

LEGISLATIVE COUNCIL

Tuesday, March 23, 1971

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

QUESTIONS

LAND TAX

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to the question I asked last week regarding land tax?

The Hon. A. J. SHARD: There is provision in the amending Act passed earlier this session for land tax rates to be reduced for rural properties by 40 per cent of the rates presently applying for properties valued up to \$40,000 and for reductions equal to 2c for each \$10 of unimproved value of rural properties worth more than \$40,000.

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

Leave granted.

The Hon. R. C. DeGARIS: I thank the Chief Secretary for the two replies I have received on this question. However, there still appear to be some anomalies. I realize that we passed a Bill recently providing for land tax rates on rural properties to be reduced. However, in the meantime there has been an assessment which in many instances increases land tax assessments by up to five times, and it seems obvious to me that, even with the rebates, there must be an increase in the collection of tax, yet the Chief Secretary's reply indicates that the Government will be collecting about the same sum of money as previously.

The Hon. A. F. Kneebone: In total, it will be receiving less from rural properties.

The Hon. R. C. DeGARIS: Yes, \$100,000 less, which is about the same as before. This still seems to me to be somewhat contradictory in relation to the increased assessment, and I believe there must be some anomaly in these figures. Will the Chief Secretary check again to see whether under the new assessments, even with the rebates provided for in the recent legislation, the Government will be collecting only \$1,000,000 in the next financial year from rural land tax?

The Hon. A. J. SHARD: I am no authority on this question. However, I understand that some rural properties have been increased in value (justifiably so) and that some have been reduced considerably.

The Hon. D. H. L. Banfield: Quite a number.

The Hon. A. J. SHARD: Yes; I believe that 25 per cent of properties were increased in value and that the other 75 per cent remained the same or were decreased. I assure the Leader that my information is that the overall income for the Government will be less than what was collected previously. However, I will endeavour to have the question re-examined. I have been informed that where the assessment has increased considerably there has been ample justification for it.

The Hon. H. K. KEMP: Will the Chief Secretary indicate the areas in which the quinquennial land tax assessment has been reduced?

The Hon. A. J. SHARD: I shall endeavour to obtain the information for the honourable member.

The Hon. Sir NORMAN JUDE: I seek leave to make a statement prior to asking a question of the Chief Secretary, representing the Treasurer.

Leave granted.

The Hon. Sir NORMAN JUDE: My statement refers to the recent land tax assessment. Certain country papers are, I understand, putting out a statement that appeal forms on which to lodge appeals (and, as the Minister is aware, thousands of appeals are being made) are no longer available. Applicants for forms are told to write in letters setting out their cases for appeal. The Chief Secretary, as an administrator, knows that he does not like to receive letters in longhand writing, some of which are indecipherable. I make the point here that it would be rather like making out our own income tax forms without getting a printed form on which to write. Will the Chief Secretary take this matter up with his colleague and his department to see that these forms are made available to the public?

The Hon. A. J. SHARD: Yes.

NOARLUNGA FREEWAY

The Hon. C. M. HILL: As reports indicate that the Government is finally in the process of approving the M.A.T.S. route on the Noarlunga freeway through Marion, will the Minister of Lands ask the Minister of Roads and Transport to obtain from the Speaker the petition signed by 5,679 electors objecting thereto and presented by the Minister of Roads and Transport on September 19, 1968, when he was a private member in Opposition, as I should like to re-present the petition before it is too late?

The Hon. A. F. KNEEBONE: I shall approach my colleague and see what can be done in this matter.

TON MILE TAX

The Hon. A. M. WHYTE: Has the Minister of Lands, representing the Minister of Roads and Transport, a reply to my question of March 16 about the ton mile tax?

The Hon. A. F. KNEEBONE: This matter is one of the matters that the Government's Road Maintenance Inquiry Committee (the Chairman of which is Mr. J. C. Adams, Collector of Road Charges in the Highways Department) will be considering in its extensive examination of the Road Maintenance (Contribution) Act.

CATCHMENT AREAS

The Hon. Sir ARTHUR RYMILL: Has the Minister of Health a reply to my recent question about watercourses in catchment areas?

The Hon. A. J. SHARD: Watercourses that drain into the Bremer River are not regarded as being within the Adelaide Hills water catchment area. The Department of Public Health has tightened the requirements for septic tank installations within the catchment area. The requirements are set out in the attached leaflet which indicates clearly that these standards apply only in the catchment area. The department works closely with local boards of health and, because local board officers often have detailed local knowledge beyond that of departmental officers, it is not unusual for local opinion to be sought. However, when there is any doubt as to what standards should apply on any particular property or in a special locality, departmental officers are available to assess the problem on site and to advise the central board and the householder. The department is aware that a small area in the eastern part of the Onkaparinga district drains not into the Onkaparinga River but into the Bremer. If the honourable member or those on whose behalf the question was asked will advise the department of the precise location of the property in question, an officer will be available to inspect and report on the matter. I ask leave for the attached leaflet to be incorporated in *Hansard* without my reading it.

Leave granted.

SEPTIC TANK INSTALLATIONS IN ADELAIDE HILLS AREA

As from January 1, 1971, septic tank systems installed in the water catchment area of the Adelaide Hills will be required to conform with new standards which have been laid down by the Central Board of Health. The upgrading of standards has been found necessary because of high rainfall, sloping sites, unsuitable soil for the disposal of effluent and to prevent pollution of streams which flow into reservoirs. The requirements are as follows:

1. All-purpose type septic tanks shall be provided with a pumping chamber of a minimum capacity of 100gall. The pumping chamber may be separate from the septic tank, or combined with the septic tank in the form of a third compartment. If effluent requires to be pumped from the pumping chamber to the effluent disposal unit, a mechanically operated pump shall be provided.
2. Effluent disposal is to be increased by 100 per cent above normal requirements, that is:
 - (a) 120ft. of perforated pipes in an approved metal filled trench, or
 - (b) 60ft. of effluent disposal boxes with metal on each side to approval, or
 - (c) where permitted a soakage well with a capacity of not less than 200 cubic feet and built to approved standards.
3. Stormwater from the roof shall be disposed of to the street water table or, if this is not practicable, it shall be diverted to an area where it will not flood the effluent disposal area.
4. That where required, because of the nature of the site, a subsurface collecting (French) drain shall be installed at a higher level than the effluent disposal area to divert migrating subsurface water.

The above requirements will apply only in the Adelaide water catchment area, and only in areas where it is known that sewers or effluent drainage schemes will not be installed within five years from the date of application of the plans for approval. The councils which have all or part of their area within the Adelaide water catchment area are: Stirling, East Torrens, Onkaparinga, Gumeracha, Mount Pleasant, Meadows (part only), Barossa (part only), and Tea Tree Gully (part only). The installation of septic tanks

in South Australia is a direct responsibility of the Department of Public Health and any inquiries should be directed to the inspection branch of that department, phone 28 0911.

INSECTICIDES

The Hon. JESSIE COOPER: Has the Minister of Agriculture an answer to my question about insecticides that I asked earlier this month?

The Hon. T. M. CASEY: When replying to a previous question by the honourable member, I undertook to consider the printing in Italian of pamphlets regarding insecticides. I agree on the soundness of the suggestion, and action to implement it is now being taken. The cost of completely accurate translations is considerable but an abridged article is now being prepared for distribution. In the past, the Agriculture Department has published selected material in Italian and other languages. As part of the present fruit fly campaign, a simple message card for householders is printed in English, German, Greek and Italian. The department publishes regularly in Greek in the *Nea Estia*, a Denmark newspaper, and has used *La Fiamma*, an Italian language newspaper. I have brought down some sample publications, which I shall be happy to show to the honourable member if she so desires.

PORT PIRIE HOSPITAL

The Hon. R. A. GEDDES: I seek leave to make a short statement before directing a question to the Chief Secretary.

Leave granted.

The Hon. R. A. GEDDES: Conflicting reports are emanating from Port Pirie that the costs of the new hospital being built there have risen by more than \$1,000,000 above the original estimate tendered. Can the Chief Secretary tell us exactly what is the position in relation to the building of this new hospital and whether, in his opinion, there will be any unnecessary delay in its completion?

The Hon. A. J. SHARD: We have had some nasty examples of price increases recently but I have never heard of one of over \$1,000,000. However, I will make some inquiries to find out the exact position. I was talking to the Director-General of Medical Services this morning and we discussed the Port Pirie Hospital. As far as we are aware, it is progressing according to plan. The first stage of the building is scheduled to be completed early in the 1971-72 financial year. To make doubly sure that that is correct, I will take up the matter with the Public Buildings Department and bring back a considered reply next week.

