LEGISLATIVE COUNCIL

Wednesday, November 24, 1971

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

QUESTIONS

WOOL BAN

The Hon. R. C. DeGARIS: Has the Minister of Lands a reply to a question I asked recently about the black ban on wool on Kangaroo Island?

The Hon. A. F. KNEEBONE: My colleague, the Minister of Labour and Industry, has advised me that the conditions of employment of shearers employed in all States of Australia except Queensland are prescribed by the Pastoral Industry Award of the Commonwealth Conciliation and Arbitration Commission. Clause 73 of that award provides that "as between members of the Australian Workers Union and other persons offering or desiring service or employment at the same time, preference shall be given to such members, other things being equal". The difficulties in which some farmers on Kangaroo Island now find themselves have been caused by their employing shearers who were not members of the union, when union members were available, contrary to the award. The problems could be quickly solved by the shearers concerned becoming members of the Australian Workers Union.

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before asking a question of the Minister of Lands.

Leave granted.

The Hon. R. C. DeGARIS: I thank the Minister for his reply to the question I asked on November 16 about Kangaroo Island farms. In explanation, perhaps I can rephrase the question I then asked, which was: will the Chief Secretary find out whether the Government will take action to see that these people, who I believe are not contravening any State law, are not discriminated against? In reply, the Minister said that clause 73 of the federal award provided that as between members of the Australian Workers Union and other persons offering or desiring service or employment at the same time, preference should be given to such members, other things being equal. I fully appreciate the fact that this is in the Pastoral Industry Award but, in the case of farmers on Kangaroo Island, all things are not equal. Many of these shearing sheds have operated for many years with the same shearers with complete satisfaction, so perhaps I can rephrase the question and ask the Minister of Lands whether he can ascertain from the Government whether the Government intends taking any action to see that these people on Kangaroo Island, who, I believe, are not contravening any State or Commonwealth law, will not be discriminated against?

The Hon. A. F. KNEEBONE: This being a matter that does not come within my province (it comes within the province of the Minister of Labour and Industry) I will refer the honourable member's question to my colleague. I must point out to the Leader that it is not a question of farmers not being equal; it is between shearers offering for employment, other things being equal.

The Hon. R. C. DeGaris: I said that all things were not equal.

The Hon. A. F. KNEEBONE: As this is a matter for my colleague, the Minister of Labour and Industry, to deal with, I will refer the honourable member's question to him.

WOMEN PRISONERS

The Hon. M. B. CAMERON: Has the Chief Secretary an answer to my recent question about women prisoners?

The Hon. A. J. SHARD: It is not possible to supply accurate answers to the questions, as the Prisons Department has never sought to keep these statistics. However, from an examination of personal records, discussions with prison officers, probation and parole officers, and an officer of the Department of Social Welfare and Aboriginal Affairs, the following information has been compiled by the Comptroller of Prisons:

1. Since November 1, 1970, there have been 29 women in prison who are known to have children, at least one of which was under the age of 18 months.

2. So far as can be ascertained, the following represents the distribution of the children of those mothers:

Department of Social Welfare and Aboriginal Affairs	9
Cared for by husband	3
Cared for by mother or other family	8
Cared for by friend	1
Unknown	8

3. With regard to the nine mothers with children under the Department of Social Welfare and Aboriginal Affairs, it does not appear that the last gaol sentence necessarily meant that the child was committed to Government care. In most cases it seemed that there were

other children who had been so committed for various lengths of time.

4. It is not possible to say how many children have not been claimed by mothers at the conclusion of their prison sentences.

The Hon. M. B. CAMERON: I seek leave to make a short explanation prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. M. B. CAMERON: I appreciate the trouble to which the Chief Secretary has gone in obtaining the information regarding women prisoners. Would it be possible, in view of the small number of women prisoners with children under the age of 18 months from whom they have been separated, to study the methods being employed in New South Wales in allowing the children to remain with their mothers in prison and to introduce a similar scheme here, even if on a limited scale?

The Hon. A. J. SHARD: I am prepared to look at this question to see whether something can be done.

CADETSHIPS

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

Leave granted.

The Hon. L. R. HART: Over a number of years the Agriculture Department has offered cadetships enabling people to attend various Australian universities to study veterinary science, agricultural science, agricultural economics and other courses that will fit them for employment in the department on completion of the courses. I believe that the practice of offering cadetships has now been discontinued. Can the Minister say whether, in fact, those cadetships are no longer available? If they are no longer available, why have they been discontinued?

The Hon. T. M. CASEY: I do not think the honourable member is quite correct in saying that the cadetships have been discontinued permanently. The situation at present is that sufficient students are attending universities in other States—at departmental expense, I may add. The offering of scholarships depends on the number of vacancies to be filled. However, I will get a report on the situation for the honourable member and write to him giving a full explanation.

FISHING REGULATIONS

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: A report in today's *Advertiser* states that the Government intends to bring into operation on December 1 regulations concerning the devices that may be used by amateur fishermen, who will have until January 31, 1972, to conform to the regulations. I have received from the South Australian Field and Game Association and the South Australian Upper Murray Amateur Fishermen's Association indications of strong resistance to these matters, about which they must have had knowledge that I did not have until I read the newspaper today. Will the Minister delay introducing the date of operation of these regulations until Parliament sits again so as to enable the Subordinate Legislation Committee to review these regulations thoroughly? They will have far-reaching effects on amateur fishermen in coastal areas and in the Murray area. Callop, a wellknown fish, has been set at a length of 12.2in., although previously a size had not been set for this fish: if it was too small it was thrown back. The Murray cod, previously set at 15in., a length that had been suggested as satisfactory by theories of people such as Dr. Lock, a marine biologist and one of the great authorities of fishing research in New South Wales—

The Hon. A. J. Shard: Is this a second reading speech?

The Hon. C. R. STORY: —has been increased from 15in. to 18.1in., which seems to be a rather large increase to anglers and which means that a 3lb. or a 4lb. cod will have to be thrown back, if these regulations come into operation. Will the Minister consider not introducing these regulations, but laying them on the table on the next day of sitting after Parliament rises for the Christmas recess, rather than introduce them on practically the first day after Parliament rises and have them operating on January 31? If they operate immediately many people will be forced to buy equipment, but if Parliament decides to disallow the regulations the people would be wasting their money.

The Hon. T. M. CASEY: I cannot agree with the honourable member's suggestion, but I will consider what he has said. At this stage it would be difficult to defer this matter because, as the honourable member knows, the fishing season begins on December 1. Notices have already been sent to all registered amateur fishermen (that is, people who have obtained a licence through the department in the previous 12 months) indicating how they can apply to register their gear. Of course,

the regulations have not yet operated, but I will be willing to reconsider them because of the honourable member's question concerning the length of callop and Murray cod. For many years the size of fish taken from the sea has been regulated, and I would conclude that the matter of conservation has been considered in this regard. I do not think we should ignore that point, because we want to conserve breeders for future stocks in the industry, whether they be in the sea or in rivers.

I know that many people have mixed opinions on what size fish should be taken, and I suppose this question could be argued until kingdom come before arriving at a solution satisfactory to everyone. I point out that we are copying a size that has been adopted in Victoria, in order to bring uniformity into this matter. However, I am willing to reconsider this matter before the regulations are approved by Executive Council. If the honourable member wishes to discuss any further matters with me I shall be pleased to do so.

The Hon. C. M. HILL: I seek leave to make a statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. M. HILL: I had intended to ask the Minister whether he would hold his hand in this matter in view of the great amount of public discussion that has suddenly taken place because of the announcement in the press yesterday and today of the introduction of the fishing regulations. I was pleased to hear the Minister say that he would at least have another look at the matter. However, I am concerned about the problem of children who fish. I should like to know whether these children will be affected by the regulations. I am sure the Minister will agree that it is one of the great joys in a boy's or a girl's life to go fishing and, as I understand the regulations, if a youngster catches, say, a small tommy ruff, he must produce from his pocket a device, which must be registered by law, with which he can measure the fish and, if the fish measures only 5½in. in length, he must return it to the water. If this is so, it is a case of Government control going too far. Will the Minister say whether children are to be affected by the regulations?

The Hon. T. M. CASEY: I should like the honourable member to define exactly what constitutes a child in relation to fishing, as I am sure that many children today, even up to the age of 12 years, could tell the honourable member and me of the different types of fish they have caught. Some children are very good fishermen. In this respect, we will have to be flexible regarding the regulations because, if an inspector saw a child catch an undersize fish, he would not recommend that the child be prosecuted; he would point out to the child concerned exactly what the regulations provided, and would tell him that it was illegal to keep fish of that size if, indeed, there was a size limit on the type of fish that was caught. Of course, on many fish there is no size limit. We will have to adopt a practical approach to this situation. There is nothing to prevent a child or, indeed, anyone from fishing, as it will not cost an amateur fisherman anything to fish with rods and lines. It is only when these people use declared devices that they will have to register them.

The Hon. R. C. DeGaris: What about a yabbie net?

The Hon. T. M. CASEY: No.

The Hon. C. M. Hill: A boy must register a yabbie net.

The PRESIDENT: Order!

The Hon. T. M. CASEY: That is so, but it will not cost him anything to register it; that is the whole point. I am sure the honourable member will be happy with the regulations when he sees them. The Government has tried to do its utmost, in the interests not only of amateur fishermen but also of professional fishermen, as well as in relation to the conservation of fish throughout the State.

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

Leave granted.

The Hon. C. R. STORY: Have I the Minister's assurance that these proposals are to be promulgated by regulation and not by proclamation? My informant from the South Australian Field and Game Association, who seems to be well informed on this matter, says that the organizations with which he is associated are concerned mainly with the portion of the proclamation affecting amateur fishermen in the Riverland region of the Murray River. The heading of the subject matter in his letter is "Proposed proclamation by His Excellency the Lieutenant-Governor of the Fisheries Act, 1971." I want to be assured by the Minister that there will be no proclamation, but that this matter will be handled by regulation.

