live artists—

note the plural "artists"—

on the premises or is provided by not more than one live artist on the premises.

In that case, a permit may be granted. We can imagine the judge and his two assistants sitting on the bench and ponderously considering that not more than one live artist on the premises shall be given a permit to play a banjo on Christmas Day! I read these words "live artist" to be not so much the strip-tease type of artist, because the word "music" is included in the paragraph.

The Hon. C. M. Hill: They sometimes strip to music.

The Hon. R. A. GEDDES: What happens in the case of an ambidexterous person who plays a drum and a whistle at the same time? Is he one live artist, or what? Some interesting comments can be made on this legislation as time goes on. Already, there are on the file several amendments that it would be better to discuss during the Committee stage. I support the broad principles of the Bill and think it is necessary, except for all this paraphernalia about whether a man may make or sell brandy or may drink beer at his pleasure or displeasure, how he does it, and how many people he can invite. I am prepared to support the Bill but shall have more to say in Committee.

The Hon. Sir NORMAN JUDE secured the adjournment of the debate.

OPTICIANS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 24. Page 1702.)

The Hon. L. R. HART (Midland): I rise to support this Bill, which, amongst other things, sets out to bring the Opticians Act up to date. Anything we can do to stamp out unethical and unprofessional practices should be fully supported by the members of this Chamber. The standard of optometry in Australia is particularly high, even by world standards. Although in South Australia we do not have a school of optometry, those wishing to study this profession can do a four-year course either in Sydney or in Melbourne. It would not be possible to have a school of optometry in South Australia of the high standard of the schools in the two Eastern States.

As I understand the situation in regard to clause 21 of the Bill, a student who has been studying optometry in these schools may gain practical experience during the vacation period, in addition to the clinical experience he gains during the academic year. The students can now have experience in an established optometric practice that may or may not be of an apprenticeship nature; in the past it has always been an apprenticeship. It is proposed to amend the provisions in the Act dealing with extra-curriculum training to make provision for the training of students to standards to be prescribed, and with the safeguard of strict supervision. I believe this is a worthwhile step because, after a student has been training in one of the other States, during his course he may become orientated towards that State and be reluctant to return to South Australia, but if during his vacation period he is permitted to come to South Australia and work in the field of optometry then it is more likely that he will return to this State on the completion of his academic course.

I fully agree with the repeal of that portion of section 21 of the Act dealing with licensed spectacle sellers. As the Minister has stated, there are no licensed spectacle sellers at present. The Hon. Mr. Springett stressed the importance of the eye and how it can be ruined by wrong treatment. In these days, with medical and other benefits, no-one is denied proper advice and treatment for the eyes. I believe that we have moved from the days when a person would visit a departmental store (as was, I believe, the practice in olden days) to try on a number of sets of glasses until one was found that was suitable. In many cases people were able to obtain a set of spectacles that did all that was required to improve eyesight, but there was always the case where, as Mr. Springett mentioned, the eye needed attention for some ailment that was present. It is necessary that proper treatment should be obtained and that people should have proper eye examinations when their eyesight is failing.

The Bill proposes that several other redundant sections of the Act will be repealed, in particular that section relating to a person being permitted to practise as an optician provided he has operated as such, or has practised in the field of optometry, for a period of three years prior to the First World War. Of course, none of these people would be practising at the present time.

The Hon. Mr. Bevan raised a number of issues, one of which was his objection to the board being elected in perpetuity. I cannot understand his objection to that clause. Obviously, for the board to have any legal standing or status, it is necessary that that appointment be in perpetuity; after all, the members of the board are still elected for a three-year term—it is not the individual members that are elected in perpetuity. The Hon. Mr. Bevan after making those objections, then said, "I do not disagree with clause 6." Clause 6 is the very clause with which he was disagreeing, and then he went on to say that he did not disagree with it, and therefore I am not sure that he was opposing it. He also objected to the constitution of the board, and the Hon. Mr. Springett also raised objections in that regard. The board at present consists of two certified opticians and one medical practitioner nominated by the Minister; one certified optician and one medical practitioner nominated by the certified opticians. In the case of the medical practitioner nominated—

The Hon. S. C. Bevan: You said that three should be nominated by opticians; only one is nominated by opticians.

The Hon. L. R. HART: I said that the certified opticians nominate one and one medical practitioner.

The Hon. S. C. Bevan: But before that you said that three were nominated by the registered opticians; they are nominated by the Minister.