CHRISTIES BEACH HIGH SCHOOL

The Hon. C. M. HILL: Has the Minister of Lands obtained from the Minister of Roads and Transport a reply to my question of February 23 about the possibility of providing a pedestrian crossing opposite the Christies Beach High School?

The Hon. A. F. KNEEBONE: My colleague reports:

In a letter to the Noarlunga council, the Headmaster of the school stated that there was no need for a crossing in front of the school. The request that was made was for the erection of signs to inform motorists of the speed restrictions in front of the school, and arrangements have been made for the Highways Department to erect "School" signs in Beach Road and Mander Road. The initial responsibility to investigate the need for crossings in front of schools, as the honourable member well knows, lies with the local council.

DIRECTOR-GENERAL OF TRANSPORT

The Hon. C. M. HILL: Has the Minister of Lands obtained from the Minister of Roads and Transport a reply to my recent question about the position of director-general of transportation, particularly in regard to advertisements for the position and whether senior departmental officers in this State will have a proper opportunity to apply for the position?

The Hon. A. F. KNEEBONE: My colleague reports:

It is intended to advertise the position of director-general of transport in the *Adelaide Advertiser* and in *The Australian*. All persons who consider that their qualifications and experience could be suitable for the position will receive consideration.

LOTTERY AND GAMING ACT AMENDMENT BILL (TAX)

Second reading.

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time.

It is designed to raise the duty upon the betting turnover of bookmakers upon courses within the metropolitan area from a present rate of 1.8 per cent to a new rate of 2 per cent operative from April 1, 1971, and to divert the extra revenues so derived for the benefit of general revenues of the Crown. For country courses the existing rate of 1.8 per cent of turnover will be retained. For these purposes courses more than 20 miles from the General Post Office are treated in the Bill as country courses. Honourable

members will be aware that, unlike most other taxes levied by the State Governments, the levies upon betting are shared between the Crown and the racing clubs. Moreover, the share of the levies going to the clubs is greater in this State than in most other States, and considerably greater than in New South Wales and Victoria, with which States South Australia is compared by the Commonwealth Grants Commission in assessing appropriate financial assistance for this State.

The reasons why this State retains a smaller share are probably partly historical and partly the rather less buoyant condition of the racing industry. The Government needs further revenues to meet its obligations for social services and, in particular, education, health, and hospitals. The Government would not propose to reduce the amount of the duty presently passing to the clubs but it is proposing that this small increase in levy be devoted wholly to Government purposes. The increased levy is expected to amount to about \$90,000 in a full year.

A rate of 2 per cent on bookmakers' turnover is equal to that imposed in both New South Wales and Victoria upon metropolitan and other major racecourses. It is rather less than in Western Australia and Tasmania and rather more than in Queensland and on some country courses in the Eastern States. However, the Government retains between 1 per cent and 1½ per cent of turnover in New South Wales, between 1½ per cent and 1¾ per cent in Victoria, 1.2 per cent in Queensland and between 1 per cent and 1½ per cent in Western Australia and those States average much nearer the upper than the lower limit quoted in each case. The South Australian Government presently retains an average of about 0.85 per cent. These new proposals will bring an average of about 1 per cent of overall turnover made up of ¾ per cent on local races and 1¼ per cent on interstate races on metropolitan courses and 0.55 per cent and 1.55 per cent respectively on country courses. The levy for Government purposes will remain lower in this State than in any other mainland State. Moreover, I would warn that present comparisons may not continue wholly valid, for it must be apparent to all that the other States must shortly be reviewing a number of their levies in line with their revenue necessities.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 amends section 40 of the principal Act which deals with the commission payable by bookmakers to the Betting Control Board, by adding a provision

in relation to bets made at race or coursing meetings, that the commission on such bets made at meetings held on metropolitan courses on or after April 1, 1971, shall be 2 per cent. The clause also defines the "metropolitan area" as that part of the State which lies within a radius of 20 miles from the General Post Office. Clause 3 amends section 41 of the principal Act which deals with the application of the commission raised under section 40. The existing provisions are altered so that the proportions of commission passing to the racing clubs (*i.e.*, twenty-five thirty-sixths of bets made on races held within South Australia and on all coursing events, and five thirty-sixths of bets made on interstate races) are retained until April 1, and then after that day the proportions are reduced for the metropolitan courses to five-eighths and one-eighth respectively. Thus, the extra commission paid to the board under the amended section 40 will be paid into general revenue as part of the balance commission paid to the Treasurer under a further provision contained in section 41. The racing clubs therefore will continue to receive the same amount by way of commission, in that after that date they will in effect receive a lesser proportion of a greater sum.

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

MARKETABLE SECURITIES BILL

In Committee.

(Continued from March 18. Page 4192.)

Clause 4—"Sufficient instrument of transfer."

The Hon. Sir ARTHUR RYMILL: On Thursday last I asked for progress to be reported so that honourable members could further consider this matter over the weekend if they so desired. I think this clause should be re-examined. However, if the Government is satisfied that it will work satisfactorily and give sufficient protection to the public, I am prepared to go along with it.

Clause passed.

Remaining clauses (5 to 14), schedule and title passed.

Bill read a third time and passed.

JUDGES' PENSIONS BILL

Adjourned debate on second reading.

(Continued from March 17. Page 4090.)

The Hon. F. J. POTTER (Central No. 2):

I support the second reading of this Bill, which is designed to introduce a new pension scheme for judges in this State. It represents a new departure in that, for the first time, there will be set up a pension scheme to which the judges need make no contribution from their salaries,

as has been the condition in the past. In his second reading explanation, the Minister indicated that in fact in other States, except Tasmania, the judges make no contribution to their pensions.

The Minister went on to say that this change in the system has been introduced at this stage rather than granting a 6 per cent increase in salary to the judges in line with the 6 per cent increase that has been commonly applied following the judgment handed down by the Commonwealth Conciliation and Arbitration Commission last year. Therefore, to some extent the judges are making some further contribution towards the setting up of this scheme. Of course, some judges have been contributing to the existing pension scheme for a number of years. Although probably most of the appointments of judges have been made within the last six years, His Honour Mr. Justice Chamberlain would have been contributing from his salary for many years now. His Honour is due to retire some time this year, and I suppose that of all the judges affected by the introduction of this scheme he would have contributed the most from his salary. I do not know exactly what percentage he would be receiving, but it seems to me that he may have been paying longer and receiving slightly less than the other judges. However, I do not wish to say any more on that topic. The scheme covers not only the judges of the Supreme Court but also the judges of the Local and District Criminal Courts and the Industrial Court and the Chairman of the Licensing Court. Because the last-mentioned judge has been a contributor to the South Australian Superannuation Fund for many years, special provision has to be made for him.

I think this matter of pensions is one for the Government to make a decision on as a matter of policy. As the Government has deemed it appropriate to bring this State's judges' pension scheme into line with the scheme existing in all other States except Tasmania, I have no objection to it. I think we are all very conscious of the fact that the judges in this State, both in the Supreme Court and in the lower courts, render excellent service to the State, and I suppose it is fair enough to say that what is good enough for their fellow judges in other States is good enough for them. The Government is recognizing that in this Bill. I rather suspect that in the long run it might cost the Government more than if it had agreed to pay a salary increase of 6 per cent. However, that

is a matter on which it has to make a decision, and if it has decided to introduce this scheme I do not think it is for me to criticize it. As I have said, it is really only bringing the matter into line with what exists elsewhere. Therefore, I support the Bill.

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

MOTOR VEHICLES ACT AMENDMENT BILL (REVENUE)

Adjourned debate on second reading.

(Continued from March 18. Page 4180.)

The Hon. C. M. HILL (Central No. 2): The main purpose of the Bill is to increase registration fees for motor vehicles. In his second reading explanation the Minister said that the present registration fees had been at their present levels for about 17 years and that, whereas the percentage increase would vary depending on the class of vehicle, it would be 20 per cent overall. However, the registration fees for some vehicles will be increased by much more than 20 per cent; for example, for motor cycles and trailers the fees will be increased by 33½ per cent which, to say the least, is a very high percentage increase. When one thinks of people on a moderate income who require motor cycles and trailers not just for pleasure but for their every-day work and use, one realizes that the extra amount they will have to find is considerable.

It is pleasing to see that incapacitated persons, ex-servicemen and others, and pensioners will receive special attention. This follows precedent, and I commend the Government for this move. What I was surprised about mainly in the Minister's second reading explanation was that we were not given any estimates of what extra revenue the Government expected to gain by this legislation. Therefore, one has no alternative but to try to calculate the figure from statistics because, irrespective of the percentage by which registration fees will increase, the total amount that will be taken from the public and received as revenue in the Motor Vehicles Department ought to be calculated and disclosed.