The Hon. T. M. CASEY: The Act has not yet been proclaimed. This will be done at the next Executive Council meeting, and

the regulations under the Act will be tabled in the Council in due course.

The Hon. C. M. HILL: In view of the Minister's earlier reply to my question, can he give me a clear undertaking that children will not be prosecuted if they offend against these regulations?

The Hon. T. M. CASEY: If the honourable member will indicate what age group he has in mind, I will look at the situation.

The Hon. C. M. HILL: In reply to that, I would think the age group would be boys and girls up to 16 years of age.

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

Leave granted.

The Hon. C. R. STORY: The Minister said the Act had not yet been proclaimed. That was not the question I asked. I asked whether this matter, which is mentioned in today's *Advertiser,* is to be handled by proclamation or by regulation. This will make a tremendous difference to the attitude everyone will adopt. Previously it was provided in the Fisheries Act that the lengths of proclaimed fish (Murray cod, whiting, etc.) were governed by proclamation. I want to know whether or not this Parliament will have the opportunity to disallow regulations if it does not like them. That is why I have asked this question. The fact that the Act has not been proclaimed does not mean a thing. I am concerned with how it is to be done.

The Hon. T. M. CASEY: As far as I know, by regulation.

The Hon. M. B. CAMERON: I seek leave to make a short explanation prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. M. B. CAMERON: Looking at the fishing regulations, I note there are two devices to be used by any one fisherman. In the southern area of the State, there are a number of people who fish from the beach, and anyone who has stood on the beach in the southern area of the State will know that he needs something to keep himself warm. One of the things he does is to keep more than two devices, because he keeps putting them in and pulling them out. None of these people cause a problem in depleting the supply of fish because, having experienced it myself for short periods, I know that catches are never very large. Will the Minister consider extending the number of devices permissible, where people are fishing from the beach? It is an unnecessary deprivation for these people.

The Hon. T. M. CASEY: The honourable member has not indicated the type of device he means.

The Hon. M. B. Cameron: Fishing rods.

The Hon. T. M. CASEY: One can use two fishing rods or a fishing rod and a hand line.

The Hon. M. B. Cameron: I am referring to—

The PRESIDENT: Order! If the Minister will reply through the Chair we shall avoid some of these interjections; he is distinctly out of order.

The Hon. T. M. CASEY: The honourable member will realize that he can use a rod and a line. This has nothing to do with declared devices. People can use two of these declared devices: for instance, nets, drop nets, etc. In addition to those, a person can have three crayfish pots.

WEIGHING STATIONS

The Hon. E. K. RUSSACK: I seek leave to make a short statement prior to asking a question of the Minister of Lands, representing the Minister of Roads and Transport.

Leave granted.

The Hon. E. K. RUSSACK: My question concerns haulage traffic, large units of which are obliged to pull in at traffic weighing stations on some of the main arteries. It has been reported to me that on numerous occasions these hauliers are brought in to the weighing stations against the flow of traffic. In this they are assisted by the officers at the traffic weighing station. After they have been weighed they are then dependent on their own resources to rejoin the traffic stream. To avoid unnecessary wastage of hauliers' time, which is considerable in some instances, but more particularly in the interests of public safety, could the officers in attendance assist the transport drivers to rejoin the traffic stream when they are in the situation of having to go against the traffic?

The Hon. A. F. KNEEBONE: While the honourable member was explaining his question, I was looking for a reply I gave recently which, I thought, clarified this matter. I was not able, in the short time available, to find the reference I was looking for. However, I will take the honourable member's question to my colleague and, if the answer is any different from the one I previously gave, I will bring it back to the honourable member. If this is not possible before the Council adjourns this week, I will send the answer to him by letter.

The Hon. L. R. HART: I direct my question to the Minister of Lands, representing the Minister of Roads and Transport. Is it a fact that the Highways Department officers who operate these weighbridges are not empowered, under the Act, to direct traffic, and that only members of the Police Force are legally empowered to direct traffic in such circumstances?

The Hon. A. F. KNEEBONE: I do not know the answer offhand, but I think the honourable member may be right. However, I will refer his question to my colleague. What I said in replying to the Hon. Mr. Russack applies also with regard to this question.

WEEDS

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

Leave granted.

The Hon. L. R. HART: The control of weeds on highways has been a vexed problem for some time. The Highways Department has no legal right to do anything on the road reserves beyond the limit of the bitumen. I believe moves have been afoot to permit the Highways Department to accept the responsibility for the control of weeds on certain roads. Can the Minister tell me what the current situation is in regard to the control of weeds on highways by the Highways Department?

The Hon. T. M. CASEY: I shall be happy to supply that information to the honourable member; I shall do so by letter.

LAND USE

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

Leave granted.

The Hon. C. R. STORY: An article in a riverland paper states that the Lands Department intends to resume 3,200 acres of river frontage land that has been in the hands of the Wachtel family for the last 50 years. The area has been a popular fishing and yabbying spot for people in the Moorook area; it is commonly known as the Mundoo Flats. The Loxton District Council and the field and game association of the riverland are apprehensive that, if it is turned into a national park, it will receive the same treatment as most other national parks in South Australia receive: it will become a restricted area for various types of activity. Can the Minister say, first, whether the Government intends to resume the area, secondly, whether it intends to deprive the family of the grazing rights on the Mundoo Flats property and, thirdly, whether it intends to bring the area under the National Parks Act, as that would prevent people from freely carrying out their present activities of yabbying and fishing?

The Hon. A. F. KNEEBONE: This matter has been referred to the Minister of Environment and Conservation, who now administers the National Parks Act. Because I am not sure what stage the matter has reached, tomorrow I will bring back a reply for the honourable member stating the exact nature of the negotiations. I do not think all activities are restricted simply because an area is turned into a national park.

FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT AMENDMENT BILL AND UNIVERSITY OF ADELAIDE ACT AMENDMENT BILL

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

That the time for bringing up the Select Committee's report be extended to March 1, 1972.

The Council divided on the motion:

Ayes (13)—The Hons. M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, H. K. Kemp, F. J. Potter (teller), E. K. Russack, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

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

Majority of 8 for the Ayes.

Motion thus carried.

RECLAIMED WATER

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

(For wording of motion, see page 2858.)

(Continued from November 17. Page 3083.)

The Hon. R. C. DeGARIS (Leader of the Opposition): As most honourable members know, I was very closely associated with this matter when I was Minister of Mines and Minister of Health. Although I fully understand the problems that the Government faces in relation to using the reclaimed water, nevertheless I intend to support the motion, because I believe the matter requires urgent attention. Irrespective of which Government has been in power, this problem has been unsolved for about three or four years; I agree

with the Hon. Mr. Kemp that that is a ridiculous situation.

I wish to reply to the Minister of Agriculture, who implied that this motion was purely a political move. As far as I and most other honourable members are concerned, it is not a political move: it reflects our concern that the problem remains unsolved. In his speech the Minister stated:

> We have the situation today in which some people are claiming that the reclaimed water from the Bolivar treatment works is usable: that claim is correct, because the water is being used, and contracts have been signed to use the water, but only in certain circumstances.

If that statement is correct, why cannot this problem be quickly solved and water reticulated to users in the district? There seems to be some particular reason why the problem has not been solved that is not evident to honourable members. I realize that the Government has encountered some difficulties: both Governments have had this experience.

The Hon. T. M. Casey: You must admit we are doing something now.

The Hon. R. C. DeGARIS: I do not know whether the Government is doing something because of this motion.

The Hon. T. M. Casey: It was done before the motion was introduced.

The Hon. R. C. DeGARIS: The Minister would agree that it would be reasonable for honourable members to be concerned because the water is flowing out to sea and not being used for a purpose for which it could be used. I refute the idea that the motion was introduced for political purposes: it was introduced because honourable members considered that there was a need to remind the Government of their concern and in order to solve this problem as a matter of urgency. It was also necessary to conserve the limited underground water supplies that are available in this area. I support the motion.

The Hon. C. R. STORY (Midland): I support the motion, because I, too, have been closely associated with this matter, having been the member for the district for several years and the Minister when the first approaches were made by the local district council. As I understand the present situation, it is no different from what it was when we left office. At that time the then Minister of Works had given permission to use some experimental water, and officers of the Agriculture Department were to co-operate in that experiment. The then Minister of Health (Hon. Mr. DeGaris) was also willing to help with the early experimental work. If I had sufficient finance I could go to the Minister of Works now, apply for a licence (and get it) to divert water from the effluent channel to grow whatever I wanted to grow, and I could dispose of it in any way I wished. However, the present Government seems to be reluctant to do anything in this matter. We should consider similar operations at Werribee in Victoria, and in Israel, Hungary, and Rumania, all with no better equipment than we have here.

The Hon. L. R. Hart: Some of their effluent would be raw sewage.

The Hon. C. R. STORY: Of course, and that is not desirable because it tends to cause putrefaction and to over-nitrogenize the underground aquifers, but the water has been used. When I was a member of the Public Works Committee, it was told that our scheme was equal to the best in the world. It seems that all that is required is for someone to take the responsibility to say that we can use this water and can sell the produce. If the aquifer does not build up in this year of heavy rainfall and run-off, we will be in trouble in drought years.

The Hon. T. M. Casey: Would you make the decision to use it?

The Hon. C. R. STORY: Yes, if I had the advice that I am sure is available to a Minister. I have eaten all types of produce that have been produced from this land, and I have suffered no ill-effects that I know of.

The Hon. T. M. Casey: If this information was available two years ago, why didn't you do it then?

