LEGISLATIVE COUNCIL

Wednesday, March 3, 1971

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

QUESTIONS

FRUIT FLY

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

Leave granted.

The Hon. C. R. STORY: I have received several telephone calls since yesterday expressing some apprehension at a report in yesterday's *News* concerning the action of Professor Clyde Manwell, who has refused to allow the Agriculture Department access to his property to spray in a fruit-fly declared area. I noticed that according to yesterday's report the Minister had not replied or made any comment at that stage. Because of the apprehension in the minds of several people that perhaps the law is not strong enough in this regard, will the Minister assure me that the necessary action will be taken either to deal with Professor Manwell or to put the law in order so that it can be properly policed?

The Hon. T. M. CASEY: Concerning the point that I had not made any comment, I was not contacted and asked to make any comment.

The Hon. A. J. Shard: Another untrue statement!

The Hon. T. M. CASEY: It was unfortunate, because I was attending the Graduation Day at Roseworthy Agricultural College. I assure the honourable member and other members that Professor Manwell will be treated no differently from anyone else on this matter, and the department is well aware of the situation. I spoke to my departmental officers yesterday afternoon about this matter, and I assure the honourable member and the Council that this matter is being dealt with, and will be dealt with, according to the procedures adopted in the past, so that everyone is treated in the same way. I think the honourable member would appreciate that fact.

WHEAT QUOTAS

The Hon. A. M. WHYTE: I ask leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. A. M. WHYTE: Yesterday the report of the Wheat Delivery Quotas Inquiry Committee was tabled and, although I have not had time to peruse the report fully, can the Minister say whether the Government intends to retain this committee and also the joint committee whose job it was to allocate the 700,000 bushels in the contingency pool? Is it intended to retain the contingency pool at 700,000 bushels? If the joint committee allocates the 700,000 bushels correctly and alleviates the supposed anomalies in the present quota system, will this then be the end of the adjustments? Will quotas remain so that there will be no further variation? Many people are concerned that quotas will be varied from year to year. Are either or both of these committees to be retained, and will the contingency pool be re-created each year at 700,000 bushels?

The Hon. T. M. CASEY: The inquiry committee will not be retained. It was set up by the Government to inquire into the wheat industry generally, it has delivered its report, which has been tabled, and that will be the end of that committee. I would say that the contingency committee will also go out of existence. There is another committee which possibly could go out of existence, to which the honourable member did not make reference, and that is the review committee. Without a contingency reserve there is no point in having a review committee, but until I get a report from the chairman of the review committee as to how the situation resolves itself this year I will be unable to say definitely, but I hope that we have seen the last of the contingency reserve and the efforts of the review committee. We must reach a stage where we can say that the wheat industry has stabilized itself, and that any future alterations to the State quota will be done by a mathematical formula.

MOTOR RACING AT VIRGINIA

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

Leave granted.

The Hon. L. R. HART: In the early part of last year I presented a petition to the Minister of Works requesting a water supply to properties in an area south of Virginia. On September 24 I received the following reply from the Minister:

I refer to the petition for a water supply to properties on Port Wakefield Road in the vicinity of Waterloo Corner convened by Mrs.

J. M. Roberts and my letter of 24th June, 1970, in which I stated that further investigations were necessary before a final recommendation. As you are aware, over a period of approximately two years, the Engineering and Water Supply Department, with the approval of the Government, has refused applications for extensions of water main and indirect services on the northern Adelaide Plains. This policy was implemented when it became evident that with the deterioration of underground water supplies commercial gardeners would seek to rely to a much greater extent on water drawn from departmental mains.

In view of that reply, it was with some concern that I listened yesterday to the reply by the Minister of Works, conveyed through the Minister of Agriculture, in response to my earlier question regarding the supply of an indirect water service to a project south of Virginia being sponsored by Surfers Paradise International Motor Circuit Pty. Ltd., stating that this company has been granted an indirect supply of water from the mains at Virginia. The condition of the supply was to the effect that it would be limited to 15gall. a minute. The present situation in Virginia is that all direct connections to the main have a limited flow of 5gall. a minute. At the rate of 15gall. a minute, it would mean that the supply over a 12-month period would be about 8,000,000 gall.

The Hon. T. M. Casey: That is a 4in. main, is it not?

The Hon. L. R. HART: I am concerned not about the main but about the supply available to the connection, 15gall. a minute, which would be over 8,000,000gall. a year, sufficient water to cultivate 130-odd glasshouses. What I am concerned about is that continued applications from people for indirect services for domestic purposes alone, not for garden use, are being constantly refused, yet the Government is prepared to give virtually an unlimited supply to one connection. In that Virginia area there is much concern at present—

The Hon. A. J. SHARD: Mr. President, I take a point of order. I think the honourable member is far exceeding his right. If he is not debating the question, I do not know what he is doing.

The PRESIDENT: He is on the borderline, I admit.

The Hon. A. J. SHARD: He is not on the borderline—he is well over it.

The Hon. L. R. HART: I was just about to ask my question. I merely wanted to say that there is much concern in this area about water supplies, not only a reticulated water supply but the supply available from the Bolivar effluent works.

The PRESIDENT: The honourable member must ask his question now.

The Hon. L. R. HART: Can the Minister obtain from his colleague a detailed statement on why the plan submitted by the Munno Para District Council for a supply of water from the Bolivar effluent scheme was refused, and can he say on what basis the Government considers that a racing track is a project that should be encouraged to the extent of being given 8,000,000gall. a year by an indirect service from the main at Virginia?

The Hon. T. M. CASEY: I shall be happy to convey the honourable member's questions to the Minister of Works and bring back replies as soon as possible.

DOCTORS

The Hon. V. G. SPRINGETT: I seek leave to make a brief statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. V. G. SPRINGETT: I have received a communication from a person at Robe concerning the fact that at Robe, in the South-East, there is no resident doctor. Some people go up to 27 miles to Kingston to see a doctor, but most people have to go to Millicent, some 50 miles away. The area is growing fast and the people are anxious to get a resident medical officer there. Bearing in mind the Government scheme for cadetships and other ways of encouraging medical practitioners to settle in certain districts, will the Chief Secretary give early consideration to the needs of Robe?

The Hon. A. J. SHARD: I would dearly like to be able to say that we have a doctor that we could direct to Robe, but there is the matter of the order of priority to be considered. Unfortunately, there is more than one country town that needs a doctor. However, I will refer the honourable member's question to the Director-General of Medical Services, who has a list of towns desiring resident medical officers. I will seek to have Robe put on the list and get whatever priority can be arranged for it. If a medical officer from the cadetship scheme is available in the future and Robe can measure up in the list of priorities, we may be able to do something in that direction. I hasten to add that I do not know what has gone wrong with the scheme, but we have only

one medical officer qualifying next year. However, in the following year there will be four cadetships, which will make some impact on the position. I am seriously considering increasing the number of cadetships above the number (three) that we are at present offering.

SCHOOL BOOKS

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a question of the Minister of Agriculture, representing the Minister of Education.

Leave granted.

The Hon. M. B. DAWKINS: Some parents of secondary school students in South Australia, if not all such parents, still have to pay considerable sums towards the cost of school books. As I remember it, in the latter days of the Playford Government an allowance was given towards the cost of these books, and the parents paid the remainder of the cost. It seems that in some sections at least that situation still applies. I remind the Minister and the Council that the late Hon. Frank Walsh, who was a personal friend of mine, even though we were politically opposed, made the following statement in his policy speech on February 19, 1965:

Our policy provides for free school books to all schoolchildren.

A previous Labor Government took some steps towards carrying out that policy, and I am not criticizing in any way—

The PRESIDENT: I think the honourable member is debating the question.

The Hon. M. B. DAWKINS: I stand corrected, Mr. President. As six years have elapsed since that statement was made, will the Minister of Agriculture ask his colleague when the Labor Party will complete carrying out its promise of providing free school books for all schoolchildren?