The Hon. L. R. HART: If I put it incorrectly before, I stand corrected. To my knowledge, the medical practitioner who has been nominated in the past by the certified opticians has always been an eye specialist. I think that is a point the Hon. Mr. Springett made, that

at least one, if not two, of the medical practitioners should be an eye specialist. From past history, it would appear that at least one has been an eye specialist. The medical practitioner nominated by the Minister at present is Dr. Woodruff, the Director General of Public Health. No doubt the person holding this office should be a member of the board and, indeed, chairman of the board. He, no doubt, is appointed not only because of his medical knowledge, but also, perhaps, because of his organizing ability. Although it would appear on the surface that there is good reason that there should be some alteration to the method of electing these people, perhaps past history would indicate that the people elected and the methods of election have always been satisfactory.

The Hon. S. C. Bevan: Have they?

The Hon. L. R. HART: The Hon. Mr. Bevan also objected to the amendment of the Fourth Schedule in relation to paragraph 9 dealing with advertising. I agree that opticians should not indulge in advertising. It is a professional practice and we do not find in the medical profession that a medico is permitted to advertise; I think opticians fall into a similar category, and I agree with the amendment. I believe that there are other professions in which advertising should be disallowed, particularly with regard to the suppliers of hearing aids, and I believe the Government should consider introducing legislation to prevent advertising by suppliers of hearing aids.

Undoubtedly if advertising is permitted in an industry then the article being sold must be heavily loaded in price in order to cover the cost of advertising. A person requiring spectacles is not likely to indulge in impulse buying, as that person only buys spectacles because a need has been established, in most cases, by a professional person who has perhaps prescribed those spectacles. There should be no purpose for such people to indulge in advertising, and I fully agree with the amendment that has been introduced.

The Hon. S. C. Bevan: Why should an organization be debarred from advising its members? That is not advertising by an optician by any stretch of the imagination, for he would not know anything about it.

The Hon. L. R. HART: There is nothing to stop an organization advising its members provided it does not do it by a method of advertising in the press or through its own journals. Carrying the matter to its logical conclusion, there could be a very good reason why the same organization should advertise on behalf of a doctor.

The Hon. S. C. Bevan: It would do so if it appointed one.

The Hon. L. R. HART: Under the Act, doctors are not permitted to advertise, and I believe that the suppliers of optical requirements come into a similar category.

The Hon. Mr. Bevan raised the question of the code of ethics. There are precedents for this, for there are other professions that have a code of ethics with which its members are expected to comply. For instance, there is a code of ethics under the Dental Act and another under the Veterinary Surgeons Act, and no great objection has been taken to that within those particular fields. The honourable member also dealt with the question of discounts. However, I have never heard of any objections by the board to the giving of discounts.

The Hon. A. J. Shard: Then you have a lot to learn.

The Hon. L. R. HART: As I understand the position, opticians are encouraged to sell at prices that are attractive to clients. At no time has the board introduced regulations prohibiting discounts being given.

The Hon. A. J. Shard: They have tried to.

The Hon. L. R. HART: That does not matter: no regulation has ever been introduced prohibiting discounts being given.

The Hon. S. C. Bevan: Do you agree that they should be allowed to give a discount?

The Hon. L. R. HART: They do give discounts.

The Hon. S. C. Bevan: I know that. I am asking whether you agree that they should be allowed to.

The Hon. L. R. HART: Yes, I have no objection to that.

The Hon. S. C. Bevan: You are going just the opposite way; this clause does just the opposite.

The Hon. A. J. Shard: That is its whole purpose.

The Hon. L. R. HART: I do not disagree with discounts being given. Discounts are given in other professional fields. Many members of the medical profession do operations at a cheaper rate for some people than for others, and that is virtually giving a discount.

The Hon. A. J. Shard: If this goes through, you will hear all about discounts from the opticians.

The Hon. S. C. Bevan: Yes, if Parliament is not in session.

The Hon. A. J. Shard: Yes, and that is the sole purpose of this Bill—to stop giving discounts.

The Hon. L. R. HART: I do not agree.

The Hon. A. J. Shard: Well, you have a lot to learn.

The Hon. L. R. HART: I do not agree that the sole purpose of this Bill is to stop giving discounts.

The Hon. A. J. Shard: Yes it is.

The Hon. L. R. HART: They cannot be prevented from giving discounts unless regulations to prevent that are introduced.