The Hon. C. R. STORY: At that time, no firm scheme was placed before the Government. The present scheme suggested forthrightly by the members for Midland and the Assembly member for the district was supported by the Hon. Mr. Kelly, the Commonwealth member for the district, because he ascertained whether the Commonwealth Government would be willing to grant financial assistance. The scheme is being delayed at present, because the South Australian Government will not guarantee that the water is fit to grow salad vegetables and, therefore, a recommendation cannot be made to the Commonwealth Government. However, that Government is willing to make money available if the State Government is willing to give this undertaking. When I was in office, the Government did not receive a firm undertaking from the Munno Para council, although certain suggestions were put before the Government. It was my unpleasant

duty to have to mat a knight of the Crown in relation to certain claims being made about officers of the Agriculture Department concerning the use of Bolivar water. That gentleman humbly apologized and, if one examines the record, one will see that there was a complete retraction regarding the amount of produce which, it was said, could be grown on each acre of land in the Virginia-Bolivar area. I say most sincerely that I visited this area on probably more occasions than the present Minister has visited it.

The Hon. T. M. Casey: Naturally; you are the member for the district.

The Hon. C. R. STORY: I was interested in making use of this water, and for one to say that this is merely a political gimmick is just not true.

The Hon. T. M. Casey: Why didn't you do it when you were in office? You had plenty of opportunity, as these people have been screaming for water for years.

The Hon. C. R. STORY: The scheme was not fully completed when the Liberal Government was in office. However, it is supposed to be completed now. One can only believe that the advice given to the Government through the Public Works Committee that the water would be suitable for use for primary production is correct. If we had a good look at Werribee—

The Hon. T. M. Casey: We are doing that now.

The Hon. C. R. STORY: We do not have to wait three years in order to carry out these experiments.

The Hon. T. M. Casey: But Werribee produces only livestock.

The Hon. C. R. STORY: That is so, but at least it would be beneficial even if livestock could be run on this country. The Minister does not seem to be able to absorb the fact that, by applying water to the surface of the ground, a certain amount of the water will seep through to the aquifer. If I can get that to seep through to the Minister in the same way, perhaps there might be a speeding-up of the process. To allow this water to pour out to sea when such difficulties are being faced is a sheer waste not only of water but also of money. I am sure that this is all that the Hon. Mr. Kemp and other honourable members are asking. I rose merely to refute any suggestion that this is a political gimmick, because that is not true.

The Hon. T. M. Casey: I believe it is a gimmick.

The Hon. C. R. STORY: I assure the Government that much money will be lost if it does not proceed with this scheme. If the Government would give some undertaking that this water could be used, plenty of organizations would undertake to use it economically. I know of one American firm which was refused permission in this respect not so long ago by the present Government but which would have proceeded with a large development. If the Government is sure that it will eventually decide it is all right for this water to be used, well and good, but it is wrong to waste water and stop production in South Australia of an exportable commodity that would return much money to South Australia. I therefore wholeheartedly support the motion.

The Hon. Sir ARTHUR RYMILL (Central No. 2): This argument has gone on for many years, and I find it surprising that this motion should be considered necessary. The Minister interjected twice when the Hon. Mr. Story was speaking. He asked why the honourable member's Party did not do anything when it was in office and said that the people concerned had been screaming for water for years. Those interjections merely prove my point: that this matter has been going on for some time. No action has been taken, and all this water is going to waste every day. Is this situation to be left for ever, or is the Government going to do something about it?

The Hon. T. M. Casey: We are doing something.

The Hon. Sir ARTHUR RYMILL: If that is so, I think the Government is concealing what it is doing surprisingly effectively, as I cannot see any evidence of its actions in this respect. Perhaps it is still making inquiries. However, the matter has been going on for too long. Surely the same situation as that at Virginia obtains all over the world. It has been dealt with effectively in other parts of Australia and in many other parts of the world, where conditions are worse than they are here. Why cannot the authorities learn reasonably quickly or, indeed, reasonably slowly from experience in other parts of the world? Do we have so much more knowledge than everyone else who has solved this problem or are those in charge afraid to exercise a judgment? Have they not acquired sufficient knowledge to exercise a judgment? I do not know; all these questions are unanswered. The motion merely asks the Government not immediately to release this reclaimed water but to give urgent attention to its immediate release. The time is long overdue when something should be done.

The Hon. H. K. KEMP (Southern): I hope that in replying I will not speak too vehemently or antagonize honourable members who have raised certain matters in the debate. One of the saddest things I ever had to do was to suggest not to the Liberal Minister when he was in office but to the Hon. Mr. Corcoran when he was appointed the Labor Government's Minister of Works a scheme for setting up a water trust and to carry out feasibility tests for the distribution of water from Bolivar in order to replace the disappearing underground water supplies in the Virginia area. In this respect I should like to put the record straight.

The scheme to which I have referred would have involved the establishment of a water trust similar to those in the Murray River areas. Those trusts have led to great developments in the Waikerie district and the down-river areas, and a very similar scheme was the one envisaged for the Virginia district.

The body asked to sponsor this, to steer it through the early stages, was the Munno Para District Council, but there was no intention, except in its very early steering stages, the early formative stages, that that council should undertake this scheme as a whole. Essentially it was asked merely to get it off the ground, and from the beginning it was the people of the district, who required this water so urgently, who were to carry the scheme as it stood.

I believe I can put my finger on the place where the misunderstanding has arisen. I am sorry to see that the Minister of Agriculture has left the Chamber. A bad misunderstanding has arisen because apparently the Government feels it is to be asked to carry a guarantee for the successful use of this water, that it must sustain and distribute the water. That has never been contemplated. This must be appreciated. I know that most of the points the Minister made only two sitting days ago by way of comment are true.

If the Government is to distribute the water it must be sure of every detail, but the Government is not being asked to do that; it is merely being asked to give permission for the use of the water on the crops which have already been cleared and to give the Commonwealth Government a reassurance that the scheme is sufficiently workable for the money to be granted. There is no necessity for the Government itself to go into a distribution scheme, or a scheme which must be chapter, book and verse correct.

I do not think any Government in southern Australia will ever again become involved in setting up an irrigation settlement, as has been done on the Murray River. In any case, we have not got sufficient water in the Murray. But the complexity and difficulty and the check-backs that have to be made in a complete Government irrigation scheme are too great for any responsible Government to ever become involved in today under our present concept. But here is all that is necessary to give this reprieve to Virginia, by way of sufficient sponsoring—or not even sponsoring, but just enough information given to the Commonwealth Government to say that the scheme has a fair chance of success and a change in the legislation to extend the trust's legislation from the Murray Valley to other parts of the State, and finally a lease given to a trust which can distribute the water through the district on a co-operative basis.

The need is so vital, on the one hand, and so desperate on the other. The Minister said there is no intention of decreasing the pumping rates on the beds in the immediate future, but he must know that the reduction in pumping which has been imposed is still not sufficient to halt the deterioration of the beds and that if these considerations we are up against and debating today were taken truly there would be imposed, for the sake of those beds, a further reduction in pumping. It has barely been possible to keep the production of the Virginia district at the level it had reached before the trouble arose. It cannot continue much longer. It is a district upon which South Australia rests so much for part of its quality of life. It is unique in that we have such a richly productive district so close to the centre of the city, and the district will undoubtedly die if it does not get more water very shortly.

My plea to the Government is to consider this problem not with a view to finding an immediate solution in every respect—not to think that every dot must be applied above every "i" and that every "t" must have its crossbar. There is a genuine emergency for a great many people in this area, a desperate emergency, because without water Virginia will die. It is as simple as that. Water can be given to the district so easily, without the necessity for extreme responsibility to be taken. These people know the country, the soils and the water, and they are prepared to take the responsibility if they can be given the green light instead of the red which has been held against them for so long.

Motion carried.

LICENSING ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

The purpose of this Bill is to make a number of urgent amendments to the Licensing Act. I should point out to honourable members that the Government has under consideration a more general revision of the Licensing Act. However, because of limitations of time it has not proved possible to introduce any but the most urgent amendments at this stage. Honourable members will be aware that certain sections of the liquor industry suffered considerable embarrassment and difficulty when it was discovered, as a result of judicial interpretation, that the licensing laws do not permit a company to hold more than one liquor licence. This has not proved an easy matter to resolve. There are cogent opinions for and against the proposition that a company should be entitled to hold more than one licence. However, the Government has decided, after full consideration of the various aspects of the matter, to relax the restriction upon a company holding multiple licences.

Another amendment effected by the Bill relates to the constitution of the Licensing Court. It has always been slightly anomalous that, while the deputy chairman is empowered to preside over a full bench of the court in the same manner as the chairman, the statutory provisions governing his appointment and conditions of service are entirely different from those of the judge. The Bill, accordingly, provides for a statutory office of deputy chairman of the court, and he is made responsible to Parliament in the same manner as the chairman. The emergence of the Adelaide Festival of Arts as a cultural event of international significance has justified, in the opinion of the Government, the provision of a special licence, which will, of course, be subject to the control of the court, but which will have sufficient flexibility to enable the board of governors of the festival to supply liquor at appropriate functions held during the continuance of the festival. The new festival theatre will also require special licensing provisions because of the multiplicity of purposes for which it will be used. The Bill, accordingly, provides for the issue of special licences for the Festival of Arts and the festival theatre.

The transformation of some of the old wine saloons into pleasant eating establishments is a development that all honourable members have, I am sure, observed with much pleasure. The Bill seeks to further this development by providing that, where the court is satisfied that the premises and service provided by the licensee meet a high standard, it may, in effect, extend the hours of trading to conform to those applicable to a licensed restaurant. In the case of such an extension of hours, liquor may be sold to be taken away from the premises for a period terminating at 10 p.m. In such a case, it seems fair that the obligations of a licensed restaurateur should apply to the licensee, and the Bill extends those obligations accordingly.

