LEGISLATIVE COUNCIL

Wednesday, September 16, 1970

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

QUESTION

SHOPPING HOURS REFERENDUM

The Hon. C. M. HILL: I seek leave to make a short explanation prior to directing a question to the Minister representing the Minister of Labour and Industry.

Leave granted.

The Hon. C. M. HILL: My question concerns the shopping hours referendum on Saturday next. There is, I believe, still much confusion about some of the issues surrounding this referendum. I have been contacted by several people, who have asked various questions. The question uppermost in their minds is the question I shall ask the Minister today. Whilst I know the answer in broad terms was given in this Chamber during the debate on the Bill, I think that, because the public should be clearer in its mind about this referendum before Saturday, there is a need for this question to be asked and answered. I hope that some publicity may flow from it so that the public can be better informed. Is it the Government's intention to proceed and legislate to stop Friday night shopping in Elizabeth, Salisbury, Tea Tree Gully, Reynella, Morphett Vale and other places in the new metropolitan area where shops are now open on Friday night if a "No" vote succeeds on Saturday next?

The Hon. A. F. KNEEBONE: A similar question will probably be asked of my colleague in another place. In order that the answers in both places will be given in the same terms, I will refer the honourable member's question to my colleague and bring back a reply tomorrow.

PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 2. Page 1181.)

The Hon. G. J. GILFILLAN (Northern): The purpose of this Bill is to raise from $200,000 to $400,000 the minimum cost of a project that must be referred to the Public Works Committee. Although there are some minor controls, the main controls that Parliament has over the financing of public projects are those provided by the Public Works Committee and the Auditor-General, who is responsible for reporting on the State's financial transactions, mainly after they have taken place. The Auditor-General is further protected from outside influence through his position being guaranteed: he cannot be dismissed without the consent of both Houses of Parliament. The Public Works Committee is also responsible to Parliament and plays a very important part in the welfare of this State.

I doubt the wisdom of this Bill. Of the several reasons given for its introduction, the first and possibly the major reason is the change in the value of money since the present limit of $200,000 was imposed. However, I doubt whether this is a valid argument; I believe that the main consideration should be whether it is desirable that the limit should be raised to $400,000 rather than the supposition that, because the value of money has decreased, the limit should be increased. It is open to question whether the original limit of $200,000 was too high; from my experience as a member of the Public Works Committee, I believe that it was. In the many projects that come before the committee the major problems have been associated with projects in the group now proposed to be eliminated (that is, projects costing between $200,000 and $400,000).

Another reason given for the introduction of this Bill is that projects requiring investigation may be delayed. Again, this is a somewhat misleading argument. It is said that time elapses between the referral of a project to the committee and the tabling of the committee's report in Parliament. However, projects are often referred to the committee long before any move has been made on actual planning. From personal experience I can say that, unless there is something very wrong with a project, the committee handles it expeditiously. For example, evidence on a project was given to the Public Works Committee yesterday, and I know that that evidence was prepared only the day before. There is no reason why a report cannot be brought down almost immediately. The fact that a delay occurs between the reference to the committee and the actual taking of evidence is purely departmental and has nothing to do with the Public Works Committee as such.

It has also been argued that the cost and the time involved in preparing evidence by the various departments for projects in this

$200,000 to $400,000 range is considerable and that this is undesirable. From personal experience, I can say that many of the projects in this range are standard projects involving schools. With the solid construction type of school, the plans that are brought before the committee are usually very similar to plans that have been used for other projects involving about the same number of children. The Samcon type of school was specifically mentioned in debate. This is a prefabricated steel frame school which is manufactured here in Adelaide and is erected in many areas by skilled gangs of workmen who have had experience in this type of construction, and up until now at least it has been a very valuable type of building to meet the needs of schools throughout the State, particularly in the remote areas where resident contractors are not available.

Most honourable members would have seen these schools and I believe in most instances would have considered them to be of solid construction because the asbestos cladding has an aggregate finish which gives the impression of solid construction. These schools also have a further advantage in that when the demands change they can be dismantled and erected elsewhere. This is the most common type of project in the $200,000 to $400,000 range that comes before the Public Works Committee, and there is no hold-up whatsoever through the committee on these projects. There is an understanding with the departmental officers who present the evidence that it is desirable to keep a continuity of production through the process of manufacture and erection and, where a school is desired quickly, to keep this continuity of construction the committee will give the matter immediate attention.

Regarding the question of cost in the preparation of plans and specifications, I point out that in the presentation of evidence regarding the Samcon type school and the more standardized type of construction the specifications that are laid before the committee are of a standard type, and the preparation of these involves practically no work whatsoever. The presentation of a case for the construction of a school requires a forecast of the expected number of students to attend the school. This is arrived at by consultation between the Education Department and the Housing Trust regarding the future housing plans for the area. In some instances, the Town Planning Authority and local government are also consulted. By these means the officers of the Education Department are able to forecast with some accuracy the future needs of education in the area concerned.

Therefore, this point and the other point regarding the presentation of plans and specifications (which, as I have said, are somewhat standardized) are the two main items of evidence to be prepared. I believe that this is the very least that could be expected at any time whether it is intended that the proposal should come before the committee or merely be brought before the departmental heads concerned or, in some cases, the Minister. I believe that the evidence required in most of the projects between $200,000 and $400,000 should be supplied in any case to justify the proposal.

I reject the implication that the preparation of evidence for this type of project is a great handicap to the departments concerned. I believe that the preparation of evidence, or the need to prepare evidence to justify a project before the committee, is probably the most important aspect of the committee's activities, in that any project that comes before it must be of such importance that the department concerned is able to stand up to searching inquiry. This is a protection to the public and to the taxpayer that we do not want to lose. Page 2 of the 1966 Auditor-General's Report contains the following statement:

Although the cost aspect is considered by the Public Works Standing Committee, all projects are not submitted to this body. In my opinion, there should be some authority, possibly attached to the Treasury, competent to review projects such as public buildings, schools, etc., to ensure that these provide the necessary requirements at lowest possible cost. In the case of works to be submitted to the Public Works Standing Committee, a review before submission could save a considerable amount of the committee's time. The standard of projects should be in accordance with what the State can provide from its financial resources.

On page 1 of the 1969 Auditor-General's Report we read:

Generally, because of rising standards and costs, there has been an increase in the cost of various Government projects, such as school, hospital and other Government buildings. I have previously commented that, because of the burden of debt charges, it is essential that projects should be in accordance with what the State can provide from its financial resources. In my opinion insufficient attention is being given to economy consistent with necessity in the standard sought by departments and in the planning and design, particularly where projects do not come within the scrutiny of the Public Works Standing Committee.