The Hon. T. M. CASEY: I shall be happy to convey the honourable member's question to my colleague, who I am sure will do everything he possibly can to expedite this matter, in view of the fact that a previous Labor Government gave free books to children attending primary schools. We would all like to see secondary students have the same privilege. I assure the honourable member that his question will be fully considered.

TRADE PROMOTION CENTRES

The Hon. C. M. HILL: Has the Chief Secretary a reply to my question of February 25 concerning the costs of this State's oversea trade representatives and other representatives and concerning duplication of the services of Commonwealth and State centres in other countries?

The Hon. A. J. SHARD: The provision in the Estimates of Expenditure for the office of the Agent-General in London for the current financial year is $A146,530, to which must be added the salary and allowance paid to the Agent-General, which is currently a total of £7,810 sterling a year; this figure should be converted to dollars. Appointments of trade officers and agencies of the South Australian Government overseas are as follows:

Trade officer in the European zone:

Salary—$A10,500 a year from January 11 to December 31, 1971; $A11,000 a year from January 1 to December 31, 1972, and $A11,500 a year from January 1, 1973, to the expiration of the three-year term of appointment. Allowances—living and housing—$A1,750 a year for 12 months, thereafter $A2,110 a year. Travelling expenses—reimbursement of the amount necessarily incurred. Entertainment expenses—reimbursement of the amount necessarily undertaken, and substantiated by vouchers. Hire of motor car—as necessarily incurred on duty.

Trade officer in the South-East Asian zone:

Salary—$A12,000 a year. Allowances—housing and living—$A2,880 a year for the first 12 months, thereafter $A3,120 a year. Travelling expenses—reimbursement of the amount necessarily incurred. Entertainment expenses—reimbursement of the amount necessarily undertaken, and substantiated by vouchers. Hire of motor car—as necessarily incurred on duty. Allowance—children—$A550 a year for first child under 16 years and $A380 a year in respect of other children.

Agencies have been appointed in Tokyo, Hong Kong, and Singapore. A retainer fee of $A2,500 a year is paid for general representation, and for special assignments undertaken at the request of the Government a fee of $A25 each man hour worked on the assignment will be paid. Three years with annual renewals thereafter, subject to six months notice of termination on either side. In addition to the above, negotiations are currently proceeding for the appointment of an agent to be located in Djakarta. These officers and agents are serving in areas in which the Commonwealth Government is represented. However, they will not duplicate work done by

the Commonwealth Government. Instead they will work in co-operation with Commonwealth officers and initiate promotions specifically on behalf of South Australia, which work is not being done by Commonwealth representatives in the areas concerned.

TOTALIZATOR AGENCY BOARD

The Hon. Sir NORMAN JUDE: I seek leave to make a statement prior to asking a question of the Minister in charge of the Lottery and Gaming Act.

Leave granted.

The Hon. Sir NORMAN JUDE: I have heard on good authority that the Totalizator Agency Board is having some difficulty in obtaining Ministerial approval for additional totalizator facilities in various country towns, particularly in Port Pirie. Knowing the importance the Government attaches to the revenue received from such sources and to the fact that the public should have all reasonable facilities for the opportunity to contribute this indirect tax, will the Minister state the Government's policy on this matter in order to correct any misunderstandings that may have arisen?

The Hon. A. J. SHARD: I admire the honourable member for the gentle way in which he has asked his question.

The Hon. T. M. Casey: I thought he was very tenacious.

The Hon. A. J. SHARD: No, he was not tenacious. Regarding Port Pirie, the information I have been given is that I had refused a T.A.B. agency there; however, that is not true. The Lottery and Gaming Act is one of the most difficult pieces of legislation to handle because of the various types of people I meet, all of whom have different points of view in connection with this legislation. I do not mind being criticized for some of the things I have done, as long as the statements conveyed to the public are true, which is not so in this case. On October 15, the Totalizator Agency Board wrote to me concerning a second agency at Port Pirie. So that there will be no misunderstanding, I will read the letter. It states:

It is nearly two years since approaches were made *re* the T.A.B. services in Port Pirie with the subsequent opening of a full agency in Ellen Street.

The Hon. Mr. DeGaris will correct me if I am wrong, but my recollection is that I agreed with that. The letter continues:

At that time it was mentioned that approval would not be given for sub-agency establishment in the town. With the present widespread demand for the expansion of the T.A.B. facilities, it is respectfully suggested that a review of the position be undertaken. The board has been approached by Mr. X . . . who is interested in the setting up of a sub-agency in his shop. This is a fast-growing area which is about 3 miles from the agency in Ellen Street, and the board is desirous of attempting some form of establishment to cope with the request.

It is understood and agreed that an additional agency or sub-agency would not operate during any hours other than those of Ellen Street, Port Pirie. Will you therefore, reconsider the previous decision for a second agency in Port Pirie district, and give your approval for either a sub-agency or a full agency? Your favourable reply will enable negotiations to continue for the establishment of one or the other.

I do not know what more favourable reply it wanted than this:

I refer to your letter of 16th ultimo requesting approval for either a sub-agency or full agency at Port Pirie. I have discussed your request with Cabinet and advise that approval will be given for one full agency, subject to the location of the agency being approved by me.

When the Totalizator Agency Board Bill was before this Chamber we made it clear that we would not tolerate payments on a commission basis. Since I have been a member of the Government I have discussed this matter but, apparently, the board now wants sub-agencies. The previous Government agreed to several sub-agencies being established in various country towns, and I have no objections to this. Our policy, which is clearly stated, is that we do not object to a sub-agency in a small town that has not sufficient population to carry a full agency, but we will not agree (and I think I have the support of Parliament in this) to establishing sub-agencies in built-up areas of the metropolitan area or in the larger cities and towns in the State.

COUNTRY ROADS

The Hon. A. M. WHYTE: I seek leave to make a brief statement before asking a question of the Minister representing the Minister of Roads and Transport.

Leave granted.

The Hon. A. M. WHYTE: Since I have been a member of Parliament I have made several requests for the bituminizing of the main streets of some country towns that carry a large volume of heavy haulage traffic. I have emphasized the almost impossible situation of maintaining decent services and of the struggle of business people and housewives in places like Penong and Coober Pedy. About 18 months ago I was pleased to learn that tenders had been called to seal the main streets of five of these towns. From memory, I think

they were Coober Pedy, Kingoonya, Andamooka, Marree and Penong, but I understand that Penong will be dealt with in conjunction with the continuation of work on the Eyre Highway. Will the Minister ascertain what has happened to these tenders and whether there is any suggestion about when this work will be commenced?

The Hon. A. F. KNEEBONE: I will obtain this information from my colleague.

GOVERNMENT INSURANCE OFFICE

The Hon. Sir ARTHUR RYMILL: I seek leave to make a brief statement before asking a question of the Chief Secretary, representing the Treasurer.

Leave granted.

The Hon. Sir ARTHUR RYMILL: My question relates to the establishment of the proposed Government insurance office. At the beginning of this session I asked the Chief Secretary whether a feasibility study had been prepared in relation to this project and he told me there had been no such thing. During the second reading debate on August 20, I said:

I venture to say that this commission will be a burden on the taxpayers for years to come.

I did not say that lightly. Since then there have been several spectacular collapses of insurance companies that have tended to bear out what I said in that speech, not the least of which was the announcement yesterday about the Vehicle and General Insurance Co. Ltd., a very big insurance company of the United Kingdom. Since then the Government has experienced much greater budgetary troubles, not all of its own fault in this case although it may have been in previous cases, since it produced the Budget. I should like the Chief Secretary, if he would be so kind, to obtain from the Treasurer replies to the following questions: in view of the facts to which I have referred, does the Government intend to abandon its proposals for a State Government insurance office and, if not, will it now institute a feasibility study before committing the State to a venture which, in my opinion (and which I re-express as one with some experience in this field) is pre-destined to failure?

The Hon. A. J. SHARD: It is always a pleasure to refer questions from the honourable member to the Treasurer, and in this case I shall be delighted to do so.