Clause 1 is formal. Clause 2 amends section 5 of the principal Act. The amendments introduce the legislative changes necessary to establish the new statutory office of deputy chairman. Clause 3 amends section 18 of the principal Act. The new provisions provide for the granting of special licences for the Adelaide Festival of Arts and for the festival theatre. Clause 4 amends section 23 of the principal Act. These amendments, as I have previously mentioned, provide that, where the holder of a wine licence is prepared to provide food for his customers and service of a high standard, the court may grant him the right to enjoy the trading hours of a licensed restaurateur. Clause 5 amends section 82 of the principal Act. The amendments make it lawful for a company incorporated under Australian law and invested with the necessary juristic capacity to hold a licence, either individually or in partnership with other companies or with natural persons, any licence or licences under the principal Act. The licensed premises must, however, be under the personal supervision of a manager approved by the court. Clause 6 makes a consequential amendment to the Judges Pensions Act to provide that the deputy chairman of the court will be entitled to a pension in accordance with the provisions of that Act.

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

APPRENTICES ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

The main purpose of this Bill is to enable the necessary action to be taken next year to eliminate the requirement for apprentices to attend technical colleges at night. Prior to 1966, all apprentices, who were required

to attend trade schools in this State, did so for a full day each fortnight during working hours, and for two hours each week during the evening in the apprentice's own time, in accordance with directions given by the Minister of Education. One of the amendments made to the Apprentices Act in 1966 was that apprentices would attend trade schools only during working hours, as from dates to be proclaimed in respect of any trade. In their first two years of apprenticeship, they would attend for one day a week and in their third year for four hours each week, as provided in section 18 (4) of the Act as it is now in force; so their total period of attendance at technical colleges for full daytime training is 800 hours during their apprenticeship.

Unfortunately, the transition from part-evening attendance to full daytime training has taken much longer than expected. Full daytime training now applies at all country, and the majority of metropolitan, technical colleges but, because of the lack of accommodation, it still has not been possible to introduce it at the Panorama Technical College or for the majority of apprentices who attend the Adelaide Technical College and whose attendance at these technical colleges amounts to a total of 720 hours. The main trades concerned are fitters and turners, boilermakers, hairdressers and the printing trades. On present indications, it appears that full daytime training cannot be introduced in these two colleges before 1975.

Although it is still not possible to introduce full daytime training in these two colleges, it will be possible next year to eliminate evening classes if those apprentices who are still attending under the pre-1966 arrangements can be required to attend for eight hours a fortnight, as at present, but, in addition, for four hours a fortnight during working hours in lieu of the present two hourly weekly periods in the evening. This will mean that their total period of attendance at the technical colleges will be for the same total time as at present, which is a total of 720 hours during the whole period of their apprenticeship, but it will be all during daytime instead of part-day and part evening attendance.

Subsection (4) of section 18 of the Act as at present in force does not permit the Apprenticeship Commission to alter the training arrangements of apprentices other than by the introduction of the full daytime training. This Bill has, therefore, been introduced to enable a greater degree of flexibility to be given in detailing the precise periods of attendance of apprentices at technical colleges while at the same time recognizing the principle accepted by Parliament in 1966 that all such attendance should be during working hours. The Bill has been drafted in a way that will enable regulations to be made as to the times at which apprentices will attend technical colleges. It is appropriate to say that it is proposed that this power will be used to enable some apprentices to attend on a block release system as an alternative to the present day release arrangements. A very successful experiment of block release has been conducted this year with apprentice fitters employed by the Broken Hill Proprietary Co. Ltd. attending the Whyalla Technical College for continuous periods of some weeks, by agreement between the employer and the apprentices concerned.

It is proposed next year to conduct further experiments in block release training at Whyalla for apprentice boilermakers as well as fitters, at the Marleston Technical College for some apprentice carpenters and joiners, and possibly for some apprentices in some trades at the Elizabeth Technical College. Under a block release system apprentices attend the technical college on a full-time basis for certain periods. For example, the proposal for apprentice carpenters and joiners next year is that they attend the technical college for two consecutive weeks on four different occasions during the year. This method of attendance has been found to have some advantages over day release in some trades, whereas in other cases day release is preferable. All States are experimenting with block release at the moment and the amendments made by this Bill have been drafted with that in mind.

The Bill also makes certain consequential and statute law revision amendments, which bring some provisions of the Act up to date. As it will be necessary for new regulations to be made before the Act can operate, clause 1 provides for it to come into operation on a day to be fixed by proclamation. Clause 2 makes one statute law revision amendment in paragraph (*a*). The clause also defines "correspondence course district" and "technical school district" by reflecting the present situation. The definition of "Minister" is brought into line with the present definition of that expression in the Acts Interpretation Act. Clause 3 amends section 7 of the principal Act by bringing it into line with the Public Service Act, 1967. Clauses 4 and 5 make statute law revision amendments to sections 12 and 13.

Clause 6 repeals sections 17, 18 and 19 of the principal Act and enacts new sections 17 and 18 in their place. The new section 17 will permit the Governor by proclamation to declare technical school districts and to vary or revoke any such declaration or any earlier proclamation. Subsection (2) of the section relates to the application of Part III of the Act. New section 18 contains in substance provisions similar to the provisions of sections 18 and 19 as now in force.

Clause 7 makes a consequential amendment to clause 19b. Clause 8 repeals sections 20 and 21 of the principal Act and enacts new section 20 in their place. New section 20 contains new requirements in respect of apprentices who are employed outside technical college districts who may be required to undertake correspondence courses. Wherever possible, correspondence courses are being phased out and, instead, apprentices are being required to attend technical colleges wherever that is possible, as apprentice instruction is much more effective when given personally. Of the 7,300 apprentices this year receiving instruction either at technical colleges or by correspondence, only 730 receive instruction by correspondence (that includes first, second and third year apprentices). All of these 730 have their correspondence instruction supplemented by two full weeks' attendance at technical college within the metropolitan area. Apart from the greater flexibility that the new section 20 will give, its other requirements are similar to those contained in sections 20 and 21 as now in force. Clauses 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 make statute law revision or consequential amendments to a number of specified sections of the principal Act.

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

INDUSTRIAL CODE AMENDMENT BILL (COMMISSIONERS)

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

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

That this Bill be now read a second time.

It makes two amendments to the Industrial Code. On the resumption in the new year of this session the Minister of Labour and Industry proposes to introduce a comprehensive Bill relating to the industrial relations provisions of the Industrial Code. In the meantime, there are two matters in respect of which amendments are urgently necessary. At present section 23 of the Code permits the appointment of only two commissioners to the Industrial Commission, and this Bill removes that limitation. Because of the volume of work that the commission has had before it this year, and the present indications that this volume will not diminish, it is necessary that early action be taken to appoint additional commissioners. Many parties who regularly appear before the commission have complained about the delay in hearing cases and with the present volume of applications it is not physically possible for the commission as presently constituted to deal expeditiously with all matters that come before it. The appointment of an additional judge after the Workmen's Compensation Act was passed has not given any relief: in fact, the President and both Deputy Presidents are hearing workmen's compensation matters, so that less time is available for them to hear industrial matters.

Last year section 135 of the Code was amended to provide that the registration of a trade union could not be refused only because it had among its members persons employed by the Commonwealth Government. This was designed to deal with the situation arising from a decision of the Industrial Court given in 1967 refusing registration to a union because it had among its members employees of the Commonwealth who could not be subject to an award of the State Industrial Commission. Unions with such members have been registered for many years; in fact, this has been so ever since trade unions were first able to obtain registration under the Acts which preceded the Industrial Code. They include long established unions such as the Australian Workers Union, the Australasian Society of Engineers and the Federated Ironworkers Association.

Since that amendment was made it has been argued that every union (whose members include any employee of the Commonwealth) that was registered before 1970 was erroneously registered, and already proceedings have commenced in the Industrial Commission to have the registration of reputable trade unions cancelled on this ground. These proceedings are directed against unions that have been registered for years and in one case have been commenced by persons representing an organization which is itself not registered under the Industrial Code. If the law in this matter is not speedily put beyond doubt the whole basis of trade union registration in this State could be jeopardized.

The details of the Bill are as follows. Clause 1 is formal. Clause 2 makes a consequential amendment to the definition of

"Commission in appeal session" in section 5 of the principal Act. Clause 3 (*c*) removes the limitation of two commissioners, while paragraph (*b*) ensures that the present balance of background experience as between commissioners will be preserved. Clause 4 is again consequential on the removal of the limitation of numbers of commissioners. Clause 5 puts beyond doubt the validity of the registration of those unions that have among their members persons employed by the Commonwealth Government.

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

WORKMEN'S COMPENSATION ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

It is brought down following submissions made to the Government by Their Honours the Judges of the Industrial Court and it is intended to resolve some procedural difficulties that have arisen in connection with the transitional provisions enacted in the Workmen's Compensation Act, 1971, which came into force on July 1, 1971. In transitional provisions of this kind proceedings may be divided into two classes: (*a*) proceedings that have been commenced under the old Act but have not been completed at the time the new Act came into force; and (*b*) proceedings that could have been commenced under the old Act but which had not been so commenced at the time the new Act came into force. The former class causes no difficulty since, as is provided in the Act, they may for practical purposes be completed as if the new Act had not been enacted.

However, in the case of the latter class it was determined that, although they would be commenced and continued under the old substantive law, they would be heard and determined by the Industrial Court, which would for this purpose be given the powers of a local court or a judge thereof. Further, to facilitate this vesting of jurisdiction the Industrial Court was given power to give directions to the parties as to the steps they should take in proceedings of this class. In the event, the powers conferred on the Industrial Court have not in fact proved to be sufficient for this purpose; hence, one of the objects of the Bill is to arm the court with a sufficiency of power in this regard.

In addition, again on the recommendation of Their Honours the Judges, opportunity has been taken to resolve a doubt that has arisen in connection with the registration of agreements arising out of matters that were within the ambit of the old Act.

Clauses 1 and 2 are formal. Clause 3 repeals sections 5 and 6 of the principal Act, and substantially re-enacts those provisions but in a somewhat more orderly form. Subsections (2), (3), and (4) of section 5 have, cross-references apart, been re-enacted as new section 5 since, strictly speaking, these provisions are not transitional provisions. Section 5 (1) and subsections (1), (2), and (3) of section 6 have been enacted as new section 6. These of course are true transitional provisions.