The Auditor-General's Report shows that the amount received for registration fees and for drivers' licences for the year ending June 30, 1970, was \$14,496,998, from which must be deducted the sum received for drivers' licences if one wishes to know the net amount received as registration fees. At that time there were 525,691 licences. As the fee was \$2, the sum of \$1,051,382 was received for drivers' licences.

I point out that all these figures are lower than the current year's receipts will be, because there is a gradual increase in registrations and in licences.

On the figures at the beginning of the financial year, therefore, a net sum for registration fees of \$13,445,616 will be received, and 20 per cent of that figure is \$2,689,123. This figure is the minimum, because of the increase in the number of registrations, and it is a considerable sum to be obtained in one measure by the Government for revenue purposes. The Minister disclosed that within the last 17 years (and I remind honourable members that for about 13 years of that time the State enjoyed a Liberal and Country League Government)—

The Hon. D. H. L. Banfield: What is this "enjoyed" business?

The Hon. C. M. HILL: I do not think the honourable member would be in any doubt on that point.

The Hon. D. H. L. Banfield: You obviously used the wrong word.

The Hon. C. M. HILL: My Party did its best with prudent financial administration to help the motorists in the State, because everyone must now agree that motorists are spread right throughout society. Indeed, in this State—

The Hon. A. F. Kneebone: Your Government was going to pay for the M.A.T.S. scheme with the revenue from the further increases.

The Hon. C. M. HILL: No. The Minister knows that the previous Government did not accept any of the financial recommendations in the M.A.T.S. Report about ways of raising the finance. If I have said that once in this Chamber I have said it half a dozen times. The *South Australian Year Book* indicates that in this State there is one vehicle to each 2.5 persons. About 50,000 new vehicles are being registered here each year. In 1969, 47,824 new vehicles were registered.

While I complain about the extent of the increase that we are being asked to approve now, I remind honourable members that only five months ago the Government, still pursuing its policy of high taxation, increased the driver's licence fee by 50 per cent, from \$2 to \$3. That increase, based on 525,691 licensed drivers at June 30, 1970 (again I point out that the figure would be higher now) meant a further increase in revenue of \$525,691. We were told then that up to half of that sum was to be allocated for road safety purposes, and I have no quibble about

that. However, that increase was double the amount of money to be provided for road safety purposes.

The two increases in revenue to the Motor Vehicles Department in the last five months (the figure that I have calculated under the Bill before us, \$2,689,123, and the \$525,691 from increased licence fees) total \$3,214,814 which is a mighty lot of money for the motorists of the State to be asked to pay.

The Hon. D. H. L. Banfield: That doesn't come up to the seven new taxes your Government imposed in one hit.

The Hon. C. M. HILL: I do not deny that my Government imposed taxes, but I point out two things: we increased taxation only when absolutely necessary and, when we did this, we explained the reason for such increase. That is another matter on which I shall have something to say when I speak to the Highways Act Amendment Bill which, as the Minister pointed out in his second reading explanation, is closely related to the Bill now before us. Some ways and means of expenditure are dealt with in the Highways Act Amendment Bill, but this Bill, apart from one or two minor alterations, is concerned merely with increased registration fees. These increases are as high as 33½ per cent in some cases and, taking it right across the board, for all vehicles in this State the average is 20 per cent.

The Minister has given examples. I point out merely one of them, because it is a practical matter concerning honourable members of this Council: it is the case of the Holden Kingswood 186 sedan, in respect of which the present fee is \$34 and the fee proposed by this Bill is \$39.40. It is to the extent of the increase in taxation in this field that I object.

The Hon. A. F. KNEEBONE (Minister of Lands): I thank honourable members for limiting themselves to the minimum number of speakers and treating the Bill as an urgent measure. The Leader of the Opposition informed me last week, when I said I wanted to get the Bill through as quickly as possible because it was a revenue measure, that he would co-operate in facilitating its passage. I thank honourable members opposite for giving me the opportunity of dealing with the Bill so speedily. I have noted the Hon. Mr. Hill's comments. Compared with the rates existing in the other States for the various types of vehicle covered by this Bill, the proposed South Australian rates are more than favourable.

The Hon. D. H. L. Banfield: And the other States have Liberal Governments.

The Hon. A. F. KNEEBONE: As the honourable member has interjected, they have Liberal Governments. I think that answers the honourable member's point.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Registration fees for incapacitated persons."

The Hon. G. J. GILFILLAN: New subsection (3), inserted by this clause, provides that, where a motor vehicle has been registered at a reduced fee, the registration shall continue in force for a period of one month after the death of the registered owner or the cessation of his ownership, and shall become void upon the expiration of that period. If the vehicle is not fully reregistered within one month, the registration will become void. In many cases, the widow or beneficiary of the deceased owner would not be familiar with this provision. The registration disc on the windscreen would show expiration at a certain date, so a person could easily and innocently be driving such a vehicle when the registration had become void. I question the need for such a short period, bearing in mind how a family feels after the death of one of its members. In view of the small amount of money involved, is this provision necessary?

The Hon. A. F. KNEEBONE (Minister of Lands): A person who gets a concessional driver's licence under this measure would be informed of that at the time he received his licence. I am not sure whether such a licence contains a clause to that effect or whether it would be possible to attach a notice to it drawing a person's attention to the matter. I will discuss this with the Minister of Roads and Transport to see whether the owner of a concessional driver's licence can be informed of this provision by means of a notice attached to the concessional licence.

The Hon. G. J. GILFILLAN: My concern is not for the person receiving the concessional licence but for a person who may be driving the vehicle after the death of the licence holder. Such a person will probably have no knowledge of this provision. Can an effective means be found to mark the registration disc on the vehicle so that any person driving it will know that he is driving an unregistered vehicle after a certain date? Will the Minister take up this matter with his colleague? Nor-

mally, a person is informed before the registration expires that he must renew his registration; but in this case the Registrar would probably be unaware that the owner of the vehicle had died.

The Hon. A. F. KNEEBONE: This Bill increases the period from 14 days (under the present Act) to 28 days. However, in view of the honourable member's comments, I will take up this matter with the Minister of Roads and Transport and see what can be done.

Clause passed.

Remaining clauses (5 and 6) and title passed.

Bill read a third time and passed.

HIGHWAYS ACT AMENDMENT BILL (FUND)

Adjourned debate on second reading.

(Continued from March 18. Page 4181.)

The Hon. C. M. HILL (Central No. 2): This Bill is closely related to the Motor Vehicles Act Amendment Bill, because it lays down how the revenue raised through that Bill will be spent. Honourable members know that the net proceeds from registration fees flow, in accordance with Statute, into the Highways Fund, and the money in that fund under the control of the Highways Department can be spent only for certain statutory purposes. This Bill widens the scope of expenditure of money in the Highways Fund so that it can be spent in two other ways: first, to construct and manage the proposed ferry between Cape Jervis and Penneshaw on Kangaroo Island and, secondly, to maintain parts of the traffic branch of the Police Department, particularly in regard to traffic control and road safety. So, in this Bill we have two changes in a fairly long-standing practice.

Motorists and motorists' organizations have rather zealously defended the principle of money collected from motorists being spent, in effect, for road purposes only. I do not object to the principle of some money in the Highways Fund being allocated to the traffic branch of the Police Department. Because that branch is one of the most effective means of combating our tragic and increasing road toll, it is absolutely essential that it be fully equipped. When I say "fully equipped" I am talking not only of equipment and machines but also of the labour force.

One of the best means of combating the road toll in this State is to have traffic policemen on the roads in sufficient numbers and to have the whole investigation section within the traffic branch continually investigating ways and

means of improving road design and road signs and being involved in all matters that will help to make roads and driving safer.

I compliment the branch on the standards that have been achieved up to the present but, if we can further improve those standards by seeing that the necessary money is allocated, it will be a major contribution to improving road safety. This allocation of funds will not adversely affect the road programme as it is implemented at present, because the allocation is part of the increase that the Government is obtaining through the Motor Vehicles Act Amendment Bill.

I commend the Government that an upper limit has been placed on the sum that can be taken from the Highways Fund for this purpose. The amount must be not more than 6 per cent of the registration fees. Of course, the sum may not reach that percentage in the first few years, but it will probably build up to it, because we all know that the management of the Police Force involves much expenditure. I do not oppose the principle of the Highways Fund being used in this way.