YORKETOWN HIGH SCHOOL

The Hon. M. B. DAWKINS: Has the Minister of Agriculture a reply from the Minister of Education to the question I asked on February 23 about expediting the construction of the proposed new Yorketown High School?

The Hon. T. M. CASEY: My colleague, the Minister of Education, has advised me that it will not be possible to speed up the present plans for the construction of the Yorketown High School unless the Commonwealth Government makes substantial additional funds available for school buildings and alleviates the current financial position of State Governments. The details of the National Survey of Education Needs was presented to the Federal Minister for Education and Science in May, 1970. No decision has yet been made by the Commonwealth with respect to that part of the survey which dealt with the States' need for capital funds for school buildings. The Commonwealth has since requested additional information, which was supplied by South Australia in October last year. We are still awaiting a final decision on the matter.

INSECTICIDES

The Hon. JESSIE COOPER: Has the Minister of Agriculture a reply to my question of February 23 concerning the dangerous use of insecticides?

The Hon. T. M. CASEY: The Director of Agriculture has furnished me with the following information in reply to the honourable member's inquiry:

Under present economic pressures, fruit and vegetable growers find it necessary to employ many of the agricultural chemicals currently available for effective control of pests and diseases. Many insecticides are powerful poisons and precautions must be used. These are given extensive and regular publicity by the Department of Agriculture. Two recent departmental extension bulletins entitled "Selection of chemicals for pest control" and "Pesticides can be suicide", together with examples of charts of district spraying recommendations showing the kind of recommendations made, are attached.

I shall make these available to the honourable member. The reply continues:

Registration of new chemicals for pest control is subject to searching investigations not only as regards effectiveness but with due regard to any hazards its use might pose to both the operator and the consumer. The department is actively engaged in research into "integrated pest control" in which the relationships between insect populations are studied together with the minimum destruction of helpful predators and minimum use of pesticides, keeping in mind effective pest control, economy and safety. A "market basket" pesticide survey is being undertaken by the Commonwealth and State Health Departments. This is aimed at determining the pesticide residues in the total Australian diet. The

Department of Public Health has been co-operating in this survey by providing local fruit and vegetables for analysis, and may have some information on the levels of residues found, and whether these are considered of danger to public health.

As I explained to the honourable member, I have also brought down some pamphlets and publicity material issued by the department on this subject, and I shall be happy to make these available to her.

The Hon. JESSIE COOPER: In thanking the Minister of Agriculture for his reply to my question, I now ask whether the pamphlets concerning the use of dangerous insecticides could be printed in Italian, as many of the market gardeners concerned have great difficulty in reading English.

The Hon. T. M. CASEY: I am quite prepared to look at this. I think the honourable member has made a good point, and I will see that the matter is considered.

EXPORT

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

Leave granted.

The Hon. L. R. HART: Yesterday the Chief Secretary answered a question I asked last week based on a press cutting headed "Export Tips". I had some difficulty in reconciling the reply with my question. The import of the question was that Mr. Roscrow, the Chairman of the South Australian Industrial Development Advisory Committee, in addressing a Rotary Club of Adelaide luncheon, had suggested to company representatives that they should improve their export profits by exploiting the differences between Australian laws and attitudes and those of other countries. Mr. Roscrow pointed out that South Australian companies could seek incorporation in the United States of America to take advantage of much lower rates of company tax in that country. In asking the question, I commented that I was rather concerned that a man in this position should suggest that companies take advantage of our laws to avoid paying the full rate of tax imposed here. In his reply the Chief Secretary said:

The report of the remarks of Mr. Roscrow makes no reference to "evading the company laws". Those are words which the honourable member himself has used.

I did not use the words "evading the company laws"; I used the words "avoiding company laws". I again ask the Chief Secretary whether the Government still holds views similar to those expressed by Mr. Roscrow that companies should take advantage of our laws by becoming incorporated in other countries so that they do not have to pay the full rate of company tax imposed in Australia.

The Hon. A. J. SHARD: I think the words are six of one and half a dozen of the other.

The Hon. C. M. Hill: There is a big difference.

The Hon. A. J. SHARD: The honourable member can make differences; no member is better at that than he is.

The PRESIDENT: Order!

The Hon. A. J. SHARD: I will be happy to refer the question back to the Premier.

CIGARETTES

The Hon. V. G. SPRINGETT: Can the Minister of Health say what is the present position regarding the printing on cigarette packets of information concerning the danger and the risk of lung cancer from smoking?

The Hon. A. J. SHARD: The position regarding the advertising of cigarettes is the same in South Australia today as it has been for many years; there is no prohibition. I understand that a conference of Ministers of Health will be held some time in the near future, and as the question of advertising of cigarettes has become a hardy annual, I am sure that it will be discussed again. If any decision is arrived at, I will inform the honourable member of it.

CITRUS ORGANIZATION COMMITTEE

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

Leave granted.

The Hon. C. R. STORY: Could the Minister obtain for me a report on the functioning of the revised Citrus Organization Committee? I have read press reports that committee members have travelled fairly extensively through the producing areas and have held discussions with packers and processors. Has any improvement been observed in the amount of fruit to be marketed through the organization? This had reached a very low figure, and I would like general information on whether the situation has improved.

The Hon. T. M. CASEY: I will be happy to discuss this matter with the Chairman of the newly constituted Citrus Organization Committee, and if there is any information that

would be of benefit to the honourable member I am sure he would be only too happy to make it available.

DERAILMENT

The Hon. C. M. HILL: I seek leave to make a statement before asking a question of the Minister of Lands, representing the Minister of Roads and Transport.

Leave granted.

The Hon. C. M. HILL: On August 19 last year I asked the Minister whether Maunsell & Partners had completed their investigation and reported on the causes of derailments on the new standard gauge line from Broken Hill to Port Pirie and, if so, whether he would table the report. On September 15 I was told that the company had not reported. On November 19 I asked again, and on November 25 the Minister replied as follows:

The report on derailments on the Port Pirie to Cockburn standard gauge railway line has been received by the Government and is currently being studied by South Australian railway engineers and the Commonwealth Minister for Shipping and Transport. When Maunsell & Partners were commissioned to carry out an investigation by the honourable member in his then capacity as Minister of Roads and Transport in the former Government, the terms enunciated by him clearly stated that the report was to be submitted to the Government. Accordingly, it would be a breach of confidence if the report were now tabled in this Parliament. However, honourable members may be interested to know that the report stated that "nothing has emerged from our investigations which would point to a basic shortcoming in either vehicle design or train handling".

On February 17 this year a further derailment was reported in the press. Two carriages of the Indian-Pacific Express, 400yds. of which was damaged, were derailed near Jamestown. Will the Minister reconsider his decision not to table the hushed-up report of the inquiry into derailments on this important line? Has any action been taken as a result of the report to minimize the risk of further derailments? What was the official cost of the February Jamestown derailment?

The Hon. A. F. KNEEBONE: I will convey the honourable member's questions to my colleague and bring back a reply as soon as it is available.

CATCHMENT AREAS

The Hon. Sir ARTHUR RYMILL: I direct my question to the Minister of Health. The Health Department is rightly concerned about the pollution of the catchment areas in the Adelaide Hills, and it has tightened the regulations considerably. Having had some personal experience of this matter, I should like to ask, as a matter of general interest, whether when judging whether a property in a place where a septic tank is to be installed is in a catchment area the department takes into consideration merely the district council's view or whether it goes about its work in a precise way, having regard to the way in which the slopes in the particular council area run. In other words, if a person is on one side of a hill, as I imagine it, he is in a catchment area but, if he is on the other side, he is not. To particularize the question, I ask also (I am not expecting an answer to this question now) whether the Minister will inquire whether streams that run into the Bremer River are in the catchment area, because my information is to the contrary, although the particular property about which I am talking does precisely this.