Two amendments of substance have been made in this latter re-enactment. First, by new subsection (4) it has been made quite clear that on and after January 1, 1972, the procedure to be adopted in proceedings referred to in the latter class of proceedings, that is, those that could have been, but had not in fact been, commenced under the old Act, will be the procedure of the Industrial Court as set out in its rules, with, of course, any necessary modifications or adaptations and, secondly, by new subsection (5) the Industrial Court has been given a sufficiency of power to deal with any future difficulties in this area.

Clause 4 deals with the question of registration of agreements for the payment of lump sums by way of compensation for injuries under the old Act. From the outset Their Honours took the view that such agreements were registrable under the present Act although there was no explicit power to so register them, and such an approach is, in the Government's view, entirely consistent with the objects of the new Act. However a doubt, has arisen as to whether such agreements are so registrable and, accordingly, by an amendment to section 35 of the principal Act the position is made quite clear, and in accordance with the usual practice in matters of this kind all "purported" registrations have been validated.

This validation has been effected by new subsection (1a) at paragraph (*a*). Paragraph (*b*) of this new subsection deals with the question of agreements for the payment of lump-sum compensation that have been, in effect, registered under the old Act, since the new Act came into force, and for the sake of consistency these also have been deemed to have been registered under this Act. Thus the way is now open for all future agreements of

this kind to be registered under this Act. Clause 5 merely amends subsection (9) of section 69 of the principal Act by altering the position of the quotation marks in the passage set out. Unfortunately, in the consideration of the original Bill in Parliament these quotation marks were misplaced, and in its present form the definition is almost meaningless. The amendment places the marks in their correct position.

I understand that Their Honours the judges of the Industrial Court have conferred with representatives of the Law Society of South Australia, and the principles on which this measure is based have been approved of by those representatives. Because this measure arises from a submission of Their Honours the judges and, in fact, has been prepared following close consultation with Their Honours, and having regard to its aims, I would ask honourable members to ensure that its passage is not unduly delayed.

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

METROPOLITAN MILK SUPPLY ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

This short Bill is intended to resolve an administrative problem in relation to an aspect of the terms and conditions of the service of the Chairman of the Metropolitan Milk Board and, inferentially, other officers and servants of the board. It is the desire of the board that the previous service of any such persons with the Public Service, where that service is continuous with service with the board, should be recognized for the purposes of long service leave and sick leave. Already the reverse of this situation is the case; that is, if a person having service with the board obtains employment in the Public Service, his service would for the purposes mentioned above be regarded as service with the Public Service.

Advice from the Crown Solicitor suggests that there may be some doubt as to the powers of the board in this matter and, accordingly, this Bill is introduced so as to set those doubts at rest. Clause 1 is formal. Clause 2 formally provides for the determination of the terms and conditions of the Chairman and other members of the board, and then specifically provides for the recognition of previous service in the Public Service in the case of the Chairman of the board. Clause 3 makes similar provision in the case of officers and servants of the board.

The Hon. C. R. STORY (Midland): Whilst I was Minister of Agriculture the Public Service Board recommended, and I appointed, Mr. Hannaford (a useful officer from the Agriculture Department) to be Chairman of the Metropolitan Milk Board. After several discussions with the Chairman of the Public Service Board, it was considered that there would be no difficulty in transferring Mr. Hannaford's long service leave and sick leave provisions to the milk board where he was then employed. However, some doubts arose about this matter, and I am pleased to see that the Government has taken this action, because this officer is valuable to the South Australian milk industry. It would be a great pity if he lost anything as a result of leaving the Agriculture Department to take up another position. This legislation will benefit the present Chairman of the board as well as other persons who may be appointed from the department in future, or officers of the milk board who could be useful to the Agriculture Department and who transferred to that department. I see no reason to delay this measure.

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

SOUTH-EASTERN DRAINAGE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 23. Page 3235.)

The Hon. M. B. CAMERON (Southern): I should like to touch briefly on the unimproved value rating system that is to be introduced. It seems to me that in certain affected areas the unimproved value of land must increase if the drainage benefit is removed by the Government. It seems to me that the Government will receive an indirect benefit from land tax, as land tax returns from these areas will increase. Therefore, although I realize that the betterment is to be written off, there will still indirectly be some return on this item from land tax because, when considering unimproved land values, the cost of drainage will be deducted from the sale value of the land involved.

New section 53, which provides for direct or indirect benefits, is unjust. In some areas, landholders, instead of receiving a direct benefit as a result of drainage, have suffered detriment, whereas those in adjoining areas have received a benefit. Higher or shallow land that has the water removed from it too quickly

usually suffers some detriment. Some of these areas in the Western Division have been shown up clearly in a dry season, and it is harsh for these people to be rated for drainage that has acted to their detriment. Higher areas, which have always been first-class land, are now suffering as a result of drainage and should not, therefore, be rated under this system.

I believe the words "or direct benefit" should be struck out. As the Hon. Mr. DeGaris said, few appeals will be successful under this scheme unless those words are removed, as it is difficult for one to know what is an indirect benefit. I reject the contention that roads, electricity and so on would not have been established without drainage, because 80 per cent of this land could have been developed without drainage, and roads and electricity would still have been provided. I do not therefore see why indirect benefits should be held as a reason for rating for the purposes of this Act.

I have always wondered what was the purpose of drainage. Although some areas have certainly needed it, drainage has made cropping more difficult in other areas. Because water is taken hurriedly from certain land in the spring, the persons involved find it difficult to maintain moisture sufficiently long enough to get the crops to maturity. Although the Bill, to which certain amendments are to be moved, will give direct benefits to certain landholders, it will create injustices for too many other people who have not received a benefit from drainage. Indeed, its application is far too wide. Although the legislation is an attempt to overcome the injustices and harsh treatment that certain people have suffered, it casts far too wide a net and, at the same time, creates other injustices. I hope the Government will hold its hand on this legislation for a while, as there is no hurry for it to be passed. As the Hon. Mr. DeGaris says, most of this year's rates have already been paid. I know this because I have paid my rates. I should like to see this Bill returned to the people involved for further discussion, as landholders in my district, except in a few areas, have expressed lack of support for the scheme. The Government would be well advised to take the matter back to see whether a better scheme can be worked out. I will listen with interest to the arguments advanced on any amendments that are moved, and I give notice that I will move an amendment to new section 53.

The Hon. A. F. KNEEBONE (Minister of Lands): I thank honourable members for the speed with which they have examined the Bill, which has not been before them for long. Two honourable members who have spoken have criticized the Government for pushing on with the legislation and have said that it ought to be withheld for the time being. However, those honourable members have spoken on a false premise. The Leader of the Opposition said that the rates for this year have already been fixed and that, therefore, rates would not need to be collected again until December 31, 1972. I point out to the Leader and to the Hon. Mr. Cameron that under the existing legislation the rating period commences on July 1 and the rate is recoverable by December 31 each year. The Hon. Mr. Cameron said he had already paid his rates for this year. However, those rates were for the period from July 1 to June 30, and they were payable by December 31. The Bill does not affect this matter.

Honourable members are asking me to withhold the Bill until, say, March next year. However, that would not give the department sufficient time to administer the legislation. In any event, I cannot see the necessity to do this, especially in view of the march of events since this matter was first considered. The Hon. Mr. Cameron said that the people in the South-East do not like the Bill. However, they did not like the old Act, either. The previous Government decided that the provisions of the Act were almost unworkable, a point of view with which I agree. That Government then set up a committee to examine ways in which the financial provisions of the Act could be amended to provide a more equitable system.

A committee was set up in July, 1968, to examine the matter. The board advised the Minister of the need to increase drainage rates, and on October 3, 1968, Cabinet approved the formation of a committee of inquiry to examine this aspect. On October 1, 1969, the investigating committee met landholders' representatives and spoke to them about the problems that existed. On October 13, representatives of stockowners and United Farmers and Graziers met the Minister regarding the same matter. It can be seen, therefore, that it has been continuing for many years.

In February this year a conference took place between the investigating committee and landholder representatives, and the committee advised the landholders of the proposed amendments to the financial sections of the Act. They were advised then that if a better workable alternative was available it would be

considered. In March and April six meetings were held, at which the leader of the landholder representatives, who is also the landholder member of the South-Eastern Drainage Board, explained the proposals to landholders in the districts where the meetings were held. On October 26 a combined meeting of landholders was held at Bool Lagoon and the provisions of the Bill were explained to everyone.

The Hon. M. B. Cameron: Did it get support at the meetings?

The Hon. A. F. KNEEBONE: At some of the meetings, yes; at some, no.

The Hon. M. B. Cameron: What proportion?

The Hon. A. F. KNEEBONE: I cannot give the percentage at the moment, but the point is that they were asked to submit an alternative proposal which was a reasonable one and a workable one, and no-one has yet come forward with something better. The only thing I have heard which was better than this as far as the settlers were concerned was that they said they did not want to pay anything, and the rest of the taxpayers of the State could pay the lot. I would like to hear what the rest of the taxpayers would have to say about that.

The Hon. C. R. Story: It would be very much the same sort of set-up as the festival hall.

The Hon. A. F. KNEEBONE: Not at all.

The Hon. D. H. L. Banfield: Everyone can use the festival hall.

The Hon. C. R. Story: If they could afford the trip down.

The PRESIDENT: Order!

The Hon. A. F. KNEEBONE: The total capital expenditure to June 30 last was $18,107,000, the value of structures was $4,729,909, the depreciation raised was $546,679 and the balance of depreciation to be forgone was $4,183,230. The State is forgoing depreciation and betterment, thus making substantial concessions. Capital repayments outstanding on scheme drains were approximately $23,700, which has been wiped off, and on petition drains, approximately $24,700, also wiped off, and betterment $1,744. The capitalization of the concessions is about $6,000,000; very substantial concessions are being made by the Bill.