The second matter involved in this Bill is the proposed Kangaroo Island ferry. Investigations into this project were commenced during the term of office of the previous Government. The investigating committee, which was ably led and had extremely competent personnel, made a very detailed investigation into the whole question. I believe the people of Kangaroo Island deserve the very best transportation that this State can provide. They have lived in considerable hardship over many years because of the transport problems that have faced them.

Efforts have been made to assist them since the days of the *Karatta* and another vessel that used to ply across Backstairs Passage. Despite the modern *Troubridge* and the efforts of the airlines to assist these people, they have been faced with a cost disadvantage.

Because most of the people on the island are rural people, they are confronted with all the problems that confront rural people elsewhere in this State; yet, in addition, they must face the problem of the cost of transportation. We at last have an opportunity to give the 1,800 adults on the island a transportation system that will be far better than anything they have ever previously enjoyed. Settlers on the island have been putting forward this kind of plan for many years.

A ferry, plying between Cape Jervis and Penneshaw, will carry livestock, ordinary

freight, passengers and vehicles. The project is very closely allied with the work of the Highways Department, which manages and maintains all ferries in this State. Whilst the proposed ferry cannot be compared in some ways with ferries plying across the Murray River, nevertheless it will link roads on one side of an area of water with roads on the other side, and the roads that will be linked are very important.

A strong argument can be advanced in support of the principle that the whole project should come under the control of the Highways Department, and I hope that ultimately it will fall under that department's control. Further, a strong argument can be advanced that the Highways Fund should bear the cost of installation of facilities and the cost of supplying the actual vessel. Here again the Government is not taking money from the existing road programmes, because the proposed expenditure will be met from the increased revenue derived under the provisions of the Bill we have just debated. On my figures, if we take 6 per cent of the net figure that I believe is taken from the Auditor-General's Report, with an adjustment being made for the amount collected for licences, the amount will be 6 per cent on \$13,445,616, and a figure up to \$806,736 can be allocated to the Police Department.

Of the total increase from registrations proposed under the previous Bill, again using the figures at the beginning of the financial year, which will be down on the current ones at the end of the year, a balance of \$1,882,387 could be allocated to the ferry project. The investigation into that project was set in train on November 20, 1969, when the committee was formed, and the final report was presented to the previous Government only a day or two before the last elections.

It was proposed that the ferry would run twice daily and in a year would carry about 5,000 motor vehicles, 7,000 passengers, and 70,000 tons of goods and stock. The vessel would be of about 450 tons. The figures indicated that the cost of installation on both sides of Backstairs Passage would be in the vicinity of \$950,000, and the estimated cost of the vessel was \$800,000.

By adding those figures we can arrive at the approximate balance the Government will have in the first year from the increase in registration fees sought at the moment. A question mark hangs over what the Government will do thereafter. Assuming that the same amount will be taken for the Police Department each year,

the credit balance each year will be about \$1,882,000. The committee's estimate of the running costs of the ferry was \$135,000 a year, and therefore the Government will not need all the money it will get after the first year for the running of the ferry.

No Government should put forward propositions, especially getting into millions of dollars, as this Government is doing on this matter, unless it clearly indicates to both Houses of Parliament where it proposes to spend the money raised by the legislation. I can see how the money will be spent on the ferry in the first year, but the ferry and all its installations, based on estimates in the report which came forward last year, can be provided in total in the first year. Can the Minister say what the Government proposes to do with that money?

The Hon. R. A. Geddes: Do you say it could be over \$1,000,000?

The Hon. C. M. HILL: On my figures it will be approximately \$1,882,000. I believe that money will be used for the appointment of the new director-general of transport, a position, with the accompanying departmental posts, which Dr. Breuning in his recent report estimated would require \$1,000,000 a year for five years. That position is now being advertised, so apparently the Government is going ahead with it.

I have a little knowledge of this work at the level of control of the Transport Department, and there is no need for such an appointment nor for such a departmental empire at this time in South Australia. In years to come, as we grow, there may be such a need, but not at present. We could have had more discussions on this matter if the Breuning Report had been debated by this Council, but the Government has not seen fit to bring it forward for debate.

Apart from the lack of need for it, the most serious feature is the drain from the revenue of the State at a time when economies are badly needed to help combat the problems of inflation. We are faced with an expenditure of \$1,000,000 a year, and I believe the Government intends to find that money from this revenue, but has not disclosed that fact.

The Hon. Sir Norman Jude: Then the Bill is not quite as sound as you thought?

The Hon. C. M. HILL: The principle of the Bill is quite sound. That is the point I was trying to make, but perhaps the honourable member did not quite follow me. I agree with the principle of the traffic branch of the Police

Department getting more money from the Highways Fund, and with the ferry service being provided from it. However, I want to know the real intention of the Government in continuing year after year with this ever-increasing credit. More people are becoming licensed as drivers, and more and more vehicles are appearing on our roads each year, but the ferry can be set up completely, vessel and installations, in the first year. The people of South Australia should not be asked to pay money in the form of this increased tax unless the Government is prepared to tell Parliament its plans; otherwise it may as well increase registration fees for one year only.

Presumably the setting up of this new department would be under the control of the Minister of Roads and Transport, and this is where it should be, but I am rather surprised and most disturbed to find that in another department, the Premier's Department, investigations are proceeding into transportation in South Australia. I have been told on very good authority that there are three transportation committees within the Premier's Department, and included in the personnel on those committees are officers from departments under the control of the Minister of Roads and Transport.

The Premier attended one of those committee meetings in October last, and three committee meetings are set down for next week. I do not know whether the Minister of Roads and Transport is aware that the Premier's Department is looking into the question of whether the standard gauge would be advantageous to South Australia. Does the question of standard gauge from Adelaide to the Indian-Pacific line come under the general heading of standard gauge?

Has the Premier's Department, or have any of the committees within his department, any second thoughts on this matter? Where is the Government going when it tells the people of South Australia of its supreme plan for standardization north of Adelaide, yet within the Premier's Department a committee is investigating whether standard gauge would be advantageous?

The committees are also considering whether a transport co-operative is advisable. People who have great fears of the present Government and its socialistic plans will want more details of this. What sort of transport co-operative does the Premier's Department have in mind? The Government seems to be fragmented on this whole question.

Another subject being investigated is: what is the feasibility of having a Department of Transport, and to whom should it be responsible? I understand that this question is being investigated by a committee within the Premier's Department. I can only assume, unless the Government denies it, that \$1,000,000 a year is going to be spent from the revenue being raised under this Bill. That money is going to be spent because Dr. Breuning said that it would be a good thing for South Australia for the first five years. What is to happen thereafter will be anybody's guess.

That seems to be the plan of the Minister of Roads and Transport, whereas elsewhere on another floor in the State Administration Centre the Government is possibly interfering with vital fields of transportation such as those under the headings of standard gauge and a transport co-operative and considering where a Department of Transport should actually lie within the Public Service and the Cabinet structure. The least I can say is that it is most alarming.

If the Minister had told us that the first year's revenue from this measure would set up the ferry and from thereafter we would require \$1,000,000 a year for the increase in staff within the Minister of Roads and Transport's Department, at least we would have known what we could debate. However, no-one knows anything about this proposed senior appointment. I should like to know what his powers are going to be in regard to the Railways Commissioner and in regard to the Commissioner of Highways. Perhaps the Government could answer that question.

We have a Metropolitan Transportation Committee already set up and operating in which highly qualified and most competent public servants from all the transport departments sit around a table and collate their ideas and their thinking and, in my view, effectively manage the whole transport area of this State. Now, apparently, this committee and its executive transportation officer which it has on the staff of the Minister of Roads and Transport is going to be superseded by what might be called a public servant giant, a man who must, I take it, completely envelop all the transport departments and authorities, including the Municipal Tramways Trust, in this State. We are not given an opportunity here to debate the question, and through the back door provision is made in this Bill to find the money for the purpose.

I can only express my very grave concern that the Government is increasing taxation on

motorists and is not laying down clearly and emphatically the reasons why that money is needed and the purposes for which it is needed, which I think should be a fundamental principle with any Government when it increases taxation. First, it must check and recheck that it is actually necessary, because increased taxation adversely affects the people. Then, if it feels that it is absolutely necessary, it should bring the legislation down to Parliament and clearly give reasons why it wants to increase taxation.

The Government on this occasion has not done that, and I can only express my fears as to what I think it intends to do with the money. If the Minister could help me and make the position clear in any way, I would appreciate it. I do not want to delay the legislation. I understand that there is some urgency about the question of the ferry because the Kangaroo Island people, of whom I spoke highly a moment ago, must not suffer any further delay with the planning. I understand that there is some hitch in regard to negotiations for the ferry and that, if the Government does not get the all-clear in regard to this matter, further delays can occur. I certainly do not want any delay to occur in regard to the provision of the ferry.