The Hon. A. J. SHARD: I shall be glad to try to get answers to the honourable member's questions. I think they will have to go to two separate departments. As I understand it, the matter of septic tanks is a health question, and catchment areas are under the control of the Engineering and Water Supply Department. However, I will refer the honourable member's questions to the appropriate departments, obtain replies and bring them back as soon as possible.

WHEAT QUOTAS

The Hon. T. M. CASEY (Minister of Agriculture): I move:

That the report of the Wheat Delivery Quotas Inquiry Committee, laid on the table of this Council on March 2, 1971, be printed.

In view of the fact that it will take some time for the Government Printer to print this report, I have arranged with my office for copies of the report to be run off so that they will be available to honourable members both in this Council and in another place.

Motion carried.

BUILDERS LICENSING REGULATIONS

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

That the Builders Licensing Board Regulations, 1970, made under the Builders Licensing Act, 1967, on November 26, 1970, and laid on the table of this Council on December 1, 1970, be disallowed.

The history of these regulations is interesting. If I may recount the events, I hope the Council will bear with me while I run through

them quickly. In 1967, a Bill that came before the South Australian Parliament resulted in some disagreement between the two Houses. It would do every honourable member in this Chamber some good to go back through the speeches that were made here at that time on that legislation. After a conference between the two Houses, there were some changes in the base of the legislation, changes that will not be achieved if other legislation before us at present passes without amendment. My point is that, at the time when the principal Act was going through both Houses, it was viewed in this Council with much concern.

In 1968, the Government changed. In 1969, a Bill was introduced into the House of Assembly to make certain alterations to the principal Act, upon which these regulations are based. When that Bill was introduced, it engendered much heated debate. Certain filibustering techniques were used, which forced the Government not to proceed with the alterations to the principal Act. The next step in this series of events was that on December 4, the last day of sitting in 1970, the regulations made under the principal Act were gazetted. That did not allow honourable members here any time to look at, debate and, if necessary, move the disallowance of the regulations.

I make it clear that no general attack is being made upon the principle of the licensing of builders. If I quote from page 2688 of the 1967 *Hansard*, it will indicate the views that I held then and still hold now. I said:

When it was first known that the Government intended introducing legislation to license builders in South Australia, my first reaction was not adverse to the principle but, when the Bill was first introduced in another place and we read in the press of some of its provisions, my reaction was then one of caution—indeed, one of outright opposition to much of it.

Towards the end of my speech, I said:

That is an entirely different concept from that in this Bill.

I meant that the Bill was an entirely different concept from the Western Australian Act. Later, I said:

I think that the Bill can prove extremely restrictive and repressive to those subcontractors who have meant so much to the building industry in South Australia and who have been factors in maintaining the low costs in that industry. I am not opposing the Bill at this stage, but I have grave reservations about the efficiency of the legislation.

We can follow through this debate clearly. I should now like to quote what the Hon. Mr. Gilfillan said at that time:

After some days of debate and various representations being made it is becoming increasingly obvious that one of the main considerations in introducing the Bill is to regulate the building industry. Although the reason given publicly was that the Bill is intended to protect the public, it becomes increasingly obvious, on studying the Bill and listening to various opinions, that its main concern is to regulate and bring some stability to the building industry. I believe that the Bill has some good points, but when an attempt is made to regulate and discipline this industry, which covers such a wide field, obviously trouble will be encountered.

As I have said, right through the debates on this matter we can see that there has been no actual opposition to the general principle of the licensing of builders in South Australia. However, every honourable member could see at that time what could occur when the teeth were put into this legislation by regulations, and those teeth are before us today in this debate.

My own views matter little on the principle of this at this stage. I make it clear that I am not opposing the licensing of builders. However, the regulations before us, in my opinion, go beyond what is necessary for reasonable controls in this industry. The point to recognize is that we have passed legislation. There was disagreement between the two Houses and a conference was held. Agreement was reached on the principal Act, and that legislation stands. But, of course, as we all realize, it has little impact until the regulations are drafted and gazetted to allow the principal Act to operate. If the Council disallows the regulations before it now, it will in no way defeat the principle of licensing builders in South Australia. The Government can still proceed, if it so desires, with amended regulations, to which Parliament may or may not agree.

I hope that, if the Council carries the motion, the Government will not gazette regulations on the last sitting day of the Parliament so that this Parliament does not have the opportunity to debate these controversial regulations before adjourning. I have read some press reports that appear to indicate that the disallowance of these regulations would throw the licensing of builders out of the window, but that is not my intention in moving my motion, nor is it the intention if this Council carries my motion.

I wonder whether we all appreciate the effect that these regulations will have on the overall building industry in South Australia which, by any comparison, is providing high quality with low cost. I am certain that, if the regulations are implemented, they will have a most damaging effect on this situation, probably an effect which at present is not anticipated. I am familiar with the views of people who have spent many years in the industry, people who three years ago were somewhat impressed by this system of licensing but who have now realized that they have a tiger by the tail. These qualified people believe that the regulations and the philosophy being followed will have a substantial effect on the cost of housing and building generally in South Australia. They believe that, apart from the cost effect, there will be a dramatic effect on the number of people entering the building industry in South Australia.

We know that this industry has always had peaks and troughs of activity. Obviously, the movement of tradesmen throughout Australia will be affected. Those familiar with the building industry will know that there is a considerable movement of people engaged in it; they move over the borders from Western Australia to South Australia, to Queensland in the winter, and back to South Australia in the summer. Such movement will be inhibited by this licensing system, particularly in the subcontracting field. Some contractors who are based in Victoria do a certain amount of work in South Australia at present; they do work right along the border from the river towns to Mount Gambier, and they perform a good function. Some such subcontractors may not become licensed in South Australia, and this would have a considerable effect on the cost of building here.

I do not know whether honourable members have seen figures relating to the employment of migrants in the building industry. In relation to material subcontractors, 20 per cent of plumbers are migrants, 60 per cent of electricians are migrants, 95 per cent of gyprock fixers are migrants, 85 per cent of concreters and tilers are migrants, and 50 per cent of plasterers are migrants. In relation to labour only subcontractors, 80 per cent of painters are migrants, 80 per cent of carpenters are migrants, 95 per cent of bricklayers are migrants, and 90 per cent of foundation contractors are migrants. When a person who has been engaged in the building industry overseas is considering migrating to Australia and looks at the situation in South Australia, it will be difficult to attract him to this State.

The regulations restrict entry into the building trade, and this will lead almost to the effective elimination of the subcontracting system in South Australia's building industry, a system that has played a most important part in our present low-cost, high-quality industry. Many of the points I have made today were made in the debate three years ago. At that time these points made very little impact. However, these regulations illustrate the correctness of the attitude of many honourable members in this Council during that debate.

These regulations take one of the final steps towards complete bureaucratic control of the building industry, and such control will defeat the purposes of the legislation. The regulations allow the board to decide whether a person is fit to be licensed and they set out what inquiries have to be made and what questions have to be answered in that connection. The regulations require statements of a person's worth—not only the company's worth but also personal details. The regulations also require a person to make available to the board details of any convictions. It was not long ago that members of the Labor Party advocated that all police records should be destroyed after they had been in existence for 10 years. It is odd that that attitude should be taken, when we find that a person has to make available to the Builders Licensing Board details of all convictions in his lifetime.

The board can demand the names and addresses of all subcontractors and all people employed by any builder. These are only one or two small matters in the regulations. I believe we are seeing the 1984 "Big Brother" appearing in 1971. When all this form-filling and invasion of privacy is operating, there will be no security in respect of the information obtained. No members of the board or committees are sworn to secrecy. There is a penalty of $200 if it can be proved that anyone is dishonest, but no oath of secrecy is involved. What final protection has the public? Under the regulations, protection to the public is probably no greater than it is at present. I know there has been some poor building in South Australia (one must admit that), but the standards and costs of building in South Australia, when compared with those not only in the rest of Australia but in most other places in the world, show up very well in the interests of the public.

The Hon. C. M. Hill: One would have to take our poor building soil into account, too.