In the 1970 Auditor-General's Report further mention is made of the spending of public money. Page 2 contains the following statement:

In spending, the criterion should not be how much has been spent but the value that is received from that expenditure, and to ensure the provision of projects of adequate standard at a minimum cost. Too much emphasis is placed by some on the amount spent rather than the effectiveness for a given cost. It is obvious that, if costs are minimized, more projects can be undertaken. At present in Government departments specifications for works are prepared departmentally or by outside firms or persons engaged for the purpose, to standards and requirements set by departments, whether the work is to be carried out by contract or departmentally. Estimates are usually based on previous departmental costs and the costs of work done are measured against these internal estimates. Some major works, with preliminary estimates of cost, come within the scrutiny of the Public Works Standing Committee with beneficial results, but these are some major works only and that Committee has no control or responsibility beyond its report to Parliament in terms of section 24 of its Act. Frequently considerable time elapses before the work is carried out and variations are made subsequent to the report of the Committee, with resultant changes in estimates. A critical review of specifications and estimates of departmental works from time to time is in my opinion desirable to ensure that essential requirements are provided at a minimum cost. A factor which I believe militates against maximum advantage in Government spending is that some departments spread their activities over a considerable number of jobs in different areas simultaneously. This leads to delay in completion and benefit therefrom, greater outlay on interest and overhead charges during construction and capital idle for longer periods. One reason for the necessity to keep the cost of capital works to a minimum is that they are generally financed from Loan funds with subsequent repayment with interest. The interest bill increases each year (details are given in the report) and forms a substantial portion of the payments from Consolidated Revenue.

I believe that these are pertinent comments that Parliament should view seriously, because we are living in a period when we are facing increasing costs, particularly in the building industry, an industry that causes members of the Public Works Committee some concern. We are also living in a year when we are facing the greatest expenditure in the history of the State and the Government has at its disposal, through accumulated funds from the previous Government, Commonwealth resources and resources within the State, considerably more money to spend than a Government has ever had before. Yet we continually hear that we shall be budgeting for a deficit, that we must have more money from the Commonwealth, and that we must increase taxation.

If all these things are considered, surely we must make sure that the revenue that is available to us is, first of all, spent in the best interests of the State and in a manner that will ensure that the best value is obtained from it. Again, let me read from the Auditor-General's Report of 1966, where he said:

In my opinion there should be some authority (possibly attached to the Treasury) competent to review projects such as public buildings, schools, etc. to ensure that these provide necessary requirements at the lowest possible cost. In the case of works to be submitted to the Public Works Standing Committee, a review before submission could save a considerable amount of committee time.

I appreciate that the honourable member who introduced this Bill and the Government that is supporting it are endeavouring to streamline the procedure of the implementation of public works within the State, but they are following the wrong method; merely raising the limit on the amount of money is a retrograde step in that it is not achieving a worthwhile saving of time, and at the same time it is offering no solution to the problem of the high cost of construction and the implementation of public works, which has brought criticism from the Auditor-General's Department.

I believe that a more positive approach would be something along the lines suggested by the Auditor-General in his 1966 report, that perhaps departmentally through the Treasury or by some other means an inquiry prior to submission to the Public Works Committee could streamline the procedure. On the question whether the present $200,000 limit is adequate, I wonder whether it is perhaps too high rather than too low. Surely we should have within this oversight of Government expenditure some other means of looking at expenditure below the $200,000 limit. I certainly believe that increasing the limit is a backward move, without a more concrete explanation than we have had. From my experience in working on this committee, I have noticed that many of the problems associated with public undertakings have been in this very financial range that we are now contemplating removing from the necessity of being scrutinized by the Public Works Committee.

It is in this range that most of the problems have occurred. In the case of the larger projects, the planning is, of course, far greater and much more detailed, certainly involving

many people, but these projects are not under consideration in this Bill. In view of what I have said, I must oppose it. I am not against any improvement that can be made in the field of Government spending and the streamlining of its operations but, as I said earlier, I believe that, if any alteration is to be made, it should be made positively and constructively to increase the oversight of this spending, if possible.

Any constructive amending Bill to this effect would have my support but I do not believe that this rather stock measure will assist in any way. I believe we could lay the taxpayer open to further imposition through insufficient oversight of the spending of the State's resources.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

SOUTH AUSTRALIAN MUSEUM EXTENSIONS

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on South Australian Museum Extensions.

GOODWOOD TO WILLUNGA RAILWAY (ALTERATION OF TERMINUS) BILL

Third reading.

The Hon. A. F. KNEEBONE (Minister of Lands) moved:

That this Bill be now read a third time.

The Hon. C. M. HILL (Central No. 2): I rise to make one point on this Bill. Over the last year or two people interested in national fitness and outdoor recreations, such as horse-riding and walking, have shown an interest in the route of the railway line that this Bill is concerned with. The Bill will, of course, provide that equipment and plant of the Railways Commissioner will be disposed of along this route, and I think it is fair to say that the land will be retained and held by the Commissioner for a long time before any other transport use is made of it. It is a large tract of land running from a point near Marino through the low-lying yet quite beautiful foothills in the Reynella and Morphett Vale districts; it then winds its way across the Willunga Plain to Willunga. These people have shown interest in that they would like to have the land used for the purpose I have mentioned. Conservationists have joined them in desiring that the land be used for a public purpose of this kind.

The previous Government set up a committee to investigate the possibility of a very long trail of about 500 miles, to be known as Flinders Way, from Cape Jervis to a point in the northern Flinders Ranges. I do not know whether this committee is still sitting but, if it is, it may well be interested in this piece of land. I am sure that the Minister will be approached by these people, who will seek the use of the land for horse-riding, walking, or a similar purpose. I hope the Minister will seriously consider such a request so that the land can be used for such a worthwhile purpose.

The Hon. Sir ARTHUR RYMILL (Central No. 2): I was interested in the Hon. Mr. Hill's suggestion about a track for horse-riding. In these circumstances I would be concerned about the danger associated with horses galloping across the Hackham crossing. Will the Minister consider that point when he replies?

The Hon. A. F. KNEEBONE: I was interested in the Hon. Mr. Hill's suggestion. The Hon. Sir Arthur Rymill was concerned that horses might gallop across the Hackham crossing when someone was coming down the hill and no railway warning lights were flashing. I will put the points raised by both honourable members to the Minister of Roads and Transport who, I am sure, will seriously consider them.

Bill read a third time and passed.

COMPANIES ACT AMENDMENT BILL

Read a third time and passed.

PUBLIC PURPOSES LOAN BILL

Adjourned debate on second reading.

(Continued from September 15. Page 1301.)