Perhaps the Minister could, even at a later date, give me some ideas of the Government's thinking. It should not have to be my job to read *Hansard* in order to find out what is said in the other House in debates in regard to Dr. Breuning, and so forth. If some of this money is intended to be spent on the appointment of a director-general of transport and if this measure is a means by which those plans are being financed, this Council should be told.

The Hon. Sir NORMAN JUDE (Southern): I have similar ideas to those of my colleague who has just spoken, and I go along with him a certain part of the way on the matter of principle. However, I consider that some of his remarks were illogical. I have seen four different Transport Ministers come and go; possibly I have had the advantage over them in that I had 10 years in the position against their considerably shorter periods. One thing that I had to contend with during the whole of my period in office was the predatory fingers of the Treasury and other Ministerial departments with regard to the Highways Fund. My colleague knows it and the Minister opposite knows it, as did my retired friend, the Hon. Mr. Bevan. This has always been a problem.

I can go along considerably with the requirements in the clause regarding the Police Department which states that the money should be used in connection with police traffic work, and so on. However, we all know how the lotteries money is supposed to be used to assist hospitals, and we know the lack of genuine truth in this when we realize that it is merely a matter of reducing the ordinary line on the Estimates commensurate with the amount coming in from the lotteries. This may also be done in connection with the line on the Estimates for the Police Force: the Government can get the money from one fund and reduce the Police Force Estimates accordingly, although only partially just to make it look better.

I understand that there has been some suggestion that this is an urgent matter because the capital moneys for the ferry are required immediately. I wonder whether the Minister in this Council realizes that there is every provision in the Commonwealth Aid Roads Act for using this money in connection with shipways and so forth associated with roads. This point seems to have been missed. If we are going to tickle some fund, why not tickle the Commonwealth fund instead of our own?

The Hon. C. M. Hill: The Government has already tried and got knocked back.

The Hon. Sir NORMAN JUDE: There is no doubt that provision exists under that Act.

The Hon. A. F. Kneebone: Did you try it?

The Hon. Sir NORMAN JUDE: No, I had no need to try it, because I managed to protect my funds fairly well. I agree with the Hon. Mr. Hill that there should be a limitation in this Bill. This blank cheque for the years ahead to extract money from the Highways Fund is not good enough, without there being a Ministerial explanation, and I think the Bill should be amended to cover this point. I know of the problems of the Kangaroo Island settlers, who are in my electoral district, and when I read about the estimated income from this ferry and think of those problems I have very grave doubts about the profitable running of this operation. It will have to be run for the good of the people on that island and it will cost the State a considerable sum of money. However, only time will tell. I cannot see why the money should not come from general revenue. The Hon. Mr. Hill said that we need not worry much about the funds required under this Bill because they will come from the additional tax on motor vehicles. I point out that it is still the motorist who will pay the

additional tax. However, he will not get any benefit, except to some minor degree through the number of vehicles going to Kangaroo Island. It will be similar to the lottery and gaming legislation: it is the punter who pays.

The Hon. A. F. Kneebone: All motorists don't go up the Main North Road, either.

The Hon. Sir NORMAN JUDE: No, but the Minister should be realistic: the number of vehicles going across in the ferry to Kangaroo Island would be nothing like the peak traffic going along the Main North Road in one evening. There should be a limitation on the amount provided for the ferry. It is still the motorist who pays. The Hon. Mr. Hill referred to the roads that would be built in conjunction with the ferry and the additional services provided, but the Highways Department must do all that. It must provide the additional road to be worn out by greater traffic instead of bringing it by the cheapest method by sea to Port Adelaide. Instead of that, we must bring the traffic along the difficult Hills road (a highly traversed road) to the part along the new approved M.A.T.S. plan trafficway that must be used up instead of bringing it into the harbour and possibly going on overseas in some cases, such as wool. I feel strongly inclined to move an amendment regarding the limitation on the time in new paragraph (n) and then, if the Government, as the Hon. Mr. Hill has said, wants the money every year, it should say what it wants it for.

The Government will have the job to find the need for another ferry. I do not believe that the income from the ferry will recompense the Highways Department for its expenditure. It will be somewhat like the Hon. Sir Arthur Rymill's insurance company, about which he has some grave doubts.

The Hon. Sir Arthur Rymill: It is not my insurance company.

The Hon. Sir NORMAN JUDE: No, of course. I support the Bill in a limited way because it is desirable for the Police Force to have additional money. However, we should watch carefully that the Police Force gets the money and that it is spent in a specific way. I strongly object to the continual filching of Highways Department money. I think the motorist is entitled to have the money spent on roads. After all, he gets a raw deal in regard to the Commonwealth petrol tax. I support the second reading, but I shall not indicate now what my attitude will be in Committee.

The Hon. Sir ARTHUR RYMILL (Central No. 2): We have heard two former Ministers of Roads and Transport speak on this matter and, as it appeared that there would be no other speaker (because I noticed that the Minister was about to reply), I thought perhaps a layman on these matters should say a word or two. The Hon. Sir Norman Jude and the Hon. Mr. Hill seemed to share some sort of religion with the Royal Automobile Association on the question of revenue that is channelled specifically to road purposes.

The Hon. C. M. Hill: No, you could not have heard some parts of my speech.

The Hon. Sir ARTHUR RYMILL: I may not have heard all of it, but I heard some parts of it. I have received, in common with other honourable members, a letter from the Royal Automobile Association and I should like to deal with the points raised because, as I have indicated previously, I do not agree with the association's attitude on the matter, and I think I should say so. The association's letter states that the Highways Fund was set up in 1926 to direct State revenues from vehicle registration and driver licensing to road-making purposes. The association says that in recent years there have been increasing diversions for operations and services outside the original concept and that this again is evident in the present Bill. I agree with that statement but I disagree with the association's objection to it, because I agree with what the Government is doing. I do not see why funds for building roads should necessarily take priority over funds required for hospitals, education and health, which are the three fields in which the Government is continually saying it is short of money. I cannot see any reason why, in 1971, roadmaking should by legislation have an absolute priority in Government expenditure over other important departments of government.

I looked up the figures, which are interesting, and found that in 1920 there were about 19,000 motor vehicles registered in South Australia; the population was about 491,000, which meant one motor vehicle for every 25.6 people in the State. In 1926, the year mentioned in the letter as being the year in which the Highways Fund was set up, the number of vehicles had risen dramatically to about 62,500 and the population not so dramatically to about 566,000; but the increase in vehicles meant that there was one motor vehicle for every nine people. On the last figures available, for 1970, there were about 476,000 vehicles registered against a population of about 1,165,000,

which meant that, unlike the one vehicle for nine in 1926, there was one vehicle for every 2.5 persons. The thinking that relates revenue from petrol, licence fees, drivers' fees, etc., to a section of the community and considers that, because they are raised from a section of the community they should be devoted to a particular purpose relating to that section of the community, is out of date. That is 1926 thinking, not 1971 thinking.

The other matter I wish to mention (and with which I do not agree) is the question of whether, assuming I am incorrect in all that I have said, revenue raised as mentioned in the Bill should or should not be devoted to a ferry; in other words—accepting the arguments that this revenue should be devoted to highways purposes—is a ferry part of a highway service? The Royal Automobile Association does not think so—anyhow, in this case. It says that the vessel required is obviously ocean-going and thus there is no justification for classification of the service as an extension of a road; therefore, it opposes the provision.

I remember a few years ago when the former Labor Government wanted to divert moneys from the Highways Department to the building of the Morphett Street bridge. The Hon. Sir Norman Jude then opposed that (he can correct me if I am wrong) as not being a proper application of the Highways Fund. The Morphett Street bridge operates, of course, over a small stream and a railway system. I disagreed with him at the time; I thought it was part of the road system. Coming to ferries, such as the ferries over the Murray River, the question is whether they are part of the road system and whether they ought properly to be charged to the Highways Fund. I think they should be, for they are all part of the system. Because a portion of the State of South Australia, Kangaroo Island, has a small strip of what the R.A.A. calls "ocean" and what the Government calls "Backstairs Passage" between it and the mainland, why is that not just as much a part of the road system as a ferry across a river? I see no difference in principle.