The Hon. A. J. Shard: It is the sole purpose of the Bill; even the Minister would admit that.

The Hon. L. R. HART: The code of ethics is involved.

The Hon. A. J. Shard: If it merely introduced a code of ethics, we could agree with it.

The Hon. L. R. HART: The Leader has plenty of time to make his own speech.

The Hon. A. J. Shard: We are only trying to help you.

The Hon. L. R. HART: Perhaps at the appropriate time the Leader can make a considered speech instead of one by interjection, and no doubt if his considered speech is based on logic it will have some influence on this Council. We look forward to hearing from the Leader on this subject about which he is so vocal; if he is just as knowledgeable as he is vocal, we shall no doubt be treated to a speech of some noteworthiness.

The Hon. A. J. Shard: This matter has been going on for years.

The Hon. L. R. HART: The Hon. Mr. Springett raised a question regarding dispensing opticians being prevented from operating in this State. As I understand the position, the dispensing opticians in South Australia have always been certified opticians and there has been no shortage of these people. Although the situation in the other States is somewhat different, this work of the dispensing opticians in South Australia has always been done by a certified optician and there have always been sufficient certified opticians to carry it out.

Clause 14 amends section 18 of the principal Act dealing with reciprocity. Section 18 states:

The board may enter into a reciprocal arrangement with the Board of Optical Registration or other competent authority of the United Kingdom or of any state or colony within His Majesty's dominions for the recognition of the status of any person authorized by such board or other authority to practise optometry in such country, state, or colony, and the registration of such persons under this Act.

In this amending clause we broaden the category of people who may be permitted to practise optometry in this country. I believe that this is a very worthwhile move, because we have coming to this country today many migrants who are highly qualified and who can practise in their particular field in this country to the advantage of its residents. There are cases, of course, where people coming to this country have a professional status that is perhaps of not as high a standard as that pertaining here. However, in this particular case I believe this provision is an advantage, and I commend the Government for introducing it.

I do not think I need speak at further length. This is a Bill with which I am not particularly conversant. It contains many clauses, and no doubt in Committee these can be dealt with at greater length. With those few remarks, I support the second reading.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

ELECTORAL ACT AMENDMENT BILL

In Committee.

(Continued from September 24. Page 1704.)

New clause 29a.

The Hon. C. M. HILL (Minister of Local Government): Following what I said yesterday about information passed on to me from the Returning Officer, I now have a letter dated September 25 addressed to me from the State Electoral Department; it is as follows:

Dear Sir, I have been requested to inform you concerning the arrangements in polling booths during State elections in South Australia. Pursuant to the Act, there is a presiding officer appointed to be in charge of each gazetted polling place, and he is in every case assisted by an assistant presiding officer or a poll clerk. In no polling booths are there less than two officers appointed to conduct the poll. Yours faithfully, N. B. Douglass, Returning Officer for the State.

This letter confirms beyond all doubt that in each polling booth there will be at least two officers—and that is the requirement in the Hon. Mr. Potter's amendment.

The Hon. A. J. SHARD: I, too, made some inquiries, but my information from the same department did not go as far as the Minister's information. I have not yet looked at the definition of "officer", so I do not know whether a poll clerk is an officer. My information is

that the Act provides that money shall be made available so that at least two officers can be at each polling booth, but this does not mean that there will always be two. It bears out what the Hon. Mr. Kneebone said—that somewhere on Yorke Peninsula there was only one officer.

The Hon. Sir Norman Jude: There are plenty of them.

The Hon. C. M. Hill: Are you questioning Mr. Douglass?

The Hon. A. J. SHARD: Yes. I repeat that the Act provides for the money to be available. I have been in places where there has been only one officer, and the Hon. Mr. Kneebone and the Hon. Sir Norman Jude have said that they have been in such places, too. Nevertheless, I think it is correct that usually two officers are in each polling booth. We are now seeing an extreme case of a contradiction of a viewpoint from Government members. They have talked about wanting to make greater voting facilities available, but now they are confining the facilities.

The Hon. F. J. Potter: How?

The Hon. A. J. SHARD: Some honourable members want to take away the right of a person to take a friend or relative into a booth.

The Hon. F. J. Potter: In what way are we doing this?

The Hon. A. J. SHARD: Some honourable members are stipulating that the only person who can help a voter is the presiding officer, in the presence of another officer. In this way the number of people who can help a voter is being reduced.