The Hon. L. R. HART (Midland): I do not want to indulge in repetition by reciting chapter and verse of this State's present financial position compared with that which existed when the previous Government came into office in 1968. That has already been done most effectively by previous speakers. However, it is worth repeating that the present Government inherited $13,032,000 of unspent Loan funds, whereas the former Government inherited only $5,600,000 of such funds in 1968. Further, if one relates these figures to the Revenue Account, one must conclude that the present Government has started off in a much healthier financial position than did the previous Government. Mr. Kenneth Davidson, the eminent financial writer for the *Australian,* summed up the States' position as follows:

The fact is that, on a reasonable basis of State spending, the additional offered to the States should allow them to get close to balancing their Budgets . . . Broadly speaking, the growth of 13.5 per cent in financial assistance this year and a growth in excess of 12 per cent in subsequent years means that Commonwealth outlays to the States will grow faster than Commonwealth revenues. Thus, there are three broad possibilities: the Commonwealth can cut back the rate of growth of other Commonwealth spending, the Commonwealth can lift its tax rates, or the Commonwealth can decide to do neither and just allow the rate of inflation to increase.

It is fair to say that the taxpayer must eventually pay for any improved services. The provision of $1,000,000 for roads and bridges in the Loan Estimates is a rather unusual item; over the last seven or eight years such an item has appeared on only one other occasion. I assume that this advance is being made to the Highways Department to permit it to meet matching money provided in the form of Commonwealth grants; if it is, one assumes that this $1,000,000 will have to be repaid subsequently. The Treasurer's statement says that this sum is provided for approach roads and ancillary services and, possibly, for the upgrading of some roads in connection with providing a ferry link between Cape Jervis and Penneshaw, on Kangaroo Island. I wonder what the term "ancillary services" means.

In providing services for a ferry, in addition to access roads it is necessary to provide a loading ramp, but that would be in the water and therefore the concern of the Marine and Harbors Department. However, there is no provision in connection with that department for a loading ramp for the proposed ferry. I therefore ask the Chief Secretary to clarify the term "ancillary services". I was associated with a Government committee that investigated a project on Kangaroo Island; in connection with that project a Government guarantee was sought to provide a facility that would undoubtedly attract tourists and benefit the residents. The project did not entirely depend on the provision of a ferry service, but such a service would have greatly benefited it. In this instance we are providing the roads but we are not providing the ramp or the ferry.

The Government says that not all the details have yet been worked out and that further information will be provided to Parliament as soon as possible. I look forward to the day when we will be told the actual situation regarding this ferry service.

I understand that it is proposed that this ferry service will be in operation by June of next year. Another private ferry service is expected to operate to Kangaroo Island by November. This service will be provided by a Kangaroo Island resident who has built his own ferry. I am not too sure what facilities this ferry will use. Some facilities exist at Cape Jervis at present, but these would not provide for any roll-on-roll-off service and no doubt it will be only a passenger service at this point of time.

It is pleasing to note that the Government has again provided money for the purchase of land for afforestation. I am interested to know how many acres of land has been purchased. We have been told only the total sum of money provided: no mention was made of the number of acres purchased last year or the number it is hoped to purchase this year. I have spoken at length at different times about afforestation. I believe that this is a field in which private enterprise could be encouraged. Much land in South Australia that is privately owned would be suitable for afforestation, but unfortunately private enterprise does not seem to receive the encouragement that it warrants in relation to this venture.

As a result of the Commonwealth Government's scheme for the reconstruction of dairy farms, certain dairy farms may be coming on to the market, and possibly the Government could purchase these for afforestation purposes. Perhaps some of these dairy farms would be too small for this purpose, but if several were available in an area this could well result in a profitable venture for the Government. Perhaps even dairy farmers themselves could be encouraged to plant pines on those properties.

It is rather interesting to note that the amount allocated for the control of Sirex wasp has been reduced from $58,000 to $52,000 this year. In 1964-65, the sum of $52,000 was provided, but ever since then it has been $58,000. However, this year it has gone back again to $52,000 and I wonder why this reduction has occurred. It would be interesting also to know what portion of this money is spent in South Australia. I believe the amount allocated represents a contribution to a national fund for research into the Sirex wasp. No doubt South Australia would be very vulnerable to Sirex wasp if it got into our forests. I presume that other States also make a contribution to this fund, and it would be interesting to know just how it is disbursed.

I regret that there is no allocation for the Barossa water district this year. This is unfortunate, because part of the area served by that water district includes the area of and adjacent to Two Wells and portion of the Virginia district. A total ban has been placed on indirect services in the Two Wells area, and this means that there is no further development in this area on any land that is not adjacent to a water main. Even where properties are adjacent to a water main and are connected, they are connected only on a restricted service of five gallons a minute.

I consider that the Government should look closely at the situation with regard to the reticulation of water from the Barossa reservoir to this area. I have received many requests from people for indirect services, but because of the total ban these services will not be supplied in any circumstances. I recognize that the mains that exist in this area at present are totally inadequate to supply any further services. Therefore, we must look at this question on the basis of providing a new main to this area. This would be a costly project, but possibly the State Government could make some approach to the Commonwealth Government for financial assistance under that Government's National Water Resources Development Programme, which allows it to assist some water reticulation projects in the States. South Australia has received some assistance for other projects, and I believe this one would be well worthy of assistance through Commonwealth sources.

It is also most unfortunate that no provision is made to commence the building of the Dartmouth dam. This delay could well prove disastrous to this State. We appreciate that the Murray River is in flood at present. Unless we make a start on this very necessary water storage, it will be many years before it is built. In fact, during the debate on this matter the Labor Party, when it was in Opposition, said that even when it was built it would take between five and 10 years to fill. If that is the situation, it could be 10 years at least before any water could be stored in that storage. Therefore, it is most regrettable that no provision has been made for the building of this necessary storage.

I note that $500,000 is provided to continue extending the sewerage facilities to Gawler. I also note that this comes under the "country sewerage" section of the Loan Estimates. I recognize also that portion of Gawler is in the country area, but of course portion of it is in the metropolitan area. I do not know whether there is any variation in the rate charges between these two areas, but this may be one reason why Gawler is included in the country section, and if there is any benefit to be gained from this I have no criticism to make.

I am pleased that $294,000 is provided to complete the Bolivar sewage treatment works, which have been slowly coming to completion. It is regrettable that a most obnoxious odour is still emanating from these works, and I wonder whether this odour will be eliminated entirely when the works are completed. If not, it is something to be regretted, because the prevailing winds drift across densely populated areas and the unpleasant odour is most distressing to residents in those areas.

The Hon. M. B. Dawkins: Will the reclaimed water be completely safe?

The Hon. L. R. HART: The Minister, who unfortunately is not present in the Chamber, has made certain statements regarding the use of this reclaimed water. In answer to a question from me recently, he said that certain interested parties were negotiating for the use of this water for the purposes of irrigating a golf course, almond trees or vineyards. This water has been available for these purposes ever since the time of the previous Labor Government. In fact, during the term of the Walsh-Dunstan Government a contract was drawn up and was available to users of this water if they were prepared to enter into it with the Government. However, there were certain clauses in the contract that made the use of this water very unattractive to possible users. That same situation exists today. What the Minister said was nothing new: it was exactly the same as was said during the term of the previous Labor Government, during the term of the Liberal Government, and also in the term of this Government.