The islanders must have some method of getting themselves, their goods and their livestock to and from the island. This present scientific development is obviously the best way (in fact, the only way) of haulage and travel in any event, and I see no reason why Highways Department moneys should not be used for the purpose of providing this what I call

"road" and what the R.A.A. says is not a road, to the island. Therefore, for those reasons, I support this Bill in its entirety. I think the time has come when we should no longer regard revenue from the use of petrol and from registration and licence fees as a sectional tax, because it affects practically every member of the community. I imagine there are very few householders in South Australia who either do not own or do not have some access to a motor car. The roads, of course, are much more widely used these days than in 1926 for the transport of goods for the benefit of everyone, whether or not he owns a motor car. So, in my thinking, roads fall into the category of general revenue and should be provided for from general revenue, just as other departments are provided for from general revenue.

I could give dozens of instances where moneys paid by people for certain purposes could be said to be divertible to certain departments: for instance, hospital fees may be said to be divertible.

The Hon. A. J. Shard: I should like to get my hands on all the road costs that have not been paid!

The Hon. A. F. Kneebone: What about the racing tax: should that be ploughed back?

The Hon. Sir ARTHUR RYMILL: I am not talking about the racing industry.

The Hon. A. J. Shard: Mine was a more legitimate interjection, because the roads and the motor car cost the hospitals plenty that they never get back.

The Hon. Sir ARTHUR RYMILL: I see the point of the Chief Secretary's interjection. Anyhow, that is my stand on these matters. I think the Government should have its revenue in its own hands and be able to use it in the best interests of the State. I see no reason why certain moneys should necessarily be expended on roads this year when we are lacking funds for other even more important purposes.

If we care to look at the road network to the south of Adelaide, we see many highly-developed roads there that are seldom used. If a traffic count was taken over some of those bituminized roads, we would be tremendously shocked at how few vehicles use them. These things surely the Government is entitled to take into account in allocating the expenditure of its revenue. I support the Bill.

The Hon. H. K. KEMP (Southern): As one of the representatives of Kangaroo Island, I support this Bill wholeheartedly. Few people

realize the disability under which Kangaroo Island is placed. Although only about 70 miles from Adelaide in many places, through the present system of communication what may be simple costs for other parts of the State can become burdensome for the Kangaroo Island dweller. For instance, there are no dentists on the island. Until the schools can take up some of the slack, a simple dental appointment involves the cost of an air fare to Adelaide and back and an overnight stay for two nights, in addition to the cost of the appointment itself. That is a heavy burden on a family with several children. Also, although the *Troubridge* service has been good, in many respects it has been costly. The effect is that a Kangaroo Islander in business of any kind is up against costs equivalent to his being 200 miles from Adelaide, although the distance is really so short.

As we all know, there is another difficulty for an islander where there is a sea passage to the mainland over what can be exceedingly rough water. I hope the projected ferry service will be as successful as it will be sufficient, in spite of the extremely rough weather that can develop so quickly in Backstairs Passage. Not many people have an intimate knowledge of this small area of water, but it is remarkable in that the tidal streams are very strong indeed: in some cases currents of 2½ knots and in other cases currents of as much as 4 knots have been recorded, which means that a slight wind opposing the direction of the current can cause a dangerous sea very quickly. Because of this, I hope the Government will provide for the automatic dispensing of seasickness pills on the ferry when it starts to operate.

After all, it is only a ferry, and a ferry that will add to those already under the control of the Highways Department, a surprisingly large number: two at Kingston, two at Mannum, and ferries at Waikerie, Goolwa, Narrung, Wellington, Tailem Bend, Swan Reach, Bowhill, Nildottie, Morgan, Cadell, Berri, and Lyrup. This will be only one more to be added to the list, although the distance travelled will be a little longer. This project of providing this ferry service may well be one of the best things that has ever happened to Kangaroo Island.

The Hon. A. F. KNEEBONE (Minister of Lands): I thank honourable members for their attention to this Bill and for facilitating its quick passage through the Council. The Hon. Sir Arthur Rymill effectively and eloquently dealt with the points raised by the

Hon. Sir Norman Jude. In fact, Sir Arthur went further than the Bill goes in regard to the Highways Fund and its use. When the Hon. Mr. Hill was speaking I wondered how far he would be able to go before you, Mr. President, asked him to confine his remarks to the Bill. The honourable member spoke about standardization, the position of director-general of transport, and many other matters that were not relevant to the Bill. He raised only a couple of points to which it is necessary for me to reply. The Hon. Mr. Kemp supported the ferry project, which will greatly assist people on Kangaroo Island. Because most of the points raised have been effectively answered, there is little need for me to say much in closing the second reading debate. The Hon. Mr. Hill should read the Bill; if he does, he will find that paragraph (m), inserted by clause 3 (b), provides:

In respect of the financial year that commences on the first day of July, 1971, and in respect of each succeeding financial year, in paying to the Treasurer such amounts as may be appropriated by Parliament for the purposes of, or for purposes connected with, traffic and road safety services operated by the Police Department but not exceeding in the aggregate in respect of any financial year six per centum of the total of the amounts received by the Registrar of Motor Vehicles during that financial year by way of registration fees under the Motor Vehicles Act, 1959, as amended:

So, only such amounts of money as may be appropriated by Parliament will be used for this purpose and, in any event, they are limited to 6 per cent of registration fees received under the Motor Vehicles Act.

The Hon. C. M. Hill: I mentioned the limit of 6 per cent.

The Hon. A. F. KNEEBONE: The honourable member asked what would be done with the amount of money left over each year.

The Hon. C. M. Hill: Where do you think I got the figure from? You said that I had not read the Bill.

The Hon. A. F. KNEEBONE: The honourable member did not correctly interpret the Bill. He said that 6 per cent of the registration fees would be available every year and, if it was not wholly spent on the traffic branch, the money left over would be used for some other purpose. The Bill provides that the money must be appropriated. The same principle applies to the proposed ferry. Paragraph (n), inserted by clause 3 (b), provides:

(n) in paying to the Treasurer such amounts as may be appropriated by Parliament for the purposes of, or for purposes

connected with, the provision or operation of a ferry service to Kangaroo Island and works ancillary thereto.

I think that that paragraph effectively answers the arguments advanced by the honourable member.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Application of Highways Fund."

The Hon. Sir NORMAN JUDE: I appreciate the explanation that the Minister has given. The Hon. Sir Arthur Rymill's point was that the Government of the day should be entitled to use revenue in any way it thought fit. I point out that, although the Minister said that the Bill provides for an appropriation, it is an annual appropriation, and it may be only a portion of that amount. Following the reasoning of the Hon. Sir Arthur Rymill, I think that Parliament should consider the matter annually, as we have involved here an appropriation from another fund to which another Act applies. However, I do not oppose the clause.

Clause passed.

Title passed.

Bill read a third time and passed.

AGE OF MAJORITY (REDUCTION) BILL

In Committee.

(Continued from March 18. Page 4190.)

Part XXI—"Amendment of the Licensing Act"—which the Hon. G. J. Gilfillan had moved to amend by striking out clause 7 (c).

The Hon. G. J. GILFILLAN: Because the amendment I had moved will not adequately cover the subject, I seek leave to withdraw it.

Leave granted; amendment withdrawn.

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

5a. Section 132 of the principal Act is amended by inserting in subsection (1) after the passage "sections 153 and 155" the passage "and the words 'The minimum fine for the offence of unlawfully obtaining or consuming liquor contrary to section 153 of the Licensing Act is, for a first offence, fifty dollars and, for a second or subsequent offence, one hundred dollars.'"

My amendment is the only means I can find of giving some protection to people under 18 years of age. From the inquiries I have made I believe it is almost impossible for a licensee or anyone else to tell accurately whether a person is 16 years of age or 18 years of age.

It would be unfair to put a further onus on the licensee, because it would make it impossible for him to conduct his business efficiently. I therefore believe that the person breaking the law is the one who should be responsible. This principle applies in the Act as it stands. A copy of section 153 of the principal Act must be exhibited in a prominent place in licensed premises to inform the public that it is an offence for a person under a certain age to consume liquor on those premises. Unfortunately, the penalty for the offence is not displayed, and I believe that many young people break the law in this respect without being fully aware of the substantial penalty involved. The minimum penalty for a first offence is \$50, with a maximum of \$200, and for any subsequent offences it is a minimum of \$100 and a maximum of \$400. This will entail no further expense because, if the Bill is passed, the notices must be reprinted in any case. My inquiries from members of the Police Force and others confirm my view that stating the penalty in the notice will at least make young people aware of the risks they run and the fine that could be involved.

The Hon. A. F. KNEEBONE (Minister of Lands): I do not oppose the amendment.

Amendment carried.