The Hon. R. C. DeGARIS: That is true. We have some soils that are probably the most difficult of any capital city in Australia. If one looked for many of the causes of our problems in the building industry, there is possibly far more difficulty in the contracts that people sign than in the ability of people to construct a building. I do not think that any honourable member would be prepared not to support any move to upgrade building standards in South Australia. Everyone would be highly delighted to assist in any way possible to see that the standards of our tradesmen and professional people are brought up to the highest possible level. However, these regulations, which constitute an unwarranted invasion of privacy, are bureaucratic and clothe the board with powers that will increase costs without great benefit to the public. With the powers in the Act and in the regulations, the Government could alter the whole structure of the building industry. As I pointed out earlier, the regulations could mean the end, if the Government so decided, of the subcontracting system and the Government could introduce complete union control of every phase of the industry.

The Hon. L. R. Hart: Isn't that the whole purpose of the exercise?

The Hon. R. C. DeGARIS: I do not know. I am commenting only on what could happen, not only with the legislation but also with the regulations. When all this has been achieved, it will not effectively protect the public of South Australia. If this approach is justified, and if as a Parliament we accept this approach of a massive bureaucratic organization to overcome one or two problems that have occurred and build into our legislation regulations that have teeth that bite deeply into the very structure of the industry, where next will the Government turn with its ideas on this type of control? If we accept this principle now, what will be the next industry to come within the ambit of this type of legislation? I have been informed that this is only phase 1 of the licensing operations in relation to builders licensing, and I am not looking forward to phases 2 and 3!

There is also the question of the Building Bill before the Council at present which, if it is not amended, could make these regulations as they stand operative throughout the length and breadth of the State. I remember the Hon. Mr. Gilfillan speaking on the Bill in 1967 when he said, on the question of regulations, that in his opinion the regulations should not become operative until they had lain on the table of the Council for 14 sitting days, because people would not understand what the legislation meant until they had seen them. This matter raises a point on which I should like to touch now and which I believe will assume greater importance as time passes. We are seeing more and more Bills coming through that do not allow the public or Parliament to understand fully what is intended. In other words, Bills are being introduced that enable the Government to make regulations, which become law as soon as they are made.

The whole concept of regulations made under powers conferred by legislation may have worked very well in the past, but I believe that every honourable member must be aware that the Joint Committee on Subordinate Legislation is getting more and more complicated work to do. Indeed, one cannot understand what any Government intends to do under its legislation until the regulations have been promulgated. We may have to re-examine this situation in the future. It is very difficult for Parliament and for the people to understand exactly what is intended with a small enabling Bill under which massive regulations can be made. Parliament may very shortly have to re-examine all its procedures, because of the factors I have mentioned. We would not be in this position today with the regulations now under discussion if the people concerned could have understood the implications of the original Bill when it was before Parliament.

I know that, when that Bill was introduced, many people in the building industry advised us to pass it without amendment. They wanted it; it was what they required, but they did not understand it, whereas now they do understand it. Many people in the industry are only just beginning to understand what this legislation means. I know that, as time proceeds, the real problem will emerge, if it has not already emerged, and that is the principal Act. I believe that in many respects the Government has the right to make this legislation work, but I do not believe that the Council should prevent the legislation from operating purely by continuing to disallow regulations.

Nevertheless, I believe that the Government should be given the opportunity to re-examine the whole situation and that the public generally should be given the opportunity to

understand exactly the impact of the regulations now before us. The public is just beginning to understand the real implications of the principal Act. So in moving the disallowance of these regulations, perhaps I am really asking the Government to reassess the whole situation surrounding the principal Act. Just recently, a Select Committee was appointed in New South Wales to deal with this question, and it is interesting to study the committee's report. Page 10 of the report states:

The case for licensing. The committee considers the first step is to license builders, and to have the builder accept the sole responsibility for his work also to guarantee the performance of his subcontractors, their tradesmen and others engaged in the construction of the building. A builder should be prepared to guarantee his work for a period of 12 months from the date of completion of a project, and undertake to correct at his own expense, any faults occurring during the period.

At page 11 recommendation 24 states:

That the criterion for licensing be the production of documentary evidence of at least two years operation as a building contractor during the three years preceding the passing of the Builders Licensing Act, or such lesser period of operation as the board may require.

At page 15, after summarizing Western Australian and South Australian legislation, the report states:

The Western Australian system is simple, relatively effective and has operated for more than 30 years. Your committee, however, does not feel that the Western Australian registration system as it presently stands could be satisfactorily adopted in New South Wales. The committee considers that the legislation in South Australia does not offer a solution for New South Wales.

In this report we see that the emphasis is on the licensing of a builder, and no-one in this House has objected to that principle. As a first step we are using the massive system of regulation—this invasion of privacy in a situation that is taking a 14 lb. hammer to crack a peanut—and we are adopting a Big Brother approach of a massive bureaucracy, which is not necessary in the present circumstances.

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

PLANNING AND DEVELOPMENT ACT REGULATIONS

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

That the regulations under the Planning and Development Act, 1966-1969, made on June 18, 1970, and laid on the table of this Council on July 14, 1970, be disallowed.

(Continued from November 25. Page 3013.)

The Hon. G. J. GILFILLAN (Northern): I have considered this problem with as much concern as has been exhibited by other honourable members. I believe we have in the community a growing awareness of the dangers of pollution in almost every part of our environment, but particularly the pollution of our water supply. This supply is vital to South Australia, in that the area of catchment for domestic water supply is relatively small compared with the size of the area it serves. I believe that some members are not completely aware of what is happening under this proposed regulation. The regulation has been made under the Planning and Development Act, but it makes the Director of Planning an agent of the Engineering and Water Supply Department. This is a new departure in the control of pollution, although we find a multiplicity of authorities involved. We have the Public Health Department, the Lands Department closely involved in the Murray River area, the E. & W.S. Department, councils, and the local boards of health and, in addition, it is proposed that the Planning and Development Act be the Act under which the Director of the E. & W.S. Department will regulate the development that could lead to the pollution of our water supply. The regulation provides:

The Director—

and that is the Director under the Planning and Development Act—

may refuse approval to a plan of subdivision or resubdivision if:

(*a*) the land or any part thereof is:

(i) within the watershed of an existing or proposed reservoir, or source of public water supply; or

(ii) within 300ft. of the normal edge of the River Murray, including any flowing anabranch, Lakes Alexandrina and Albert, and any watercourse extending upstream therefrom proclaimed under the Control of Waters Act, 1919-1925 or any amendment thereto; and

(*b*) in the opinion of the Director and Engineer-in-Chief of the Engineering and Water Supply Department the approval of the plan could lead to pollution of a public water supply.

It is obvious that the E. & W.S. Department has a direct authority of control throughout the area through the Planning and Development Act. When taken in conjunction with an information bulletin distributed by the

Engineer-in-Chief (Mr. Beaney) on January 29, 1971, the regulation becomes more significant.

The bulletin states:

In January, 1970, the department recommended to the State Planning Authority, the Lands Department and local government authorities, the adoption of the following policies to control river front development:

No new buildings, caravan sites and associated toilet facilities including sewage disposal facilities should be sited within 100yds. of the river, any flowing anabranch or Lakes Alexandrina and Albert.

All new home or caravan sites should be above the 1956 flood level.

This is a matter that gives me most concern, in that the policy which can be varied from time to time within the department can be given expression through the use of the State Planning Authority. As the policy stands, many parts of it are fair and in the best interests of the public, but I question some aspects of it, one being the use of the 1956 flood level, which is the highest level known. If the 1931 flood level had been used, surely this would be more realistic, because I believe that that level was one that was considered would not occur more than once in 20 years. I have been assured that floods are not the main source of danger of pollution in the river, in that if the flood level should rise unduly in the areas served by septic tanks the huge volume of water involved would minimize the danger to a large extent. Pollution is more dangerous at times of low river level. I understand that the 1956 flood level would virtually ensure that no development would take place on the river below Mannum. Under this proposal, for instance, no development could take place at Hindmarsh Island or at Goolwa.