The Munno Para District Council presented to the Minister a plan for the use of this water, but the Minister said that it was unacceptable to the department. However, I feel that we must eventually reach a stage where this water will be used, and it is the responsibility of all Government departments to work with this end in mind. As I have spoken at length on this matter at various times, there is no need for me to discuss it any further now. I stress that the economic life of the Virginia area will be dependent on the use of this water.

The sum of $1,000,000 has been provided for the construction of heavy-duty roads, storm drainage and other facilities for that portion of the old Islington sewage farm that is being developed and sold for industrial use. If this money is being provided for the construction of heavy-duty roads, I wonder whether that money also must eventually be recouped by the Highways Department. The construction of roads, which is a Highways Department responsibility, is usually financed from the Highways Fund. If Loan money is to be used for their construction, the roads will eventually revert to the Highways Department, so I assume that that money will eventually be recouped from the Highways Fund.

No doubt all honourable members were pleased to note that the Roseworthy Agricultural College is now a college of advanced education. As the college has now been raised to that status, I am prompted to ask whether it will remain under the Minister of Agriculture or whether it will be administered by the Education Department. I realize, of course, that the college is an autonomous department with a principal as its head. The reason why the college has changed to a college of advanced education is that, as such, it will attract grants provided by the Commonwealth Government in its involvement in providing the needs in certain spheres of State education—for which it gets little thanks from this Government.

The change in the college's status raises the question of salary classifications of its tutorial staff. It is interesting to note certain comments that appeared in the *Advertiser* of September 5 made by the Minister of Education, who said:

Academic staff in South Australian colleges of advanced education are expected to receive pay increases soon.

The Hon. Hugh Hudson was addressing his remarks to the new school of technology. I will quote more of his remarks, because they are interesting in relation to the college. The Hon. Mr. Hudson said:

The Government had decided to implement recommendations of the Sweeney report from October 1 for the Institute of Technology.

The Sweeney report, of course, was the outcome of a Commonwealth Government inquiry into the salaries paid in colleges of advanced education. Mr. Hudson also said:

Any appropriate adjustments to be made to other colleges of advanced education salaries would be determined by the Teachers Salaries Board and the Public Service Board. The other colleges of advanced education in South Australia are the School of Arts, Roseworthy Agricultural College and the School of Dental Therapy.

I have studied the Sweeney report, but it only lays down fairly broad guidelines in a situation such as the Roseworthy Agricultural College: there will still be the question of who will determine the scale and rate of salary—either the Teachers Salaries Board or the Public Service Board. However, it is my guess that it will be the Public Service Board, which body now determines the college's salaries.

There is a very real anomaly existing regarding the salaries at Roseworthy now and, as I said, the Sweeney report does not rectify the matter. The tutorial staff is divided into the following classifications: senior lecturer, lecturer, instructor, and assistant instructor. Those persons occupying these positions may be graduates or diplomates. The real anomaly at Roseworthy is that an instructor holding the Diploma in Agriculture lecturing in an agricultural discipline commands a higher salary than the holder of the Diploma in Engineering lecturing in engineering. To put it more specifically, this is the position: the instructor in sheep husbandry and the instructor in dairying, holding diplomas in agriculture, receive a salary of $1,500 more than the instructor in farm engineering holding the Diploma in Engineering. If these matters are looked at objectively, one realizes that the holder of the Diploma in Agriculture would not be competent to lecture in farm engineering, nor would the holder of the Diploma in Engineering be competent to lecture in agriculture. This problem should be rectified.

The lecturer in the engineering class lectures on a very wide spectrum of engineering subjects and must be a very competent person—a person equally competent as the person holding the Diploma in Agriculture. I raise this matter because I believe that it should be sorted out: it is not a matter that will be overcome by reference to the Sweeney report. It is a problem that has existed for a long while. If the salaries are still to be determined by the Public Service Board, it is this body that will have to look into this situation.

My main comment on hospitals is that I note that $10,000 is allocated for additions to Wallaroo Hospital. I believe that departmental thinking (and, it may even be, planning) is to the effect that Wallaroo Hospital should be rebuilt. I believe also that the thinking (perhaps even locally in the Wallaroo district, to some extent, and also in the department) is

that Wallaroo Hospital, if it is rebuilt, should be resited in another locality. If this is so, one questions whether there is a need for the spending of $10,000 on additions to this hospital. I believe that the general departmental thinking is that some of the present Government hospitals should become community hospitals. We have seen the situation where the Government hospital at Barmera has been moved to Berri.

The Hon. A. J. Shard: That is not right.

The Hon. L. R. HART: The Chief Secretary is right: Barmera is no longer a Government hospital.

The Hon. A. J. Shard: Now you are right.

The Hon. L. R. HART: And that hospital at Berri, which will cope with most of the requirements of that district, will be a community hospital. So I assume the same situation will develop at Wallaroo and, if this hospital is sited somewhere else, it will no longer be a Government hospital: it will be a community hospital.

The Hon. R. C. DeGaris: A subsidized hospital.

The Hon. L. R. HART: A subsidized hospital—I am sorry; I was using the wrong phraseology. This applies to the hospital at Berri, too: that will be a subsidized hospital. The community hospitals in the country have done a remarkably good job over the years, as have the subsidized hospitals, too. I know that the general feeling is against large base hospitals: people become accustomed to having a hospital in their own locality easily accessible to them, but whether or not the economics of this type of hospital will allow us to continue with this scheme I do not know. However, I believe it is departmental thinking that there be large base hospitals on one or two selected sites; these may be Government hospitals but some of the present Government hospitals will revert to being subsidized hospitals.

There are one or two other matters in the Estimates that I could discuss. I have raised the one or two points that were bothering me most. I am sure we shall have an opportunity to discuss other matters when the Budget comes before us, so I will reserve my further remarks to that occasion. I support the second reading.

The Hon. R. A. GEDDES (Northern): I support this Bill. I shall briefly discuss three points that I think the Government should note in respect of the State's progress as regards the environmental needs of the people. In saying this, I follow the Hon. Mr. Hart in what he said about the problems of water supply—that no action is being taken on the Chowilla or Dartmouth dam problem. It is interesting to read in Parliamentary Paper 11A that this year in the metropolitan waterworks area $332,000 will be provided virtually to complete the new Mannum-Adelaide main which, when completed, will allow 26,000,000,000 gallons a year to come into the metropolitan area through it. Also, I am glad to see that a sum of $5,470,000 will be spent in the coming financial year on a main from Murray Bridge to the Onkaparinga River, so that further waters from the Murray River can be pumped into the metropolitan area.