The Hon. D. H. L. Banfield: That is not a bad hand-out.

The Hon. A. F. KNEEBONE: Not bad at all. The Leader referred to the Coonawarra area, and the fact that people there were paying a rate but are not paying it now. At present the fruit and vine growing area is not assessed for rating, it is not included in the area defined in the Bill, and there will be no alteration. The area to the north-east is an addition because of the recent extension of drain C into that area.

The Hon. R. C. DeGaris: Why has Coonawarra been excluded?

The Hon. A. F. KNEEBONE: The Leader said people there had been paying a rate and they would not pay one under this Bill. The area that has been defined on the map is the area we believe will receive a direct or indirect benefit.

Reference was made to the Millicent-Tantanoola drainage scheme administered under the South-Eastern Drainage Act, of 1895. In these districts the drainage was generally carried out on Crown lands prior to sale by the Crown about 100 years ago, before 1890. No major works have been carried out since, and therefore there has been no reassessment. The assessment is on the same basis as for the drainage rate in the South-Eastern Drainage Act, 1931-1969, the Act under which the South-Eastern Drainage Board now operates, and the assessment for the District Council of Millicent is $352,000.

Honourable members have referred to telegrams. I have received some telegrams, and the area referred to is north of the proposed new boundary. The Leader's reference to the fact that people outside the area were not included seemed to be advocacy for the extension of the area, and I think the telegrams I have been receiving must have been as a result of some thought that the Leader might have been moving amendments to bring other people within the area. The area referred to is outside the area proposed to be rated.

I think I have replied to most of the matters raised. The main objection to the Bill seems to be the method of arriving at a drainage rate; another objection was that it was believed that the Bill should be laid aside for a period. It has been proposed for more than a couple of years, the people concerned have known of it for that time, and have known the details of it since early this year. They have been asked to supply an acceptable and workable alternative, but no-one has come along with one. I commend the Bill to honourable members.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Interpretation."

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

To strike out the definition of "land" in paragraph (*b*).

This is in line with the principle of the Bill that any land inside a municipality, town or township shall not be deemed to be land for the purposes of the Act. This is part of the amendments I intend to move. Although I listened intently to the Minister when he replied, I still have not been shaken in my view of this Bill, that the change from a betterment system of rating to rating on unimproved values has no logical basis and is completely unjust.

I pointed out earlier that, in my view, there are areas that are adversely affected at present because some people are paying on a betterment assessment done fairly recently and others are paying on a betterment assessment done many years ago. There is no relationship between the two assessments, and to overcome this anomaly the Government has decided to abandon betterment as a means of assessment for rating. This new system has no basis in logic; it has no justification.

My amendment would leave the rating system on a betterment basis. It may be contended by the Government that it is impossible to achieve justice on a betterment basis of assessment, but I do not think there is any difficulty, dealing with the total area, in producing a betterment assessment equitable to the whole area. That is all that is required for an assessment for rating for maintenance purposes. I compliment the Government on taking its attitude in relation to depreciation and capital commitment but, in all these matters, I think that to achieve justice the system of rating must rest on betterment assessments.

The Minister has said that the Government would be satisfied with about $100,000 from the area for maintenance. I suggest that that be placed in the Bill so that the total amount of money raised for maintenance by betterment assessment shall not exceed $100,000, which is in excess of what the Bill at present provides for. I still hold strongly to my contention that the movement to unimproved value in every respect is unjust.

The Hon. A. F. KNEEBONE (Minister of Lands): Rating on betterment has been a problem with the old Act for many years. The honourable member would know the difficulty that has been experienced in an endeavour to reach agreement on betterment in regard to whatever land may be involved. It is almost impossible to get past evidence to influence the fixing of a present rate of betterment. I have in mind a matter that has been foreshadowed for inclusion in a later amendment where, in some cases, it was necessary to prove 100 years later what the area was like when the original assessment was made.

The Hon. R. C. DeGaris: The Minister has not got the point.

The Hon. A. F. KNEEBONE: This is the difficulty. The Leader knows of the litigation going on at present in respect of appeals against betterment; and that is what will go on in the future. The amendment is totally unacceptable to the Government.

The Hon. R. C. DeGARIS: There are several ways to approach this. First, we have betterment assessments that have been done for about 100 years, as the Minister says. I do not think there is any betterment assessment in the Western and Eastern Divisions done that long ago. I think the last one done at Millicent was in 1871. There was a betterment assessment done and accepted in 1906, or about that time, but that bears no relation to the betterment assessment done in recent years, because of changing values of money. That is where the problem arises with betterment assessments, but that can be overcome by relating one to the other. If we are doing new betterment assessments on the basis of those done some 50 or 60 years ago, there is an equitable assessment throughout the whole area. Once the assessment is done and there is equity between the landholders, the required rate can be struck to produce about $100,000 a year. In that way no-one has any axe to grind: we produce a betterment system that is acceptable, and there is no argument.

The Hon. A. F. Kneebone: The Leader makes it sound simple, but he knows it is not simple.

The Hon. R. C. DeGARIS: I know it is not simple. The new scheme under this Bill may be simple but it is not just. We are being given a system that is unjust, and I am suggesting a just system for rating purposes. If the capital repayment is wiped off, there will be very few appeals against a betterment assessment for the payment of maintenance on drains.

The Hon. A. F. Kneebone: You must be kidding!

The Hon. R. C. DeGARIS: I am not kidding; people will realize it is only an assessment for the payment of maintenance. There will be far more appeals under the system provided for in this Bill than there would be under the system I am suggesting. The people must be shown that a rating system is

just, and this system propounded in the Bill cannot be shown to be just. Any person looking at it can see that it is totally and absolutely unjust to the landholders in the area.

Whilst I appreciate the fact that the Government is assuming a capital burden (and I compliment it on that) nevertheless when we come to maintenance, which is a continuing process that will be with the landowner for the rest of time, the only way it can be done in all justice is to ensure that the person who receives the greatest benefit makes the greatest contribution. If a person is inside the line there are no grounds for appeal; no-one inside the line can prove that he does not receive some indirect benefit. Even a property owner in Commercial Street, Mount Gambier, or the owner of a Rundle Street shop could not prove that he did not receive some indirect benefit.

The Hon. A. F. Kneebone: The owner of a Rundle Street shop is not included.

The Hon. R. C. DeGARIS: He could not prove that he received no indirect benefit from the drains in the South-East, because he does receive some indirect benefit. Why should the whole State not pay, because the whole State receives some indirect benefit! The system used in the Millicent and Tantanoola areas and the system used for almost 100 years in the South-Eastern Drainage Board area is now being tossed overboard for one section, which is being transferred to a new, unjust and illogical basis. All we are trying to do is assist the Government, because I assure the Government that its scheme will cause far more trouble than the betterment system caused. There will be practically no arguments if the betterment system is made equitable for all people inside the area.

Some people in the area have an assessment based, say, on $4 an acre in 1906, but people whose assessment was done in 1960 have an assessment based on $30 an acre, whereas the actual betterment is about the same. What is different is that one was done in 1906 and the other was done in 1960. So, there is a disparity in the actual assessment. If that can be corrected so that there is equity amongst the betterment assessments, all the arguments regarding betterment as a basis for a maintenance rate will disappear. What is required is equitable assessment, and I believe that is possible. The Minister says that all people in the South-East favour his scheme but, if he takes a referendum of the landholders concerned, asking whether they want a system based on reasonable betterment or a system based on unimproved values, I guarantee that very few landholders will agree with the justice of rating on the basis of unimproved values.

The Hon. D. H. L. Banfield: Would you have compulsory voting?

The Hon. R. C. DeGARIS: As a democrat, I would be willing to go along with voluntary voting. The system I am advocating is worth a trial or at least some consideration.

The Hon. M. B. CAMERON: I support the Hon. Mr. DeGaris in regard to this matter. The Minister has said that it is almost impossible to work out a betterment system in the South-East; the reason for that is that so much drainage in the area was carried out on the basis of pure guesswork. Far too many injustices will be done under the scheme in the Bill. I urge the Minister to reconsider pushing through this Bill and to take into account the views of the Hon. Mr. DeGaris about future drainage. I would prefer a scheme under which people knew the cost; otherwise, the whole problem will rear its ugly head again.

The Hon. A. F. KNEEBONE: I am not convinced by the Leader's argument. He makes it sound very simple to return to the betterment basis, and he says that there will not be any argument if we fix an equitable betterment rate as between settlers. However, if one person thinks that his neighbour is getting a betterment that is not on all fours with his own betterment, there will be appeals all over the place. The Leader said there would be fewer appeals under the system he advocated, but I am sure that there would be more appeals and more difficulties. The difference between what the Leader advocated and the scheme in this Bill is that the Bill fixes a maximum rate. Under the Bill, successful appeals against the rate based on unimproved values will affect the amount of money coming in. The Leader suggests that we should include a rate in the Bill based on betterment; then, every successful appellant would mean that the rate would have to be increased for other people in the system. I cannot accept the amendment, because the Government is trying to improve the present situation by cutting out betterment and depreciation. Over a long period no-one has come forward to suggest any workable alternative to what the Government has proposed.

The Committee divided on the amendment:

Ayes (10)—The Hons. M. B. Cameron, M. B. Dawkins, R. C. DeGaris (teller), G. J. Gilfillan, C. M. Hill, H. K. Kemp, E.

K. Russack, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (8)—The Hons. D. H. L. Banfield, T. M. Casey, R. A. Geddes, L. R. Hart, A. F. Kneebone (teller), F. J. Potter, Sir Arthur Rymill, and A. J. Shard.

Majority of 2 for the Ayes.

Amendment thus carried; clause as amended passed.

Clauses 6 to 11 passed.

Clause 12—"Drainage rate."