I question the words used in Part II of the regulation in referring to the normal edge of the Murray River. I have looked through the Control of Waters Act and I cannot find a definition of the normal edge of the Murray, whether it be the edge when the river is held at full level or where the edge would be if no locks had been constructed. This appears to be quite a loose definition, but that is more a matter of drafting than of the controls envisaged under this seemingly simple regulation.

I do not intend to oppose this regulation outright, but I would like some explanation from the Minister, and particularly some undertakings relating to administration by the E. & W.S. Department and the controls throughout the catchment area in the Adelaide Hills and along the Murray River. The Hon. Mr. DeGaris had something to say this afternoon about bureaucracy on another matter. In my personal experience the E. & W.S. Department has some very fine officers, many of whom are dedicated to providing the city and State with water supplies of good quality, and the history of water supply in South Australia probably stands supreme in Australia. However, I question the placing of too much authority in the hands of perhaps junior officers when it comes to the actual administration of this regulation. I look to one of the members of Cabinet representing the Government to give some undertaking and a more detailed explanation of the Government's proposals during the course of the debate.

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

AIRCRAFT OFFENCES BILL

Read a third time and passed.

CONSTITUTION ACT AMENDMENT BILL (VOTING AGE)

Adjourned debate on second reading.

(Continued from March 2. Page 3633.)

The Hon. L. R. HART (Midland): On the Notice Paper we have two Bills dealing with the rights of people in the 18-to-21-year age group. Perhaps "rights" is not the correct word to use; we are really setting out to impose an obligation on these people. The main point which has emerged from this debate, expressed very clearly by all members who have spoken so far, is that voting rights for people 18 years of age and under 21 years should be on a voluntary basis. On the surface it would seem that voluntary voting for the age group in question would be wellnigh impossible under our present system of a common roll. Furthermore, if this legislation is passed and there is no similar legislation in the Commonwealth sphere, we shall have a situation where the enrolment of persons under 21 years of age will be on an entirely voluntary basis but, once enrolled, voting becomes compulsory. At present we use the Commonwealth roll, and under the Commonwealth legislation enrolment is not compulsory until the age of 21 years, so unless we have complementary legislation, enrolment will not become compulsory in South Australia for people under 21 years of age.

Uniformity of legislation seems to be the vogue today, and although I do not believe in uniformity for uniformity's sake, I think in the

case of voting rights we have an area where it is desirable. Many reasons are canvassed for the introduction of voting rights at 18 years of age. Some people say that other advanced countries, such as Great Britain, have voting at 18 years, but in that country voting in all cases is on a voluntary basis and not, as in Australia, on a compulsory basis. Other people say the other States have it, but it is not always wise to follow the courses adopted by other States. At present some of the other States are certainly not adopting legislation and regulations being introduced in South Australia. Then, of course, there seems to be a desire on the part of Governments to be first in the field—the first Government in Australia to introduce different types of legislation. I do not know the reason for this, other than to gain some form of notoriety.

It would be fair to say there has been no concerted demand for the introduction of this legislation. Politicians would agree that there has been no lobbying for its introduction. When sections of the community are concerned about the possibility of legislation being introduced, or about its effects when introduced, or because it is not being introduced, there is usually a spate of letters to members of Parliament, and often personal interviews. In my case—and I think I am expressing the sentiments of other members—at no time has this been the situation with the present measure to amend the Constitution Act regarding voting ages. Many people in South Australia in all age groups are not particularly interested in voting rights in any form. They merely vote because they are forced to. I have known cases of by-elections for the Legislative Council where people have gone to vote, and when they have realized that voting is not compulsory they have walked away from the polling booth without recording a vote. No doubt the same views would be held by some people in the age group now under discussion. Then, of course, there are many people in this 18 to 21 years age group who are far too busy at present to get concerned with politics. They have set themselves a course in their education or their profession that causes them to lead a busy life, so at this stage they do not want to be encumbered by the need to study for which candidate or Party they should vote at an election.

Then there is the group of people who say, "This 18 to 21 years age group must obey the laws of this State. Therefore, they are entitled to have a vote on who should govern them." That is perfectly true, but it is also perfectly true that the 16-year-olds, the 14-year-olds, the 12-year-olds, and so on down the scale must obey the laws of the State; they are all required to do that. Who is prepared to suggest that all those age groups are entitled to vote at an election? If we conducted a questionnaire on what form of new legislation the 18-year-old group desired most of all, the answer would probably be "The right to drink in public places". That age group believes that the right to drink in public places gives it something of a status symbol, but it does not impose an obligation on them as the right to vote would: it is something they are free to do if they so wish, and it is something that many of them desire to do. Whether or not it is a good policy is beside the point.

It seems that the people desire that any relaxation of legislation should be along the lines of gambling or devices associated with gambling, or of easing the liquor laws. I remember, after the victory of the first Walsh Government, asking people in my electoral district the main reason why they voted for the Labor Party on that occasion. Invariably, the answer was, "The Labor Party was prepared to introduce betting facilities." I think the same sentiments apply today, even with the younger group of people. It is not that they are keen to get the right to vote; it is that they are keen to have some relaxation of the present laws.

Another matter that concerns me to some extent is the effect that this legislation would have on the distribution of voters in this State. At the present time there is a certain loading between city and country areas. If we are to give voting rights to the 18-year-olds, we shall bring about a further imbalance in this loading between city and country. It is difficult to get statistics on the distribution of people in the various age groups as between city and country areas, but it would appear that about 73 per cent of the people of this State live in the metropolitan area and 27 per cent in the country areas. On this basis, one can assume that 73 per cent of the 18-year-old group would live in the metropolitan area. Therefore, there is this possibility of an imbalance between city and country areas in voting strength.

Another thing that puzzles me is this: why is 18 years the most desirable age at which people should have the right to vote? What is magic about the age of 18? When we set

out to effect alterations to the laws of the State, we should do it gradually. Most of us recognize that there is a great difference between the maturity of an 18-year-old and that of a 21-year-old. Therefore, the logical move would be to reduce the voting age from 21 to 20 and, in due course, if it could be proved that this younger age group was becoming more mature, we could on some future occasion further reduce the voting age. Can we prove that the 18-year-old today is more mature than the 18-year-old of two decades ago? He may be more informed on what is going on in the world, for there is more communication between various parts of the world today than there was 20 years ago, but that does not mean to say that the present 18-year-old is more mature and that he can make a more mature decision than the 18-year-old could 20 years ago, when many of the then 18-year-olds had been earning their own living for two years. Surely the fact that they had been exposed to influences of the world about them would make them as mature as, if not more mature than, the 18-year-old today, who in many cases is still at school.

We must realize that we have this situation today where even in secondary schools there are many pupils aged 18 and over. This is causing some concern to many of the high school teachers, who are worried about their ability to impose the necessary discipline upon that age group once it is given adult status. I appreciate that that matter is not dealt with in this Bill but it is in another Bill on the Notice Paper. If that other Bill is passed, then the age of majority will, in due course, be reduced to 18 years, and the situation can then develop where the 18-year-old is regarded as an adult. The political Parties today spend too much time trying to gain favour with certain sections of the community by introducing, in many cases, largely social legislation. It is producing little, if any, improvement to the viability of the economy. In many instances, pressures are applied by groups motivated by purely emotional sentiments.

I am willing to support a measure to reduce the present voting age but not this Bill in its present form. Therefore, I shall be looking closely at some of the amendments on file because they would be largely acceptable not only to me but also to most people in South Australia. If we followed the suggestion made yesterday by the Hon. Mr. DeGaris and held a referendum on what people regarded as a suitable voting age, I have no doubt that some of the answers we would get would not be what is contained in this Bill. Therefore, I reserve my judgment on the Bill until I have been able to study the amendments on file and have listened to further speakers on this matter.

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

AGE OF MAJORITY (REDUCTION) BILL

Adjourned debate on second reading.

(Continued from March 2. Page 3634.)