There is one underlying problem that must not be forgotton—salinity or, to use the word that everyone uses today, pollution. With the high river that we are expecting because of the heavy rains and the excellent snow conditions in the Australian Alps, the Murray River will get a good clean-out, which does not happen often enough for those people who live either on agriculture or in the cities of South Australia, who wish we could have more of these flushings-out, because of the salinity. With all the increased agricultural irrigation in the Eastern States, and particularly Victoria and New South Wales, irrigation leeches out the natural salts in the soil and passes them back into the Murray. They come down the river to South Australia, which is at the end of the flow. I will not argue now whether we should have Dartmouth or Chowilla, but we must get going with one of them—and soon.

We have been told that the time needed for the building of a dam is about five years. Whether or not we have Chowilla or Dartmouth, the purpose of a new dam will be to flush out the saline water that comes to us and clean out the river in the middle of summer. That is imperative not only for the irrigators on the Murray and people living in the metropolitan area but also for those people who live in the north of the State, as far away as Whyalla and Woomera. Salinity is no minor problem. We can all remember the drought of years ago when the river flow was low and salinity was a major problem for those people living on the river. That problem will increase in magnitude every year unless action is taken to combat it.

We have already had an election for which it was thought people would understand the reason but, unfortunately, they did not fully

appreciate the problem involved. People have been spoilt by the excellent planning that has gone on for many years and the large sums of money that have been spent to ensure that South Australia always has an adequate water supply. In many instances it is not until people suffer that they appreciate what they tend to take for granted—in this case, the need for vast expenditures on water supply. Salinity is a most frightening and worrying problem for us all, despite the fact that we have excellent reservoirs, which are in good order and full of water, with the prospect of the Murray River having a minor flooding or flushing-out.

There is not one word in Parliamentary Paper 11A about planning for the future of dams or other storages on the Murray. In fact, the meagre sum of $400,000 is the only money mentioned for the Murray itself, and that is mentioned only as the contribution towards the capital cost of works undertaken under the terms of the River Murray Waters Agreement—dams, locks, weirs, etc. I cannot see how the Government will be able to finance the dam, even if it gets the green light from the other parties to the agreement, without a special financial Bill being brought before Parliament. I hope that progress is not long in coming.

Figures recently published show that the accommodation and facilities of the Whyalla Hospital are being taxed almost to capacity. The increase in the demand for the services of the hospital has been proportionately greater than the increase in Whyalla's population. The hospital now serves not only the city itself but a large part of Eyre Peninsula. Often doctors seek to admit to the hospital people who live west of Whyalla, bacause the hospital is so well staffed and equipped. It was forecast about 12 months ago that in the next five to seven years the Whyalla Hospital would expand to become a 450-bed or 500-bed hospital—twice its present size—yet there is no provision in the Bill for money to be spent on the hospital. If this trend continues in the next 12 months the need for additional accommodation and facilities there will become very urgent. I hope the Chief Secretary will give some inkling of his plans for the hospital.

The Hon. A. J. Shard: They are the same plans that your people had.

The Hon. R. A. GEDDES: My people have not told me of the plans.

South Australia was the first State to sign the agreement for standardizing the railway line from Broken Hill to Port Pirie. Further, this State was foremost in planning the line that is now called the Indian-Pacific line. All along, the dream has been that not only will Sydney be linked with Perth but Adelaide will be linked with Port Pirie by a standard gauge line.

We have been told almost *ad nauseam* that, because South Australia is a manufacturing State, it must sell its goods in other States and overseas at competitive prices. At present we are being denied a cost advantage because of the break of gauge at Port Pirie. It is regrettable that there is no provision in this Bill for money to be spent on standardizing the line from Adelaide to Port Pirie.

The sum of $15,150,000 is provided for financing home ownership, $13,250,000 is to be advanced through the State Bank and $1,900,000 through building societies. I have no quibble with the principle of the State Bank's providing finance for home builders, and I compliment the Government on its ability to increase the maximum advance from $8,000 to $9,000.

I think that building societies should receive a larger cut of the cake because they can provide cheap, long-term loans as a result of their efficiency and the system under which they work. At the same time, they can greatly assist the private enterprise builder. The money that goes through the State Bank usually goes towards helping the Housing Trust which, magnificent as it is in building houses in cities like Whyalla and Elizabeth, is also a dictatorial octopus in its relationship with the building trade. There is little opportunity for a builder to see his way clear when he is under contract to the Housing Trust. The principle of freedom of enterprise is often denied the smaller country builder because of the trust's dictatorial attitude.

The Hon. C. M. Hill: More and more building societies are now being established here.

The Hon. R. A. GEDDES: Yes. In the Eastern States building societies are recognized to a much greater extent than they are in South Australia, and they get a far greater cut of the cake in connection with Government advances. As the Hon. Mr. Hill has said, the number of building societies in South Australia is growing. South Australia faces an interesting year. The rains, which have come at the last moment, may or may not save

the State. The Stock Exchange and the money market, which provide barometers that we can follow, indicate that the economy is fairly stable and on an interesting keel, despite the criticisms that were made of the Commonwealth Budget. With good leadership and with good constructive thinking, the State can go forward to a prosperous year. Conversely, if the leadership is not to the benefit of all, the State could go forward into merely a humdrum year. I support the Bill.

The Hon. A. M. WHYTE secured the adjournment of the debate.

STATE GOVERNMENT INSURANCE COMMISSION BILL

In Committee.

(Continued from September 15. Page 1304.)

Clause 19—"Accounts and audit."

The Hon. Sir ARTHUR RYMILL: I move to insert the following new subclause:

(2*a*) The report of the Auditor-General shall include a separate statement showing the net profit or net loss made in respect of each of the following in each year:

(*a*) policies of insurance taken out with the Commission by the Government;
(*b*) policies of insurance taken out with the Commission by Government instrumentalities;
(*c*) policies of insurance taken out with the Commission by local government authorities;
(*d*) policies of insurance taken out with the Commission by other persons.

This amendment has been on members' files for a long time, so they have had ample opportunity to study it. It is designed so that members of Parliament and the public in general can be fully informed on the activities and progress of the proposed State Government insurance office. I have designed the amendment in relation to the Auditor-General's Report because I thought that that was the most appropriate place to put it. It provides that in that report details shall be given of the profit or loss made in respect of the categories of Government insurance, Government instrumentality insurance, local government insurance, and other insurance.

Although I am not an accountant, I have had considerable experience in accountancy during my business life, and I have not the slightest hesitation in saying that there would be no accountancy problems in this amendment. No additional expense will be attached if the amendment is passed. It will merely mean that when the commission dissects its accounts into the various ledger sheets it will do it in such a way that it will be simpler for the Auditor-General to make his report. In any case, this would be a very important exercise for the commission, because it will have to know where it is going profitwise, and in my opinion as a business man it will be necessary for it to segregate its profit or loss in these various categories so as to know how the business is going, what parts of it should be encouraged, and what parts of it should be damped down. I think that this is a very salutary amendment and that it will help rather than hinder the commission.