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

In new section 48 (4) to strike out all words after "amount" second occurring and insert "of one hundred thousand dollars".

The present rate intended to be imposed by the Government would return about $85,000, but if the Bill were passed there would be a substantial increase in unimproved land values in the area. The Minister said that, as appeals were upheld, the rate would be increased to enable the Government to receive $100,000. If the betterment system is retained to pay maintenance, it will be necessary to accept this amendment.

The Hon. A. F. KNEEBONE: The rate is stated in the Bill and cannot be increased. That is the maximum rate, irrespective of how many appeals are upheld. Although I said in my second reading explanation that the amount to be raised is based on a rate that does not exceed three-tenths of 1c in the dollar, the rate may be less than that. The honourable member says that there will be an increase in the unimproved value of the land as a result of the elimination of the capital commitment. However, I do not agree that that is so. Even if it were, one cannot go beyond the rate of three-tenths of 1c. I am not convinced by the Leader's statement that unimproved values will rise. Those values have always been set by the valuer.

The Hon. R. C. DeGARIS: My amendment merely puts the same upper limit on the sum of money that will be raised from drainage and maintenance as is provided in the Bill. The Minister has imposed a maximum rate of three-tenths of 1c for every dollar of the total ratable value of land subject to the rate, which will raise about $85,000 to $100,000. My amendment merely provides that the amount so raised shall not exceed $100,000. The rate can be adjusted up to that figure and, if the Government wants a lower rate, it can provide for it.

The Hon. A. F. KNEEBONE: This provision is also tied in with clause 14, which exempts from the payment of rates those people who have smaller properties. Subsequent amendments will remove the appeals to the South-Eastern Drainage Board to the Land and Valuation Court. It is all tied up with the Leader's proposal to return to a betterment rating system, to which I am totally opposed.

The Committee divided on the amendment:

Ayes (8)—The Hons. M. B. Cameron, M. B. Dawkins, R. C. DeGaris (teller), G. J. Gilfillan, C. M. Hill, H. K. Kemp, E. K. Russack, and V. G. Springett.

Noes (10)—The Hons. D. H. L. Banfield, T. M. Casey, R. A. Geddes, L. R. Hart, A. F. Kneebone (teller), F. J. Potter, Sir Arthur Rymill, A. J. Shard, C. R. Story, and A. M. Whyte.

Majority of 2 for the Noes.

Amendment thus negatived; clause passed.

Clause 13—"Repeal of sections 49-56 of principal Act and enactment of sections in their place."

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

In the sidenote to the clause to strike out "49-56" and to insert "51, 52, 53, 54 and 56".

I am somewhat confused by the vote that has just been taken, but nevertheless I intend to proceed with the amendments to clause 13. My amendment returns to or continues with the rating system based on a betterment assessment. We have been through this already, and I have expressed my views quite clearly; this is the clause that really matters.

The Hon. A. F. KNEEBONE: The effect of the amendment, as I see it, is to remove any limitation on the grounds of appeal and enable the appeal board to make any decision it thinks fit. This would create an impossible situation.

The Committee divided on the amendment:

Ayes (10)—The Hons. M. B. Cameron, M. B. Dawkins, R. C. DeGaris (teller), G. J. Gilfillan, C. M. Hill, H. K. Kemp, E. K. Russack, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (8)—The Hons. D. H. L. Banfield, T. M. Casey, R. A. Geddes, L. R. Hart, A. F. Kneebone (teller), F. J. Potter, Sir Arthur Rymill, and A. J. Shard.

Majority of 2 for the Ayes.

Amendment thus carried.

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

To strike out new sections 49 and 50.

The remaining amendments to clause 13 are all consequential.

Amendment carried.

The Hon. R. C. DeGARIS moved:

To strike out subsections (1) and (2) of new section 53.

Amendment carried.

The Hon. R. C. DeGARIS moved:

In paragraph (*a*) of new section 53(5) to strike out "or".

Amendment carried.

The Hon. R. C. DeGARIS moved:

In subsection (5)(*b*) of new section 53 to insert the following new paragraph:

or

(*c*) alter the assessment in such manner as it considers just.

Amendment carried; clause as amended passed.

Remaining clauses (14 to 26) and title passed.

Bill reported with amendments.

Bill recommitted.

Clause 12—"Drainage rate"—reconsidered.

The Hon. R. C. DeGARIS: I move to insert the following new subsection:

(2a) The rate shall be levied upon all land included in an assessment prepared by the board for the purposes of this Part in proportion to the assessed increase to the fee simple value of the land as a result of the drains and drainage works.

I am governed here by Parliamentary Counsel, who advises me that this amendment is necessary in view of the amendments already made.

The Hon. A. F. KNEEBONE: It will be a difficult task for the department to work within the provisions of this clause, and the Leader knows it. With his amendments, he is endeavouring to make this clause unworkable for the department, and we shall have to go back to where we started from. I only hope that the people in the Leader's district will appreciate what he is doing.

The Hon. R. C. DeGARIS: I assure the Minister that the people in my district do appreciate what I am doing.

The Hon. A. F. Kneebone: As long as you know what you are doing.

The Hon. R. C. DeGARIS: The Minister says it is an impossible task; it is not. It has been done in both Millicent and Tantanoola for 100 years with no difficulty.

The Hon. A. F. Kneebone: I can go back 100 years, too. However, we are trying to be up-to-date.

The Hon. R. C. DeGARIS: I do not think the Minister understands the position. The assessment for maintenance in the Millicent and Tantanoola areas is based on betterment that has been decided upon and agreed to. The whole of the Eastern and Western Divisions of the South-Eastern drainage scheme is based on betterment, too. I have pointed out where the difficulties have arisen and how they can be overcome.

The Hon. A. F. Kneebone: There would be no difficulty if we cut out all maintenance.

The Hon. R. C. DeGARIS: I do not believe the new system is just or fair. There should be some payments from those people who receive a direct betterment from drainage. I cannot agree with the Minister's contention that this amendment makes the clause unworkable. It does not, because the system has been working on this basis for 100 years in the South-East.

New subsection inserted.

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

In new subsection (4) to strike out all words after "amount" second occurring and insert "of one hundred thousand dollars".

If this subsection is left as it is now, it will mean that the South-Eastern Drainage Board will be able to rate only up to three-tenths of 1c in every dollar, which will reduce its income to a minimal amount. It is now essential for me to move this amendment in relation to the amendments that have been carried.

The Committee divided on the amendment:

Ayes (10)—The Hons. M. B. Cameron, M. B. Dawkins, R. C. DeGaris (teller), G. J. Gilfillan, C. M. Hill, H. K. Kemp, E. K. Russack, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (8)—The Hons. D. H. L. Banfield, T. M. Casey, R. A. Geddes, L. R. Hart, A. F. Kneebone (teller), F. J. Potter, Sir Arthur Rymill, and A. J. Shard.

Majority of 2 for the Ayes.

Amendment thus carried; clause as amended passed.

Bill reported with further amendments. Committee's reports adopted.

Bill read a third time and passed.

SECONDHAND MOTOR VEHICLES BILL

The House of Assembly intimated that it had disagreed to the Legislative Council's amendments.

Consideration in Committee.

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

That the Council do not insist on its amendments.

The deletion of clauses 24, 25, 26, 27 and 28 took all the meat out of the Bill, with the result that it now provides for not much more than the licensing of car dealers. The

Bill provides that, if dealers commit malpractices, they may lose their licences, but the valuable provisions requiring dealers to substantiate guarantees made in advertisements have been removed. Admittedly, dealers can be prosecuted for any misrepresentations in their advertisements, but the vast majority of secondhand car dealers, who are willing to back up their advertisements, had nothing to fear from the clauses that have been deleted. Those clauses would have dealt effectively with the few dealers who publish misleading advertisements.

The Hon. R. C. DeGARIS (Leader of the Opposition): The Chief Secretary and I reach agreement very easily on most matters, but I cannot agree with my friend on this occasion. During the Committee stage it was made clear that this place was seeking a solution to the problem. Many honourable members here believe (and this is borne out by legal advice) that clause 24 is unworkable.

The Hon. A. J. Shard: The Royal Automobile Association does not agree with you.

The Hon. R. C. DeGARIS: I have not seen what the R.A.A. has said, but page 47 of the Rogerson report says that the proposal is dependent on two other factors, one being the availability of a bunch of skilled engineers who can independently assess the condition of a vehicle and give a certificate of roadworthiness.

The Hon. A. J. Shard: The secondhand car dealers advertise that that is done already.

The Hon. R. C. DeGARIS: I quote a report concerning an R.A.A. inspection:

Report on the condition of a car or commercial vehicle: in accordance with the R.A.A. inspection service the examination with which this report is concerned is visual only, aided by instruments. The report does not cover defects of interior mechanism or other defects which might be discoverable if the vehicle was dismantled. A rubber stamp has been made by the R.A.A. and applied to the report on completion: "This report applies to the condition of the vehicle on the day of inspection only".

We are not anxious to see on our Statute Book legislation that is impracticable. This legislation should be able to handle malpractices that occur in the dealing of secondhand vehicles, without having a tremendous effect on the economics of the new and used car industry in this State. We should insist on our amendments, and then try to find a compromise with the House of Assembly in order to solve the problem.

The Committee divided on the motion:

Ayes (4)—The Hons. D. H. L. Banfield, T. M. Casey, A. F. Kneebone, and A. J. Shard (teller).

Noes (14)—The Hons. M. B. Cameron, M. B. Dawkins, R. C. DeGaris (teller), R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, H. K. Kemp, F. J. Potter, E. K. Russack, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Majority of 10 for the Noes.

Motion thus negatived.

Later:

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendments to which it had disagreed.

The Legislative Council granted a conference, to be held in the Legislative Council conference room at 9.45 p.m., at which it would be represented by the Hons. D. H. L. Banfield, R. C. DeGaris, G. J. Gilfillan, L. R. Hart, and A. J. Shard.