The Hon. M. B. DAWKINS (Midland): This Bill is closely related to the Constitution Act Amendment Bill. I spoke on that Bill before the Council adjourned prior to the Christmas break, when I made the same points as the Hon. Mr. Hart made this afternoon regarding maturity. As I agree very much with what the honourable member said, there is no point in my repeating those statements now. Anyone who has heard my comments on this type of legislation and on the assumption that 18-year-olds today are more mature than people of that age were 20 or 30 years ago will know that I do not agree with the assumption and that I am generally opposed to this type of legislation. I would oppose this Bill as it stands, but I do not intend to vote against it at the second reading stage; because several amendments have been foreshadowed I shall reserve my judgment until the third reading stage. If, when the Bill reaches the third reading stage, it is substantially the same as it is at present, I shall oppose it.

The Bill will confer full juristic capacity upon persons of or above the age of 18 years, in so far as the South Australian Parliament is competent to legislate. This Bill is premature. For reasons I have given before, I am not at all happy about the idea of 18-year-olds voting, and I am less happy about the idea of conferring full responsibility upon people of that age. As the Hon. Mr. Hart said, many people of that age are still at secondary school, and some may just be commencing their tertiary education. At that stage they are still receiving allowances from their parents and they have not come into contact with the practical realities of the outside world. Many of them would not be as mature as they need to be to assume these responsibilities.

I foreshadow an amendment to clause 2 that will ensure that this Bill will not come into operation until the Commonwealth Parliament

has provided for 18-year-olds to vote in elections for the House of Representatives. I have foreshadowed a similar amendment in connection with the Constitution Act Amendment Bill. South Australia should not be a guinea pig in this respect, and we should not give 18-year-olds the right to vote in elections for the South Australian Parliament until the Commonwealth Parliament gives them the right to vote in Commonwealth elections.

The Hon. Mr. Whyte has foreshadowed an amendment to clause 3, in which he suggests that the age of 20 years be substituted. As the Hon. Mr. Hart suggested, if there is to be a change from the age of 21 years, 20 years is a much more suitable age than 18 years. Because this Bill varies the operation of many other Acts, the Hon. Mr. Whyte will have to make his amendment in not one but about 20 places in the Bill. I shall refer now to some provisions that I believe should be deleted. Clause 2 of Part III provides:

Section 4 of the principal Act is amended by striking out from paragraph (*a*) of subsection (1) the passage "twenty-one years, or who has been awarded the said college diploma before the passing of this Act and is over the age of twenty-one years and under the age of thirty years at the time he makes his first application under this Act" and inserting in lieu thereof the passage "eighteen years".

That is an instance of an impracticable provision, because nowadays a person cannot get into Roseworthy Agricultural College before he is 18 years of age. He must have five years of secondary education, and it is unlikely that anyone would graduate from that institution until he was at least 20 or 21 years of age.

The Hon. Mr. Whyte has foreshadowed an amendment to Part XIX, which deals with the amendment of the Juries Act. I am totally opposed to a reduction from 25 years to 18 years as the age at which people may serve on juries. Because the age of 25 years is probably a suitable age at which a person is competent and can exercise mature judgment, I support the Hon. Mr. Whyte's suggestion.

Regarding the minimum age at which people may drink alcoholic liquor in bars, I am aware that it is very difficult for barmen to ascertain the age of young people. Probably many 18-year-olds and 19-year-olds are now drinking in bars, and I am not suggesting that we can do anything about that at present. However, if we reduce the minimum age to 18 years we will have people drinking in bars who have matured early and therefore look relatively old but who are really only 16 years or 15 years of age. That is not a good thing. More maturity is needed before that privilege is extended. I fully agree with the Hon. Mr. Hill's suggestions regarding motor vehicles and pistol licences.

I turn now to Part XXXIII, which deals with the amendment of the Veterinary Surgeons Act. Regarding qualifications for registration, it states:

Section 17 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "has attained the age of twenty-one years and";

and

(*b*) by striking out paragraph (*a*) of subsection (2) and the word "and" immediately following that paragraph.

This refers to a person having to be 21 years of age to be registered. For anyone to be able to be registered at that age is really a ridiculous state of affairs. I have referred to only a few undesirable portions of the Bill, some of which come close to being ridiculous; however, it should not be inferred that I am in favour of the remainder of the legislation. I am generally opposed to this type of legislation, but I will not prevent the Bill from having the opportunity to be improved in Committee. If the Bill is reported out of Committee substantially in its present form, I will oppose it at the third reading.

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

BUILDING BILL

Adjourned debate on second reading.

(Continued from March 2. Page 3636.)

The Hon. H. K. KEMP (Southern): In speaking to this Bill, I shall not cover the ground that has already been covered by other honourable members, but I should like to make some points regarding it. First of all, this afternoon we have already heard about the straitjacket in which the building industry has been placed as a result of the regulations under the Builders Licensing Act, and the present Bill will only increase the severity of that straitjacket; it cannot do otherwise.

What is the necessity for the Bill? We already have an Act which, with all its defects, has given us extremely good quality building at a very moderate price and at standards at which we can compare. The whole purpose of the Bill must be to restrict further the activities of builders engaged in

construction work. The real need should be looked at closely every time we consider legislation of this nature.

I understood that, when this legislation was discussed earlier, one of the big needs was to introduce into the regulations some of the new methods and styles of approach, particularly the new dimensions of building that are taking place today. However, in studying the Bill I find very little indeed that brings it into line with the modern age. Instead, pages 26, 27 and 28 of the Bill set out a huge list of matters on which regulations can be made, without giving any indication of what the regulations will be.

These matters seem to go into every possible aspect of building, of the inspection of buildings, and of the councils that will be the employers of the inspectors. Until we get to paragraphs (*za*), (*zb*) and (*zc*), little mention is made of things directly concerned with building. Surely, with the example in front of us in connection with the Builders Licensing Act, one should look at such a list very suspiciously.

I have had an unfortunate experience under the old Act of the restriction that can be placed on thoroughly desirable building. It involved a group of workmen in my own district, one of whom was a qualified builder and a very highly respected tradesman, who built their own houses. This was a means of their getting houses which otherwise I do not think any of them would have been able to obtain.

Today, each of these workmen has a well-built house, but the bedevilling they had in the process of building the houses was really unconscionable. They were restricted in every possible way and they were made to change the plans and materials, although this work was being done under the close supervision of a qualified builder. Because this work was being done by people whom the building inspector considered incapable of doing it, he gave them a terrible time. However, the proof of the success is in the cottages, of which the district is proud.

The fear that attaches to everyone who studies a Bill of this nature is just how far will it go. I do not want to elaborate on this matter, because other speakers have already done so. The definition of "building work" is extremely wide and, in strict interpretation, it means everything of an artificial nature constructed on the ground.

As has already been stated, a strict interpretation of that definition could include every fence and every smallest structure that entails any nailing or fastening together of materials; not only that, but the excavation and the filling or preparing of the ground on which any such structure is to be built.

I know the difficulties attached to trying to define just what is a building, and I believe that this was a matter of dispute between the Houses when the previous Bill was being debated. Surely there should be some limitation on what is meant by "building work" rather than there being an all-inclusive definition that carries so far.

I had the experience of an utterly ridiculous situation that arose under the Building Act where a temporary structure erected over newly installed machinery for the distribution of water was objected to. The landholder was forced to remove what was merely a few sheets of galvanized iron nailed to a couple of pieces of bush timber pieces to protect the pumps and the motors until a new building could be erected. There was no intention of this structure remaining any longer than it would take to erect a new building. This is the sort of action that should not be permitted.

Under provisions of the Building Act and in the areas in which it operates, the exact position is that any temporary or permanent structure comes under close regulation. I do not doubt that we must have some standards to which adherence is required, and I should hate to see in Adelaide's suburbs fences that we tolerate in country districts for guarding stock. It is reasonable to include in the Building Act regulations about fences in certain circumstances.