The Hon. V. G. Springett: It is not reducing the opportunity.

The Hon. A. J. SHARD: No. Many elderly people would not want a presiding officer's help, because they fear officers and public servants and have no confidence in them.

The Hon. L. R. Hart: Politicians, too, are in that category.

The Hon. A. J. SHARD: If the honourable member is looking at me, he is dead right. I can think of many instances where I have not had confidence in a public servant. I think we would all agree on that.

The Hon. C. M. Hill: Speak for your yourself.

The Hon. A. J. SHARD: I have had occasion to chastise public servants—Commonwealth public servants, not State public servants. Not everyone has complete confidence in public servants. Consequently, some of the people we are trying to help would not want the assistance of a presiding officer or a poll clerk. Therefore, I cannot see any reason why section 110 should be repealed and the new provision inserted. I have never known an objection to be taken to section 110; so, why should it be removed?

The Hon. S. C. Bevan: There may be an ulterior motive.

The Hon. A. J. SHARD: Yes, the amendment says that a person needing assistance must be helped by an officer, and no-one else. The Council will surely be blamed if this amendment is carried.

The Hon. C. M. Hill: The amendment provides for two responsible people to assist the voter.

The Hon. A. J. SHARD: I would say that some of them are most irresponsible, and I can cite cases if I am asked to do so. I once put a presiding officer on the spot and said, "If you do not correct this, you will be reported."

The Hon. G. J. Gilfillan: Why were you in the polling booth?

The Hon. A. J. SHARD: I was scrutineering, and I was a campaign director for a candidate. It hurt me to see on the presiding officer's table and elsewhere in the polling booth Liberal and Country League how-to-vote pamphlets. This indicates how responsible some officers are! I can name the booth and the presiding officer—he was a friend of mine.

The Hon. S. C. Bevan: That accounts for it.

The Hon. A. J. SHARD: Yes, but he did not have my political views. I have been in numerous polling booths where Australian Labor Party pamphlets were taken out of the booth, but plenty of L.C.L. pamphlets were left. Because this amendment is a retrograde step, I urge the Committee not to repeal section 110. If someone can prove to me that it has not worked fairly, I shall agree to its repeal, but no-one has done so. I oppose the amendment with all the strength I can, and I hope I receive support in this respect. We should leave the section as it is because it has never done any harm.

The Hon. Sir NORMAN JUDE: I think I should, in order to clarify the matter, state that I interjected to the effect that I knew there were plenty of polling places where only one officer was present, but I point out that that was some years ago.

The Hon. R. C. DeGARIS (Chief Secretary): I had no intention of engaging in debate on this matter but, from the statements that the Leader has made this afternoon, it appears

that the only people who do anything wrong at polling booths are those associated with the Liberal and Country League.

The Hon. D. H. L. Banfield: That makes sense!

The Hon. R. C. DeGARIS: It might to the honourable member. However, I point out that we have heard much in this Chamber recently and in another place of the abuses that occur on polling days. Accusations have been made by certain people in the press, and I, as well as other members, have been accused of skulduggery. If the Leader would like me to give him other instances of abuses that have occurred, I will do so now. I have seen outside a polling booth people supporting a political Party running down the street after having seen an elderly person coming along to vote. They rush up to such a person, and say, "We will help you to vote." They then take that person in and vote for him when he is probably able to do so himself.

We have listened today to the emotional argument about eliminating these abuses that occur at polling booths. I do not wish to make any accusations, but I know of one small booth where about 2,500 people vote and where one person at one election cast 120 votes for people who were supposed to be incapacitated. Yet the Leader talks about where the blame for these abuses lie.

The Hon. A. J. Shard: The presiding officer could not have been very responsible if he permitted that practice.

The Hon. R. C. DeGARIS: The Leader has already made that point himself, and I agree that the presiding officer is placed in an invidious position in this regard. Pursuant to section 110 of the Act, a person has merely to go to the presiding officer and request assistance to vote. Therefore, it is not a matter of the rights of the presiding officer but of what the section provides. I have seen people who do not want assistance being bludgeoned into being assisted at a polling booth and having their vote cast for them. If we want to eliminate one of the worst abuses that occurs at the moment, we should get rid of section 110.