The Hon. A. J. SHARD (Chief Secretary): Although I often agree with my honourable friend, I regret that I cannot do so this time because we are as far apart as the poles on this matter. I am advised that it would be quite impracticable and inappropriate to show separately the net profit or net loss in the various categories. Therefore, I oppose the amendment.

The Committee divided on the new subclause:

Ayes (11)—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, L. R. Hart, C. M. Hill, H. K. Kemp, F. J. Potter, Sir Arthur Rymill (teller), V. G. Springett, and A. M. Whyte.

Noes (6)—The Hons. D. H. L. Banfield, T. M. Casey, R. A. Geddes, A. F. Kneebone, A. J. Shard (teller), and C. R. Story.

Majority of 5 for the Ayes.

New subclause thus inserted.

The Hon. G. J. GILFILLAN: I move to insert the following new subclause:

(2*b*) Where in the opinion of the Auditor-General the commission has in any year charged persons or departments or instrumentalities of the Government with premiums for insurances in excess of the average rate charged for such insurances by companies commonly known as tariff companies, carrying on the business of insurance in the State, the Auditor-General shall include in the report a statement to that effect.

In common with other amendments that have been accepted, it is not the intention of the amendment to hamper the administration of the Act in any way but to ensure that members of the public and the taxpayer are given fair and reasonable protection. It may easily be seen that a Government insurance office has many inbuilt advantages and that it is not possible to ensure completely fair competition between private enterprise and a Government insurance office. It is the intention of the

amendment that, if any unfair advantage is sought, at least it will be known and made public in the Auditor-General's Report.

The amendment also offers protection to other Government departments, in that it would be possible for departments that have no other course open to them than to insure with the Government insurance office to be charged an excessively high premium that would, in turn, show a benefit to the insurance office. I realize that, in many instances, it would be only a book entry that would be involved, but any such attempt to bolster the Government office would react against those departments. The amendment is not unfair and should not be rejected by the Government.

The Hon. A. J. SHARD: As the amendment is unnecessary, I oppose it. The Auditor-General (in fact, any good Auditor-General) would have regard to all proper considerations and should be trusted to include in his report all matters that should be reported to Parliament. If any honourable member thinks that the present Auditor-General would not do that, he has another think coming to him.

The Hon. G. J. GILFILLAN: It appears that the Chief Secretary does not disagree to the principle of the amendment but merely to the proposal that it will be included in the bill.

The Committee divided on the new subclause:

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

Noes (6)—The Hons. D. H. L. Banfield, T. M. Casey, C. M. Hill, A. F. Kneebone, A.J. Shard (teller), and C. R. Story.

Majority of 5 for the Ayes.

New subclause thus inserted; clause as amended passed.

Clause 20—"Funds."

The Hon. G. J. GILFILLAN: I move to insert the following new subclause:

(6) On each advance made by the Treasurer to the commission, the commission shall pay to the Treasurer interest at such rate not lower than the long-term bond rate within the meaning of subclause (4a) of clause 9 of the 1956-1966 Housing Agreement referred to in the Housing Agreement Act, 1966, as the Treasurer may determine.

The amendment is self-explanatory. Again, it is designed to put the commission on a full business footing regarding the matter of interest paid to the Treasurer on funds advanced to the commission at such rate not lower than the long-term bond rate, which is fair and modest. The Government should have no objection to the amendment.

The Hon. A. J. SHARD: I oppose the amendment. It is intended that all advances from the Treasurer should be carried at a rate not lower than the long-term bond rate. However, there might be occasions where a lower rate of interest would be appropriate, and the Treasurer should be free to make advances at such rates of interest appropriate in the circumstances.

The Hon. R. C. DeGARIS: Perhaps the Chief Secretary could fully enlighten the Committee by giving an illustration of the circumstances that would justify a loan the commission from the State Treasury bearing interest lower than the long-term bond rate.

The Hon. A. J. Shard: I cannot give one.

The Committee divided on the new subclause:

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

Noes (5)—The Hons. D. H. L. Banfield, T. M. Casey, A. F. Kneebone, Sir Arthur Rymill, and A. J. Shard (teller).

Majority of 7 for the Ayes.

New subclause thus inserted; clause as amended passed.

Clause 21 and title passed.

Bill reported with amendments. Committee's report adopted.

LOTTERY AND GAMING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 15. Page 1307.)

The Hon. A. J. SHARD (Chief Secretary): I want to say a few words on this Bill, the purpose of which is to legalize what are known as raffles and other forms of chance. I agree entirely with what the Leader said yesterday: it is a difficult Bill, not from the point of view of legalizing raffles but from the point of view of making rules and regulations to cover them. I agree with the Leader that we might have got the best results if the regulations governing raffles and lotteries could have been debated in Parliament, but that was impossible as we all know. All the evidence was accumulated before the change of Government. I have read and have considered most of it.

I assure the Leader that the efforts of the people concerned who were appointed during his term of office have not been wasted. Much time has been put into the framing of the regulations in the Chief Secretary's office. (I need not mention names: the Leader knows to whom I am referring.) The officers concerned have been in consultation with a subcommittee to look at these regulations. I agree that there are three kinds of raffle that need to be considered—small, medium and large. I assure the Leader that each type of raffle has been considered and will be covered in the regulations so that the Chief Secretary's Department, irrespective of who is Chief Secretary, will at least know who is running the raffles.

The regulations being framed under this Bill are lengthy. I do not want to tell the Council what they are at this stage because they have not yet been completed. The points raised in debate have been examined but the final regulations have not been approved by Cabinet. It would be wrong of me to say exactly what they will be but I assure the Council that we have endeavoured to ensure that all sections of the community are protected by them. I think that some parts of them are strict. Perhaps some people will say they are too strict but, when we are legalizing something of this nature, I do not mind how strict the regulations are, provided that the community at large is protected. Even now some people run raffles for their own benefit and no-one else's benefit.

The Hon. R. C. DeGaris: Some such raffles are run in the name of organizations.

The Hon. A. J. SHARD: Yes. In future, anyone who runs a raffle without being licensed to do so will be breaching the law. My office will know about each and every organization that conducts a raffle, whether it is small, medium or large. If an organization cannot produce a licence it will be in distinct breach of the law.

The Hon. R. C. DeGaris: Does that apply to "on the day of" raffles?

The Hon. A. J. SHARD: Yes.

The Hon. R. A. Geddes: Will permits be easy to get?

The Hon. A. J. SHARD: It will be no more difficult to get a permit than it is to register a place of public entertainment.

The Hon. R. C. DeGaris: Will there be any restriction on the number of large ones?

The Hon. A. J. SHARD: Yes. No matter how hard one works on the regulations, there is bound to be some criticism of them. I think I can say on behalf of my Cabinet colleagues that we hope the regulations will be accepted in the spirit in which they will be put forward. I am the first to agree that problems will possibly arise. If the regulations need amending within 12 months to make them work more effectively, we will be the first to grasp the opportunity. In the main, we have approached this problem along lines similar to those that would have been followed if the Leader had been Chief Secretary. When the regulations are finally adopted I hope they will give general satisfaction.