Although there have been attempts made to lay down standards, surely we should know more about the details and where the regulations will apply when the Bill is being considered, or we will have the same situation that has arisen under the Builders Licensing Act and its regulations. It will be a tragedy in this State if, under the provisions of this Bill and those of the Builders Licensing Act, private construction is prevented.

Many people on lower incomes have been able to obtain their houses because they have built them themselves. Many of these people have been able to do all the work, but progressively more restrictions have been placed on them. Now, the private owner cannot do any plumbing or electrical installation. Why should

these restrictions be placed on every phase of the construction from the turning of the first sod?

I have no doubt that there is need to provide standards that fly-by-night builders must observe. Fortunately, those people are remarkably rare in this State, although there have been some who have taken the life savings from people. It would be a tragedy if, by safeguarding the rare instances of defective work, we destroyed the chance for a man, who is capable of reaching the standard of work required, to do his own work.

This is essentially a Committee Bill and it must be considered clause by clause. I question several minor items at this stage: although I cannot say that I support the Bill I will vote for it, but with deep reservations.

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

CAPITAL AND CORPORAL PUNISHMENT ABOLITION BILL

Adjourned debate on second reading.

(Continued from March 2. Page 3638.)

The Hon. C. M. HILL (Central No. 2): I find great difficulty in bringing forward material that has not already been raised in this debate, but I speak because I do not intend to cast a silent vote on a subject as important as this one. First, I am greatly disappointed that the Bill has not been introduced here on an open-vote principle, because I believe that a question of this kind is, without doubt, a matter of conscience.

A political Party that demands of its members that they must be bound by Party discipline on a question of conscience as great as this is a Party that is taking its discipline too far. The Labor Party states that questions concerning betting and the drinking of alcohol are always treated by that Party on a free-vote principle, yet in regard to this particular matter, when we are being asked to either abolish capital punishment or retain it, we do not see the Labor Party (being the Government of the day) providing that chance for its members.

I do not know from which date the Government has considered this question to be a Party issue. The Government did not refer to capital punishment in its policy speech before the election in 1970, and it did not refer to it in its policy speech in 1968. So I say, first, that it is a great pity that all members of the Legislature on this occasion are not approaching this most important subject of conscience with an open mind and completely unfettered from Party rule and discipline.

I have always held a deep conviction that capital punishment should be retained on the Statute Book. I held it in the knowledge that the death penalty has seldom been carried out in South Australia in the last decade or two, and in the knowledge, too, that probably it never will be carried out in future even if provision for it remains on the Statute Book. It has always seemed to me in the past to be a safety valve in our social structure, and a safety valve which, in the best interests of the people of this State, it would be advisable to leave untouched.

However, when one is confronted with legislation of this kind one must carry out research and investigation into the whole broad subject, and I have tried to do that by reading books and other literature. Also, I have listened with great interest to the debate in this Chamber. The more one reads and the more one delves into this question, the more one becomes confronted with contradiction, with uncertainty, with theories of all kinds, with complexities and, above all, with emotion.

Despite the fact that we try to be logical it is difficult, human nature being what it is, to read material and to think the whole subject through after reading it, without this human characteristic of emotion coming to the surface. The question of capital punishment is one that is charged with emotion. It is not easy, when one begins with a deep conviction and endeavours to become better informed on the subject from all points of view, to emerge from a great mass of research and investigation with a new and clear viewpoint.

I have been very much impressed by the way in which eminent men, particularly those in Great Britain who make up the episcopal and judicial benches, have in many cases held strong convictions and yet, with the passing of time, have changed their minds and have expressed these changes publicly. I greatly admire men in these and other positions of authority who are strong in their views and convictions, but my admiration overflows when I see that they have, after a period of time, not only changed their minds but have made public their different views. It is not easy for most men to do this. This point has influenced my thinking.

The Hon. F. J. Potter: On those occasions did the law change in the interim before they changed their views?

The Hon. C. M. HILL: Yes, this is so, or it would be in some cases. I think from my reading of Sir Ernest Gowers' book that perhaps there were others, too, who changed. I commend the Hon. Mr. Springett and the Hon. Mr. Potter for their contributions to this debate. Each of these gentlemen is highly qualified in his respective academic and professional field. Each put an opposing view on the question, and each stressed the major points in support of his case.

Two points still affect me. First, I believe that public opinion in the electorate I represent still, in the majority, favours the retention of capital punishment. By contact with a general cross-section of the people I represent, I am of the view that the majority favour the legislation on capital punishment remaining as it is. Secondly, there is the question of deterrent—not so much deterrent against a premeditated murder, but deterrent against the carrying of weapons which can be used in murder. This has been raised in investigations in Great Britain.

There is a significant deterrent effect upon a law-breaker, deterring him from carrying a gun or a jemmy bar, for example, which is used in burglaries. There is a deterrent against the carrying of these arms, and, of course, the knife, too. This means that the police receive considerable protection, and all we can do to support our Police Force we should do. This is a very strong point to be borne in mind when the final decision is made on opposition to or support of this measure.

I am not opposed to some changes being introduced regarding corporal punishment. There will be amendments in the Committee stage, if the Bill reaches that stage, regarding the abolition of corporal punishment in some respects. In general terms I support some changes in that area, but I summarize by saying that, whilst my previous strong conviction regarding capital punishment has been shaken by the reading and the research I have done, I am not yet convinced—and as the debate is drawing to a close and I have finished my research, I will not be convinced on this occasion—that a change should take place in the matter of capital punishment in South Australia.

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

PUBLIC SERVICE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 18. Page 2742.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I do not intend to speak at any length on this Bill, which was introduced in this Council and the second reading explanation given on November 18. Evidently the Government had some amendment it wanted to introduce, and the Chief Secretary informed me that there were amendments to come. It is largely a Committee Bill to deal with a series of amendments to various sections of the Public Service Act. Each one can be debated.

The Hon. A. J. Shard: They are not actually amendments. Two clauses will be withdrawn.

The Hon. R. C. DeGARIS: In that case, if the Chief Secretary would like to reply to the second reading debate at this stage to indicate what is intended we can look at the amendments and debate them in the Committee stage. I am prepared to support the Bill at this stage.

The Hon. A. J. SHARD (Chief Secretary): This Bill has been before the Council for some considerable time. After it had been passed in another place some queries were received from the Public Service Association as to the merits of one clause. Negotiations have taken place between the Government and the association, and have reached a conclusion. For the benefit of honourable members, I will read a statement to them. It concerns two clauses. Honourable members will note that clause 8 of the Bill grants a right of appeal against appointments in the Public Service to persons who are not employed under the Public Service Act. This provision was primarily intended to permit teachers employed in the Education Department, who are not employed under the Act, to appeal against the appointment of their fellows to professional educational administrative offices created under the Public Service Act.

However, a report following an extensive inquiry into the administrative structure of the Education Department under the chairmanship of Professor Karmel has now been received by the Government. Since decisions arising from consideration of the Karmel report may have some bearing on the matter of appeals, it does not seem appropriate that the amendment proposed in clause 8 should be proceeded with at this time. Clause 10 provides for the repeal of certain special provisions relating to appeals by the professional

officers of Parliament. This clause is, of course, consequential on the enactment of a general provision in this matter by clause 8. It seems desirable that, if clause 8 is not proceeded with, clause 10 should not be proceeded with.

When we are in the Committee stage, I shall move that clause 8, which affects the essence of the contract between the Government and the Public Service Association, and clause 10 be not proceeded with. I thank honourable members for their consideration of the Bill. When we get into Committee, I shall be happy, if requested to do so, to ask that progress be reported to enable honourable members to consider the Bill further.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Parts, etc."

The Hon. R. C. DeGARIS: I ask the Chief Secretary to report progress at this stage to allow honourable members to study the implications of the Government's amendments.

The Hon. A. J. SHARD (Chief Secretary): Yes. I ask that progress be reported.

Progress reported; Committee to sit again.

ADJOURNMENT

At 4.45 p.m. the Council adjourned until Tuesday, March 9, at 2.15 p.m.