The Hon. F. J. POTTER: Two or three matters that were raised by the Leader call for some comment, and I refer first to the possibility of more than one officer being present at a booth. I point out that "officer" is defined in the Act to mean any officer appointed under the Act or exercising any power or discharging any duty thereunder. Therefore, the poll clerk is obviously included. Regarding the difficulties that might arise in certain emergencies, I refer to section 88 (2) of the Act, which provides as follows:

In any emergency on polling day due to the absence of any assistant presiding officer, poll clerk, or doorkeeper, or to any unforeseen and continued pressure at the polling which cannot be met by the duly appointed officers, the presiding officer may appoint any person to act as assistant presiding officer, poll clerk, or doorkeeper, and the person so appointed or acting shall be deemed to have been duly appointed if the returning officer, or deputy returning officer, afterwards ratifies the appointment by appointing that person to be assistant presiding officer, poll clerk, or doorkeeper, as the case may be.

Such a person must be 21 years of age. Section 89 provides that any presiding officer may appoint a substitute to perform his duties during his temporary absence for any cause, and the substitute may, while so acting, exercise all the powers of the presiding officer, and shall, in the exercise of those powers, be deemed to be the presiding officer.

Therefore, the Act is quite clear in this respect. Also, the letter that was read by the Minister makes the position quite clear: that two officers will always be available at a booth at any time during a polling day. I find it difficult to understand the somewhat emotional matters that have been raised by the Leader. He said that people will have no confidence in the presiding officer; anyone would think that the voters were going to visit the dentist instead of going to cast a vote and, therefore, that they must have someone to hold their hands in case they are not able to survive the ordeal, an ordeal that involves their going up to the presiding officer and satisfying him that they need assistance to vote. This is no more difficult than fronting up to a teller behind the counter in a bank or to some responsible public servant in a Government department.

It is absolutely ridiculous to say that one would need someone he knew and trusted to whom he could go. I do not know personally of any abuses that have occurred in this respect in the past, although I have heard of some. The Chief Secretary has said that he personally knows of some that have occurred.

It is right in principle that the presiding officer should be the person who must be satisfied of the incapacity of the voter and that he should be responsible for recording the vote at the direction of the voter. On the other hand, it is wrong in principle that the Act should allow a person who is a friend of the voter, or even a complete stranger, to go in and handle the vote for the person

involved without being in the presence of the presiding officer. This would happen, because it is not necessary at present, pursuant to section 110, for the presiding officer to be present while the vote is cast.

I believe, as does the Chief Secretary, that pressure could be brought to bear on presiding officers to allow this to be done because it is the easiest way out. Under my amendment the presiding officer will have to be satisfied of the circumstances existing in the particular case, and I consider that the amendment is a good one.

The Hon. D. H. L. BANFIELD: I can foresee complications arising if the amendment is proceeded with. In some country towns the whole staff at the polling booth might have to accompany such a person who desires assistance. One could imagine the situation after a football match when many people go simultaneously to cast their votes, only to find that they have to be held up while the whole staff is assisting an incapacitated person to vote.

As the Leader has said, no written complaints would have been submitted to the Returning Officer for the State regarding what goes on as a result of section 110, yet we find that this amendment is being introduced. It would appear that at least three officers would have to be at every polling booth in case a person desired the assistance of the presiding officer. If he did not have sufficient assistance, it could mean that he would have to take all his papers with him while assisting such a person to vote, because they would otherwise be left lying on the table unattended while he and the clerk were in a booth. He would have to take his papers with him to where the voting was to take place while people queued up to help themselves to the ballot-papers. It is illogical. I oppose the amendment.

The Hon. S. C. BEVAN: I am concerned about the statement made by the Chief Secretary that it is more appropriate that the presiding officer in the presence of another officer should be the one to assist a person, on request, to vote.

The Hon. F. J. Potter: At that person's direction, though.

The Hon. S. C. BEVAN: I agree: at the direction of the person concerned, he would be doing the voting. I accept the fact that a person's own family could be irresponsible in these matters and would not observe his desires. It could be suggested that an honourable member's mother might consider that a presiding officer in a polling booth would be more capable of carrying out her wishes than her own son would be; so we debar the son from acting on behalf of his mother, under this new clause.

The Hon. D. H. L. Banfield: Or the husband.