Bill read a second time.

In Committee.

Clauses 1 to 10 passed.

Clause 11—"Regulations."

The Hon. R. C. DeGARIS (Leader of the Opposition): There will be a restriction on the number of larger lotteries of the art union type: this will tend to assist the larger charitable organizations. There is a limit to the number of promotions that can be successfully conducted, and such lotteries will benefit the larger organizations. I suggest that this type of art union could be conducted on a community chest basis. Unless this is done smaller organizations may be in difficulty in competing in the fund-raising market.

The Hon. A. J. SHARD (Chief Secretary): I agree with the Leader. If I remember correctly, this suggestion was previously made in connection with Whyalla, Port Augusta, Port Pirie and the South-East. Telethon does not benefit only one organization: proceeds from it are shared among two or three organizations each year. Personally, I believe that the Leader's suggestion could very well be adopted under the proposed regulations.

Clause passed.

Title passed.

Bill reported without amendment. Committee's report adopted.

RIVER TORRENS ACQUISITION BILL

Adjourned debate on second reading.

(Continued from September 15. Page 1310.)

The Hon. H. K. KEMP (Southern): In speaking to this Bill very briefly, I wish to do so in strong support because I think it is terrible the way the Torrens River has been treated, particularly through the suburban areas, up to the present time. In my opinion,

anything that can be done to improve what could be a very beautiful asset to the State is along the right lines.

One matter of concern to me is the way in which the disposal of the acquired land is left, and it raises some fears that the disposal might easily facilitate the incorporating of what should be essentially recreational land—a green spot—into the road system serving the north-eastern area. There will be a great temptation indeed to put heavy pressure on anyone holding unoccupied land of this nature to delegate it for road purposes. Frankly, this would be a tragedy, and it is something that the State should resist as vigorously as possible.

If the land along the Torrens River is resumed it should be resumed for one purpose only, and that is to restore to something approaching its original state the river flats that at one time must have been a very beautiful feature of the Torrens River's course. In connection with this, I would like to couple an appreciation of the work and the study that has been done in relation to the Sturt River, in respect of which also there is pressure for a fair amount of land resumption. This, too, should be dedicated to green space, which will become increasingly difficult to acquire if action is delayed any further.

The Hon. C. M. Hill: You mean, in the higher reaches of the Sturt River?

The Hon. H. K. KEMP: Yes, and the Sturt Gorge. I think I have already provided the Hon. Mr. Hill with those studies. I think we should all give this Bill our fullest support, and I hope that the Minister, in his summary, will be able to give some reassurance that the land will be reserved for what I hope is the main purpose behind this land acquisition. I have great pleasure in supporting the Bill.

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

PUBLIC FINANCE ACT AMENDMENT BILL

(Second reading debate adjourned on September 15. Page 1308.)

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Power to appropriate revenue."

The Hon. R. C. DeGARIS (Leader of the Opposition): During the second reading debate I asked why the Government was providing a percentage limit in respect of what can be appropriated by Governor's Warrant instead of holding to the accepted principle since 1949 of stating an actual figure. I pointed out that in 1949 the limit was $800,000. This was increased in 1964 to $1,200,000, and under the present proposal it will increase to possibly $3,000,000, which is an increase of almost 200 per cent. Has the Minister a reply on this matter?

The Hon. T. M. CASEY (Minister of Agriculture): Yes. By providing a percentage of 1 per cent for the Governor's Appropriation Fund, the need for regular reviews, as would be required with a fixed amount, is avoided. On this year's Estimates, the fund would total slightly more than $2,800,000. As the Leader knows, the Governor's Appropriation Fund has frequently been exhausted before the end of the financial year, and an amendment is obviously required. If an effective limit of 1¾ per cent was reasonable in 1949, the limit of 1 per cent now written into the Bill must be equally reasonable. The Government would not agree to any change.

Clause passed.

Remaining clauses (8 to 10) and title passed.

Bill reported without amendment. Committee's report adopted.

HOUSING IMPROVEMENT ACT AMENDMENT BILL

(Second reading debate adjourned on September 15. Page 1310.)

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

EVIDENCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 3. Page 1255.)

The Hon. V. G. SPRINGETT (Southern): I am very conscious of the fact that the Bill consists of legal terminology and overtones. However, in most such Bills there are two ways of approaching them, namely, with a legally trained mind or with a lay mind, and it is as an ordinary everyday man that I speak to the Bill. However, it is fortunate that many Bills benefit by being examined from both points of view.

No doubt many honourable members who have given evidence from time to time when called on to appear before courts realize that the rules of evidence affect us all. Most of us

accept the fact that the benefit of the doubt must be given to the accused. As a layman, I am aware that my examination of the Bill must be lay and pedestrian. Hitherto, evidence has been given in court by personal or oral presentation, by personal handwriting, or by a signed document stating that the evidence is one's own. Very often exhibits are used that affect the evidence and the case. Anything which could not be proven or which left a reasonable doubt was not acceptable. It is by the use of these basic criteria that I have approached the Bill.

A computer is the latest means of mechanical storage and conveyance of expressed thought, logical and sequential facts, and deductive procedures. One of the great advantages of computers is the speed with which they can solve complicated problems and store the results for future use. However, we must realize that a machine can only produce the results consequent on the data fed into it. New section 59b is the crux of the Bill and, because of my lay personality and comparative lack of knowledge of legal affairs, I shall ask questions on matters about which I am not clear. New section 59b (2) (*a*) states:

The court must be satisfied that the computer is correctly programmed and regularly used to produce output of the same kind as that tendered in evidence pursuant to this section.

Does this mean that the computer must be used only for this type of work, and will these circumstances affect the case? What I have in mind is that in an insurance company or a bank I can understand a computer doing a routine job, but in, say, a university the computer is programmed for a variety of different purposes. Does this mean that the programming must be done only by a machine used to produce regularly the same type of output? New subsection (2) (*c*) states:

The court must be satisfied that, in the case of the output tendered in evidence, there is, upon the evidence before the court, no reasonable cause to suspect any departure from the system, or any error in the preparation of that data.

How can this be challenged? One of the basic facts in a court, as I understand it, is that evidence can be tendered and challenged; but how does one challenge the sort of evidence produced by a computer? Ordinarily, when evidence is tendered, counsel has the right to challenge. Will the computer have to be equally available to both sides at the same time, or will its evidence appear at a time before it is introduced so that its validity may be determined? New subsection (2) (*d*) states:

The court must be satisfied that the computer has not, during a period extending from the time of the introduction of the data to that of the production of the output, been subject to a malfunction that might reasonably be expected to affect the accuracy of the output.