The Hon. M. B. DAWKINS: I move:

That Part XXI, as amended, be struck out. I moved last week for the deletion of this Part, and subsequently withdrew my motion temporarily because the Hon. Mr. Gilfillan wished to move certain other amendments. I do not intend to repeat what I said last week regarding the increase in the road toll, and so on. In suggesting that this Part be deleted, I think that phrase in itself can be misleading; it merely means that we retain the *status quo* for the age of 20 years.

Since moving the amendment I have had some support for my attitude. The Minister of Lands, with whom I do not always agree but for whose opinion I have great respect, said last week that it was hard enough today even to tell the sex of some people who go into a hotel, without having to tell how old they were. He said it was especially difficult to tell the age of young girls, for they looked young in their school uniforms, but when they dressed up at night it was almost impossible to tell their age. I agree with the Minister. In speaking to his amendment, the Hon. Mr. Gilfillan said it was almost impossible to distinguish between a 16-year-old and an 18-year-old. In moving for the deletion of Part

XXI, I suggest that if it remains part of the Bill the practical minimum age will be about 16 years for many young people, because of the difficulty of telling with any accuracy the difference in age.

If people of 16 years of age drink in hotels, in many cases it will be to the detriment of South Australia as a whole, not merely to a section of it. Had the Hon. Mr. Whyte's amendment been sustained this motion would have been unnecessary. Many young people will be drinking without supervision at 16 years of age. What they do in their own homes with their parents present is entirely the business of those people, but unsupervised drinking for very young people would be detrimental to the State.

The CHAIRMAN: The honourable member could have spoken against the Part. He had no need to move an amendment.

The Hon. E. K. RUSSACK: I have expressed my opinion on this Part and I do not wish to repeat that, other than to say that I support the Hon. Mr. Dawkins. I agree that it is difficult to ascertain the age of young people in their teens. It would be helpful if there were some means of verifying an age when asked.

The Hon. A. F. KNEEBONE: As I understand it, there is no amendment before the Chair. Honourable members will vote against the Part?

The CHAIRMAN: The question is that Part XXI, as amended, stand part of the Bill.

The Committee divided on the question:

Ayes (12)—The Hons. D. H. L. Banfield, T. M. Casey, R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, Sir Norman Jude, A. F. Kneebone (teller), F. J. Potter, Sir Arthur Rymill, A. J. Shard, and V. G. Springett.

Noes (5)—The Hons. Jessie Cooper, M. B. Dawkins (teller), H. K. Kemp, E. K. Russack, and A. M. Whyte.

Pair—Aye—The Hon. C. R. Story. No—The Hon. R. C. DeGaris.

Majority of 7 for the Ayes.
Question thus resolved in the affirmative.
Part as amended passed.
Parts XXIa and XXII passed.
Part XXIII.

The Hon. R. C. DeGARIS: I have very much pleasure in supporting this reduction from 21 years to 18 years in the Masters and Servants Act. I consider this amendment to section 3 of that Act to be most important.

The Hon. A. F. KNEEBONE: I thank the Leader for his comments. However, I point out that the important amendment is to section 15 of that Act.

Part passed.

Part XXIV passed.

Part XXV.

The Hon. C. M. HILL: In the second reading debate I gave reasons why I opposed this Part. I indicated the problems experienced with tow-truck drivers and operators, and I pointed out that the Labor Party when in Government introduced a change in the law to deal with some of the serious offences and malpractices that were occurring. Tow-truck operators must be very responsible men, because often they are attaching a damaged vehicle to their truck only minutes after an accident, when the owner of that vehicle and passengers might be suffering from shock and, indeed, be injured quite seriously.

Since the Labor Government introduced its measures, I think the industry has been operating quite well. Without doubt, the police needed extra powers, and they were given those powers. However, the Government now intends to reduce the age of eligibility for a licence for a tow-truck operator from 21 years to 18 years.

This Part also deals with the question of licences for traffic instructors. The Government intends that this age, too, shall be reduced to 18 years. A driving instructor must be an extremely responsible person, for the whole field of road safety is involved. Such a person cannot be fully competent unless he has had years of experience as a driver, as well as his own knowledge of the theory of driving.

The Hon. T. M. Casey: Some reports from America on this topic indicate that many people under the age of 20 years are very capable drivers.

The Hon. C. M. HILL: I am not arguing about that. In fact, I am quite happy for the age for obtaining a driver's licence to remain at 16 years. However, we are talking about traffic instructors, who are in a group apart from the ordinary drivers. In fact, an instructor is to an ordinary driver as a headmaster is to a pupil. One needs great knowledge, skill, training and experience, while the other does not need these qualities to the same degree.

The Hon. F. J. Potter: You don't like the idea of 18-year-olds instructing 16-year-olds?

The Hon. C. M. HILL: No. That is a very good example. I favour the general principle of reducing the age of majority. However, I do not agree with a blanket cover in all areas affected by the age of majority. This Bill has exemptions from this principle, and I think it is proper that in various ways, there should be exclusions to the general principle.

I think this Committee will be dealing with the matter in a very human way (and this is a human subject) if we have some exemptions to the general principle. I consider that in the public interest in South Australia, based on our past experience with tow-truck operators and based on the great need that is facing us at present with regard to the whole question of road safety, it would be wise to leave the age of 21 years in regard to these two matters. Without doubt, anything that can be done to assist road safety is good.

The Hon. R. C. DeGARIS: Will the Minister report on other matters affecting the Motor Vehicles Act, such as regulations covering bus drivers and things of that nature?

The Hon. A. F. KNEEBONE: Yes.

Progress reported; Committee to sit again.

UNFAIR ADVERTISING BILL

Adjourned debate on second reading.

(Continued from March 17. Page 4097.)

The Hon. D. H. L. BANFIELD (Central No. 1): It is perhaps unfortunate that in the name of progress people devise certain ways and means of exploiting others to achieve so-called progress, with the result that it becomes necessary for action to be taken to protect some people from other people who are prepared to adopt unfair and misleading practices. The Bill, which is designed to prevent unfair and misleading advertising, is one with which I think most people would agree. With the development of printing and the explosive advance of electronics, radio, television and space-age communication satellites, each of us is brought in close contact with and under the influence of events that occur anywhere on or off the earth.

News items flash around the world in seconds. We see things as they happen: a man sets foot on the moon, and we see him doing it. People with something to sell have been quick to exploit the communications media and to peddle their wares before the masses. Advertising experts are constantly dreaming up new ways of urging you and me to buy, and to continue to buy. Loudly

they extol the virtues of their products, while playing down or forgetting all about any undesirable side issues. Their appeals, which are subtle and insidious, are directed at our innate selfishness and desire to be better off than the Joneses next door, or they play up to our lustful nature or sensuality.

The pretty girl may not be one of the accessories that goes with the car we see advertised, but she is attractively dressed, or undressed, as the case may be. If a person goes out to purchase such a car, the salesman may be there but the girl will be missing. That is unfair advertising, because I might have believed that the girl was part of the cost of the car. The attack is continuous: whenever we watch television, listen to the radio, read the newspapers or even walk down the street past shops the advertising men hit out at us with their messages, whether true or untrue.

The Hon. R. C. DeGaris: Does the legislation affect television?

The Hon. D. H. L. BANFIELD: If a person is to get \$90 for a broken television set by taking it to a certain firm, that is misleading advertising, because he cannot buy another one.

The Hon. M. B. Dawkins: Will the Bill affect advertising by the Australian Labor Party?

The Hon. D. H. L. BANFIELD: I do not know, but I hope it will affect advertising by the Liberal and Country League, which is most misleading. Possibly the A.L.P. does not get its messages over, but its advertising is not as misleading as the Liberal and Country League's advertising. Some of the messages are worded: "Come to where the flavour is. Live in a country where life is rugged, adventurous and free from all care. Come to Marlboro country." How can the smoking of a Marlboro cigarette make one think that life is rugged, adventurous and free from all care unless, of course, it contains L.S.D., in which case one could think up all kinds of things? Another advertisement states: "Whatever you are doing, wherever you are going, things go better with Coke." I know of many things I might be doing that would not be better if I had a Coke. Coke could possibly spoil some of the things I might be doing from time to time. That is misleading advertising.

The Hon. M. B. Dawkins: Is this unfair?

The Hon. D. H. L. BANFIELD: Yes, because if I think that I am going to get an extra kick

out of Coke and am thrown out of balance as a result, things would not go better. We are told that if romance is in the air, we should help it along with Cadbury's milk tray chocolates. Mr. President, have you ever helped romance along with a sticky chocolate sticking to your top plate? Another message states that provided we have that "ding ring of confidence", perhaps it will help considerably. So we are pressured to conform to fashions in dress, to use particular products, to achieve set standards of education, to live a certain kind of life whether we like it or not, and to choose between things that are good and things that are not so good. If the Bill does anything to relieve some of those pressures, and I think it will, I support the second reading.