The Hon. S. C. BEVAN: Any relative. The Chief Secretary has said this afternoon that on one day one person went into a polling booth and exercised the right to vote on behalf of 120 people. As I interpret the present Act, the presiding officer must be a person who, in those circumstances, should not be in the booth as a presiding officer, because each individual application would have to be made to him: there would not be a blanket authority for people to vote for others. Individual applications would have to be made to the presiding officer, who in each case would ask, "Do you desire this person to vote for you?" On receiving an affirmative reply, he would issue a ballot-paper and the name of the person involved would be crossed off the roll. I cannot see how a person could go into a polling booth and vote for 120 people without being challenged by the presiding officer. Something should be done about it, but there is no reason why there should be any alteration here. If a person desires a relative to vote on his behalf at a polling booth, why should he not be allowed to? Why has this matter been brought up here? It is not an improvement—it is a retrograde step. I oppose the amendment.

The Hon. G. J. GILFILLAN: I support the amendment and the remarks of the Chief Secretary, which were to the point and explained why the amendment was necessary. This Bill seeks to iron out some anomalies in the principal Act. It was the Leader of the Opposition who stated (I think I have his precise words) that the main purpose of assistance within a polling booth was to help people how to vote as they wanted to. I believe the purpose of this amendment is that people can have their vote recorded as they desire it to be. As regards the Hon. Mr. Bevan's point about families and relatives, it is well known that there are great differences of opinion in some families on political issues. I know that these differences are even more marked between the generations. The opportunity is present in families for influence to be brought to bear by some members on others.

The Chief Secretary has mentioned one person assisting no fewer than 120 people to vote. Before I was elected to Parliament I used to hand out how-to-vote cards at polling booths in my own district and in others. We all know the procedure at a polling booth, that

certain people who are accredited representatives of the candidates are there and act for them at the poll and at the scrutiny. I have seen people acting as accredited representatives of a candidate wait for certain people to come along to vote and meet them before they reach the polling booth. This is a valid amendment, in that it amends the Act so that persons who are responsible and (what is even more important) know their responsibilities are aware of the penalties involved. I do not know how deeply the honourable members who have spoken have gone into these penalties but, if they check the Act and the Bill, they will find that most of them have been raised considerably, and are now as high as $800, which is a large amount of money. None of the objections raised to this amendment are valid.

The Hon. S. C. Bevan: What about a New Australian who cannot speak English and is validly on the roll; how does he get on?

The Hon. G. J. GILFILLAN: That is an interesting question. For a person to be enrolled, he first of all has to be naturalized.

The Hon. S. C. Bevan: Very well.

The Hon. G. J. GILFILLAN: And, to be naturalized, he has to understand the language; he has to understand it at least sufficiently to go through the naturalization ceremony.

The Hon. C. M. Hill: New Australians do a very good job at these ceremonies.

The Hon. G. J. GILFILLAN: Yes, in the main. As a matter of fact, many of them take more interest in the issues of the day than perhaps do many people born in this country. Therefore, a person new to this country and who has been naturalized is competent to vote and to make his wishes known.

The Hon. Mr. Banfield raised an interesting point when he mentioned staff coping with most of the crowd who had attended a football match and who then went into the polling booth at a small country town to cast their votes. I find this rather amusing when mentioned in connection with a small country polling booth with only two officials in attendance because I think the chances of a large number of people coming through the door to vote would be very remote indeed. I support the amendment.

The Hon. L. R. HART: Points made relating to abuses in regard to section 110 of the Act have dealt mainly with polling booths in country areas. I believe that most of the abuses occur not in country areas but in the heavily populated areas close to or in the metropolitan area. That is because I do not believe the presiding officer would be able to keep a close check on every person entering the booth. I have seen instances of people (in some cases an elderly person assisted by another person) entering a polling booth, obtaining a voting paper, and then entering a voting compartment and having a vote recorded by the person accompanying them, with the presiding officer not knowing anything about the episode.

This could happen frequently in a thickly populated area with a huge number of people voting. I believe the amendment is directed as much to the latter areas as to country areas, though even in the former areas sufficient assistance is provided for the presiding officer.

The Committee divided on the new clause:

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

Noes (6)—The Hons. D. H. L. Banfield, S. C. Bevan, Jessie Cooper, A. F. Kneebone, C. D. Rowe, and A. J. Shard (teller).

Majority of 6 for the Ayes.

New clause thus inserted.

Bill reported with a further amendment. Committee's reports adopted.

ELECTORAL BOUNDARIES

The PRESIDENT laid on the table the report of the Electoral Commission.

ADJOURNMENT

At 4.17 p.m. the Council adjourned until Tuesday, September 30, at 2.15 p.m.