That is clear. I take it that it means that a malfunction in a machine would not invalidate all the evidence it had taken and stored before the malfunctioning occurred. New subsection (4) states:

A certificate under the hand of a person having prescribed qualifications in computer system analysis and operation as to all or any of the matters referred to in subsection (2) or (3) of this section shall, subject to subsection (6) of this section, be accepted in any legal proceedings, in the absence of contrary evidence, as proof of the matters certified.

It seems to me to place the whole weight of evidence, its validity and worth in the hands of the computer operator. I, in common with many others, have had personal experience of giving evidence in court but, when one gives evidence in those circumstances, one is led by the defence and prosecution in open court and contrary evidence can be introduced. The Bill places a tremendous responsibility on one person, namely, the person who has the prescribed qualifications for the operation of computers, and there would probably be no-one in court who could challenge him.

If the operator feeds the data into the machine and is not available to certify to the validity of the output (he could have died), could another expert justify the validity of the machine's output, or would the evidence and the validity die with the original operator? As I read subsection (4), it suggests that any person with the prescribed qualifications may give the required certificate of authenticity.

I can see the worth of computer evidence in certain civil proceedings—for example, in respect of the Electricity Trust and its computerized accounts and legal proceedings to recover bad debts recorded and stored in a machine. I take it the same rights of appeal will apply in a case where evidence has been collected by one computer and there is an appeal to another computer.

The Hon. R. C. DeGaris: You appeal to another computer?

The Hon. V. G. SPRINGETT: That is what I want to find out. In the case of an appeal where records have been kept under a computerized system and there is no access to a

computer, there would be no evidence at all on oath. I wonder, when we read of measures such as these, whether we are not nearing the day when we shall all have a computerized record of our own lives stored in the central registry to be used in evidence against us! Orwell's brave new world of 1984 seems to be coming very close. I hope that some of my questions, simple though they may appear to people more experienced than I, will be answered.

The Hon. D. H. L. BANFIELD secured the adjournment of the debate.

PROHIBITION OF DISCRIMINATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 3. Page 1255.)

The Hon. A. M. WHYTE (Northern): When this Bill, or one very similar to it, was before the Council 12 months ago, I opposed it for the very good reason that I pointed out at the time that a test case had been in some way or another prepared to vindicate the need for the Act in the first place. I believe it was a deliberately planned test case: it failed because of a loophole in the legislation and it was not possible to prosecute under the Act. This Bill was then introduced.

The Act was designed and introduced by the present Premier, who also was to play a major part for the prosecution. When he discovered a loophole in the Act, he and the then Attorney-General argued strongly about who was correct in his interpretation of the Act. It is obvious that Mr. Millhouse must have been correct, because another Bill of the same sort is again introduced. The test case had some distasteful flavouring to it, because a group from Adelaide had been sent to Port Augusta with the express intention of trapping someone and testing the legislation. This was one reason why I was suspicious of the Bill when it was brought before the Council and why I spoke against it.

However, the Bill has reappeared and, to my knowledge, no outside protest has been made. Although I believe we acted correctly in blocking this Bill on the last occasion to give the proprietors of establishments and the public the necessary time to take a good look at it, I see no reason this time why I should oppose it, although I do not like it, and I do not believe it is necessary to have it. I think that the proprietors of businesses generally will be sorry when this legislation passes.

The original Act was introduced in 1966 and followed, to some extent, the British Race Relations Act, which had been introduced a year previously. Some pertinent points had been raised during the introduction of the British legislation. I quote Lord Stonham, who said:

> Colour prejudice can best be banished by change of heart rather than by change of law, but, that acknowledged, we are determined to use the law to banish as far as possible the wilful fomenting of racial prejudice by word, writing or by insulting public example.

I think the pertinent part of that is:

> Colour prejudice can best be banished by change of heart rather than by change of law.

That is where I believe our present Bill, especially with the addition of the amendments, is to some extent creating a barrier rather than breaking it down. In Britain, they have established a Race Relations Board, comprising a chairman and two other members appointed by the Home Secretary, and then they have a group of local conciliation boards, whose duty it is to attempt to achieve a settlement between the opposing factions and, where this fails, to make a report to the three-man board, which can then take up the matter of prosecution. I have long felt that this is the correct approach to the race problem. We can easily create a larger barrier than we have at present (which is not of great consequence) by immediately prosecuting any supposed offender.

Proprietors surely have the right to choose the type of clientèle they would like to promote. Surely they have the right to conduct their business on the lines they think fit. If we are to make laws that lay down exactly how all premises shall be run, we shall be forever prosecuting people—and to no good advantage because, if I may take the Port Augusta attempted prosecution as an example, I could say that, had there been a conciliation commission of any sort, it would have been able then to approach the proprietor and find out why he had refused service to those people. If the commission had felt that his case was justified, it could then have taken up the matter with those who felt they had been affronted and could have suggested to them that they themselves could do something about a better approach. It could also have warned the proprietor that, if he overstepped the mark again, he would be prosecuted.

If every proprietor who has affronted someone is prosecuted we shall widen the barrier and make conciliation much harder to obtain. The conciliation boards in Britain, from all

the reports I have been able to obtain, are working satisfactorily. Reference has been made to reports in the British Parliamentary Papers on how successful these boards have been in obtaining a fair deal for people who think they have been discriminated against for reasons of colour and race. The 1969 report of the Race Relations Board states that one of its functions is to provide information about the legislation. It deals with housing, property, estate agents and other matters over which there previously was disagreement. The board's achievements have been outstanding: its 1970 report states that 1,560 cases were settled without court proceedings. This is the right way to handle such matters. We should have some means of conciliation rather than straight-out prosecution. People take very poorly to being stood over and having their duties spelt out word for word.

The Port Augusta incident was most distasteful in that local people were not complaining: they were incited by people from Adelaide who had purposely gone out of their way to cause antagonism. I hope that some means will be provided whereby these people can put their case and settle problems out of court. This Bill is clearly designed to assist Aborigines, and I agree that they should be assisted. Many of them are ignorant of the functions of the law and will remain ignorant of it for many years. If they rely entirely on legal proceedings they will be at a great disadvantage; however, if there was a conciliation board that could take up their case and reach a decision out of court, relationships between Aborigines and others could be greatly improved. The Government is going the wrong way about trying to achieve its aim.

I do not think much thought has been given to the Aborigines affected. The proposal looks good on paper: the Government will say, "We have done something and we are proud of it." However, it would have been better for the Government to consult people who understood the position. I hope the Minister of Aboriginal Affairs, who is also the Attorney-General, will consider setting up a small conciliation commission that could advise both sides and correct faults. This would be better than widening and hardening the gap between Aborigines and others. At this stage I am prepared to accept the legislation.

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

ADJOURNMENT

At 4.52 p.m. the Council adjourned until Thursday, September 17, at 2.15 p.m.