The Hon. A. J. SHARD (Chief Secretary): I thank honourable members for the attention they have given the Bill, and I have replies to the questions raised by the Hon. Mr. DeGaris. In substance, the Leader raised four points. The first point related to the meaning of "services" in the context of the Bill. I suggest that the use of the word "services", coupled with the word "goods", gives the word "services" a limited and well understood meaning. In summary, it could be said to refer to "services rendered by a person" that are capable of being sold or disposed of for money. Thus, the repair of a television set or a car or the painting of a house is a service in this sense. The "service" provided by a politician or his Party, valuable as it may be, is thus not a "service" in the sense used here and hence would be outside the scope of the Bill.

The second point related to the exclusion of land dealings from the scope of the Bill. I point out to the Leader that dealings in land almost always require the intervention of either a legal practitioner or a licensed land broker, both of whom are already subject to control and regulation by their disciplinary bodies. At this stage, the need for further control over their activities does not seem to be so marked.

The third point involved the effect of requiring the consent of the Attorney-General to a prosecution under the Bill. In this regard the Leader said, "It seems to me that the Attorney-General will decide what is an unfair statement." With great respect to the Leader, that is not the effect of the provisions at all. It is for the Attorney-General to decide whether in all the circumstances a prosecution is warranted. If he consents to a prosecution it is up to the court, and the court alone, to decide whether or not the statement is an unfair statement.

The object of this provision is to ensure that prosecutions are not undertaken lightly or without proper reflection and I suggest that its usefulness in matters of this nature has already been demonstrated.

Finally, the fourth point raises the question of the effect of the proposed defences. The first question that the honourable member raises is whether the defences reverse the onus of proof. I take it he is thinking particularly of the defence provided by clause 3 (2). I suggest that this defence falls within the scope of the principle of "facts within the knowledge of the defendant". Such facts are, of course, almost impossible for the prosecution to establish. If the onus in this matter was placed on the prosecution, it would have to try and prove a negative—that is, that the defendant had no reasonable grounds for believing that the statement or representation was not an unfair statement. In its present form, the defence should provide considerable protection for the prudent advertiser who takes proper steps to check the assertions in his advertisements.

The second defence, contained in clause 3 (4), does not, I suggest, provide that "the bigger the lie the easier it is to find a defence" but merely provides some protection for the advertiser who "puffs" his products. The manufacturer of a well-known product once suggested that "nine out of 10 Hollywood movie stars" used it. That statement may be an unfair statement within the meaning of this Bill; on the other hand, it may be quite true, but it would not, I suggest, be more than mere "puffing". It would be open to the advertiser to suggest that an ordinary person would not rely on the statement when buying the product. But, if the advertiser uses unfair statements to induce persons to buy his product, I suggest he will find little comfort in this defence: in short, if an extravagant statement is intended to sell the product, it will have to be hyperbole or "puff" of the clearest kind to fall within this defence.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Interpretation."

The Hon. A. J. SHARD (Chief Secretary): I understand the Leader has some amendments that I have not seen. For that reason, I move that progress be reported.

Progress reported; Committee to sit again.

ROAD AND RAILWAY TRANSPORT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 18. Page 4191.)

The Hon. C. M. HILL (Central No. 2): I support the Bill, the principal provision of which deals with the extension of time from 28 days to 60 days within which the Parliamentary Standing Committee on Public Works must review and report on a proposal made by the Transport Control Board for the closure of a railway line or part of a line. The relevant section of the principal Act is section 10—"Power of board to close and reopen railways". That section provides that "an order closing a line or part of a line of railway shall not be made" unless certain conditions are fulfilled. The first of those conditions is that the Transport Control Board must give notice to the Public Works Committee of its intention to make an order closing a line, and the second condition is:

... if the Parliamentary Standing Committee on Public Works reports to the board within 28 days after receiving the notice that it is expedient to keep the line or part of a line open.

This period of time has embarrassed the Public Works Committee. I well remember, as a Minister, being asked by the Hon. Mr. Banfield whether or not the Government of the day would extend the period from 28 days to 60 days. I remember, too, obtaining the Government's approval at that time and telling the honourable member that the Government was happy to co-operate, as it was in most things, in acceding to his request.

The Hon. D. H. L. Banfield: But you were slow off the mark again.

The Hon. C. M. HILL: As a result, in no time at all the Government agreed to do that. The honourable member was informed, and so was the committee at that time. The reason why a Bill did not appear earlier was that our administrative programme was large.

The Hon. D. H. L. Banfield: Unwieldy.

The Hon. C. M. HILL: It has taken a considerable time for the Bill to appear. The major Parties are in agreement with this period being extended to 60 days. It should be done in all fairness to the Public Works Committee to enable it to make a full investigation and report upon what it believes to be the best possible decision. Accordingly, that major part of the Bill receives my wholehearted support. The other changes it effects are relatively minor. One is to increase from 25c to \$1 the maximum fee chargeable for a

duplicate licence when the original has been lost or destroyed. The other amendments deal with changes brought about by the introduction of decimal currency.

The Hon. D. H. L. BANFIELD (Central No. 1): I, too, support the Bill. As the Hon. Mr. Hill points out, this is by no means a new matter for consideration: it goes back to 1959, when the members of the Public Works Committee expressed their dissatisfaction with the time allowed for their inquiries. The committee of 1959 in a report on the Monarto South-Sedan railway line said:

The committee takes this opportunity of drawing attention to the period of 28 days allowed it under the Road and Railway Transport Act to reach a finding on the proposed closing of a railway line. In this instance the reference came to the committee while Parliament was in session and it was with some difficulty and inconvenience that the committee was able to conclude its inquiry and reach a finding, which it did on the last day allowed it under the Act. The committee suggests that action should be taken to increase the time allowed the committee to report on a proposed order for the closing of a railway line.

When the committee was inquiring into the proposed closing of the Eudunda to Morgan railway line in 1969, 10 years later, it encountered difficulties with the 28 days' period. As the Hon. Mr. Hill has said, he was asked then whether he could increase the period from 28 days to 60 days to allow the committee to make its investigations. Although the Minister did not want to bring in a Bill at that time, at least he did delay the referral for a short time to meet the committee's convenience. In reply to a letter of February 13, 1969, from the Chairman of the Public Works Committee, the Minister said:

As a result of your representations (and the Hon. Mr. Banfield, M.L.C., also raised the problem with me), I have discussed the matter with my Cabinet colleagues, and it has been agreed by the Government that a period of 60 days would be more reasonable. This decision requires an amendment to the appropriate legislation, and an endeavour will be made to introduce such a change in the next session.

It is all right for the Hon. Mr. Hill to say that it was a most co-operative Government, but it does not help us if the Bill is not introduced. It has now been left to the Labor Government to introduce the Bill, although I suggest that this Government has been a little lax.

The Hon. M. B. Dawkins: Oh!

The Hon. D. H. L. BANFIELD: Because I am an independent in the same way as any other honourable member here, I have the right to criticize the Government. Of course, any laxity in this respect on the part of the Labor Government is understandable, because it has brought forward such a vast amount of good legislation. At least it did not take the Labor Government 12 years to introduce the Bill; it has introduced it within 12 months of taking office. Consequently, we can see how much more efficient the Labor Government is than the Liberal Government.

The Hon. M. B. Dawkins: What about 1965?

The Hon. D. H. L. BANFIELD: In that year the Liberal Party was sound asleep, and it is still on the outer. Anyway, at last the Bill is before the Council and I wholeheartedly support it. The Public Works Committee will be most happy when the Bill is passed.

The Hon. A. F. KNEEBONE (Minister of Lands): I thank honourable members for their speedy consideration of the Bill. I was a little disappointed when my colleague the Hon. Mr. Banfield started to criticize the Labor Government. I was starting to worry whether the influence of honourable members opposite had affected him, but he redeemed himself at the end of his speech.

Bill read a second time and taken through its remaining stages.

SELECT COMMITTEE ON CAPITAL TAXATION

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

That the time for bringing up the report of the Select Committee be extended and that the committee have leave to sit during the forthcoming recess.

Motion carried.

SELECT COMMITTEE ON PUBLIC RELIEF

The Hon. A. J. SHARD (Chief Secretary) moved:

That the time for bringing up the report of the Select Committee be extended and that the committee have leave to sit during the forthcoming recess.

Motion carried.

ADJOURNMENT

At 4.57 p.m. the Council adjourned until Wednesday, March 24, at 2.15 p.m.