HIRE-PURCHASE AGREEMENTS ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

The effect of this short Bill is to resolve a possible conflict between the Door to Door Sales Act and the Hire-Purchase Agreements Act. Honourable members will recall that, under the door-to-door sales measure, consideration cannot pass from the purchaser until the cooling-off period has expired. However, section 47 of the Hire-Purchase Agreements Act enjoins the owner of goods, to be the subject of a hire-purchase agreement, to obtain the statutory minimum deposit on entering the agreement with the hirer. Accordingly, this Bill proposes at clause 4, by an amendment to section 47 of the Hire-Purchase Agreements Act, that compliance with the door-to-door sales measure when appropriate will not render a hire-purchase agreement void. Finally, by clause 3 a provision has been inserted in general terms to ensure that operation of the Door to Door Sales Act is not modified by reason of the provision of the Hire-Purchase Agreements Act.

The Hon. C. M. HILL (Central No. 2): I support the Bill. It has become evident since the Council passed the Door to Door Sales Bill recently that there would be a conflict with section 47 of the Hire-Purchase Agreements Act, 1960, which provides:

Where an owner enters into a hire-purchase agreement without having first obtained from the proposed hirer thereunder a deposit in cash or in goods or partly in cash and partly in goods to a value to at least one-tenth of the cash price of the goods comprised in the agreement, the agreement shall be void.

This means that a trader must obtain a cash deposit or a deposit equivalent to a cash amount when the hire-purchase agreement is entered into. Honourable members will recall that under the door-to-door sales legislation no monetary consideration was permitted to change hands at the time the goods could have been handed over and an agreement subject to the cooling-off period entered into.

That meant there was a conflict and that people were not able to obtain deposits from purchasers under the new arrangements that involved a cooling-off period, so a change in the Hire-Purchase Agreements Act became necessary. The Bill will permit such agreements to be entered into, but instead of the deposit being obtained forthwith the trader will be able to wait until the necessary cooling-off period has expired and, as soon as practicable after the expiration of that period, he will be permitted to seek his 10 per cent deposit. This is a necessary measure caused because of the introduction of the Door to Door Sales Act, and I support it.

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

CONSTITUTION ACT AMENDMENT BILL (MEMBERS)

Second reading.

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

That this Bill be now read a second time.

It is designed to enable members of Parliament, without risk of forfeiting their seats, to enter into and enjoy the benefit of certain contracts and agreements with the Government where the members do not receive more favourable terms than would be given to members of the public. Section 49 of the Constitution Act at present provides *inter alia* that any person who directly or indirectly, for his use and benefit or on his account, undertakes, executes, holds or enjoys in whole or in part any contract, agreement, or commission made or entered into with or from any person for or on account of the Government shall be incapable of being elected, or of sitting or voting, as a member of Parliament during the time he executes, holds or enjoys any such contract, agreement or commission or any part or share thereof, or any benefit or employment arising from the same.

Section 50 of the Act renders void the seat of any member of Parliament who so enters into, accepts, undertakes or executes any such contract, agreement or commission. Section 51 contains a list of exemptions from the application of sections 49 and 50. Because of the provisions of sections 49 and 50, there are a number of contracts, agreements and commissions which members of the public can enter into with or accept from the Government but, if they were even in the ordinary course of business entered into or accepted by a member of Parliament, he could lose his seat in Parliament. While the Government acknowledges the need for the stringent provisions of sections 49 and 50, it also recognizes that in some areas members of Parliament should not be precluded from dealing with the Government and its instrumentalities in the ordinary course of business like any other member of the public, and this Bill proposes to extend the exemptions contained in section 51 to:

(*a*) contracts or agreements in respect of any bet made with the South Australian Totalizator Agency Board;

(*b*) contracts or agreements to participate in any lottery or for the purchase of any ticket in a lottery conducted by the Lotteries Commission;

(*c*) contracts, agreements and commissions made, entered into or accepted in respect of policies of insurance issued by the State Government Insurance Commission or in respect of any loan made by the South Australian Superannuation Fund Board;

(*d*) contracts or agreements with the South Australian Housing Trust for the sale, purchase or letting of land or with the State Bank and Savings Bank of South Australia in respect of any loan;

(*e*) contracts, agreements, advances and payments under certain specified Acts;

(*f*) royalties and commissions paid by or on behalf of the Government in respect of mining or quarrying activities on land;

(*g*) guarantees or contracts, agreements, payments or conditions relating to guarantees under the Homes Act; and

(*h*) payments made by the Government to members of Parliament out of moneys received from any insurer in respect of policies of insurance relating to those members.

Clause 2 of the Bill gives effect to those proposals. Clause 3 clarifies section 52 of the principal Act without in any way altering its meaning or intention.

The Hon. R. C. DeGARIS (Leader of the Opposition): This short Bill allows members of Parliament to enter into certain contracts and agreements with the Government without risk of forefeiting their seats. This part of the Constitution is rather old-fashioned, but one can understand why it was inserted. However, in view of the changes that have taken place in our society since the provision was originally drafted, it is reasonable that a change should be made. At the same time, I believe that Ministers of the Crown should be more than circumspect in their private interests while holding an office under the Crown. The Bill sets out exemptions in connection with section 51 of the Constitution; members' seats will not be subject to forfeiture in respect of any bet made with the Totalizator Agency Board. I am glad that no-one has challenged that before.

The Hon. A. J. Shard: I never bet with the T.A.B.

The Hon. R. C. DeGARIS: Further, an exemption is granted in connection with any contract or agreement to participate in a lottery.

The Hon. A. J. Shard: I don't buy lottery tickets.

The Hon. R. C. DeGARIS: Also, an exemption is granted in connection with any policy of insurance issued by the State Government Insurance Commission.

The Hon. A. J. Shard: I haven't got such a policy.

The Hon. R. C. DeGARIS: Perhaps the Chief Secretary is involved in a contract or agreement with the South Australian Housing Trust.

The Hon. A. J. Shard: No.

The Hon. R. C. DeGARIS: Perhaps the Chief Secretary is involved in a payment made by the Government to a member of Parliament out of moneys received by the Government from any insurer in respect of any policy of insurance relating to a member of Parliament.

The Hon. A. J. Shard: I plead guilty.

The Hon. R. C. DeGARIS: At last we have found that the Chief Secretary is not completely lily-white in these matters. Clause 2(*m*) provides an exemption in respect:

To any contract, agreement, advance or payment made or entered into under, or any assistance granted pursuant to an arrangement or scheme referred to in, the Marginal Dairy Farms (Agreement) Act, 1971, the Rural Industry Assistance (Special Provisions) Act, 1971, or the Primary Producers Emergency Assistance Act, 1967;

It is reasonable that members of Parliament should not be excluded from enjoying the privileges offered under those Acts. I wholeheartedly support the Bill.

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

IRRIGATION ACT AMENDMENT BILL

In Committee.

(Continued from November 23. Page 3257.)

Clause 4—"Offer of town allotments."

The Hon. C. R. STORY: I am obliged to the Minister of Irrigation for supplying me with the information that I sought last night regarding clause 3. I am satisfied that the explanation he gave me will be satisfactory to those who own land held under tenure as set out in the clause. The great difference regarding clause 4 is the flexibility that has been given to the Lands Department, which will now be able to act more like the Renmark Irrigation Trust. As I said in my speech during the second reading debate, the districts of Barmera, Berri, Loxton and Waikerie have been unable to break out of their respective areas, having been inhibited to a degree by the provisions of the Irrigation Act. I realize that this has been a thorny matter for a number of Ministers. I am pleased to see that progress has been made, and I support the clause.

Clause passed.

Clause 5 passed.

Clause 6—"Annual irrigation rates on blocks."

The Hon. C. R. STORY: This clause is similar to a clause that honourable members encountered under the Renmark Irrigation Trust Act Amendment Bill recently. Provision is made for future rating to be based on the actual amount of water supplied rather than on the area of land being supplied. I do not know what is the Government's intention in this respect, although I hope it is what I think it is. If this procedure is to be adopted State-wide, people will save water. Indeed, they will be better off financially as they will not waste water merely for the sake of doing so. Whether the Government intends to implement this provision, I am not sure. However, the provision now exists for a different method of rating to be brought into operation in irrigation town allotments as well as in irrigation areas. I believe this is good, and I sincerely

hope that the Government has some idea of putting this into operation at some time.

Clause passed.

Clause 7 passed.

Clause 8—"Payment of cost of outlet."

The Hon. C. R. STORY: Here we have the matter of the changeover. This clause deals with section 80f of the principal Act, where we have the conversion from acres to hectares. I should like to know the effect of this on the average person in the irrigation areas. As I recall, the new outlets for drainage in irrigation areas stand at about $60 an acre at present, and the proposal under the new provision is to increase the amount to $50 a hectare.

Clause passed.

Clauses 9 to 11 passed.

Clause 12—"Power of Minister to expend certain moneys on improvements."

The Hon. C. R. STORY: In his second reading explanation the Minister said that clause 12 slightly increases the maximum amount that may be expended on a block by the Minister under section 89 of the principal Act, and that clause 13 is consequential on this clause. The Minister, upon application by the lessee, may spend a sum not exceeding $60 an acre of the irrigable land. When this is converted to hectares, how much will the Minister be permitted to spend over and above the present sum?

The Hon. A. F. KNEEBONE (Minister of Irrigation): The amount is now $60 an acre, and with the conversion there will be little increase.

The Hon. C. R. STORY: It is simply a matter of conversion rather than a general increase?

The Hon. A. F. Kneebone: Yes.

Clause passed.

Remaining clauses (13 and 14) and title passed.

Bill read a third time and passed.

[*Sitting suspended from* 5.57 *to* 7.30 *p.m.*]

LOCAL GOVERNMENT ACT AMENDMENT BILL (GENERAL)

The House of Assembly intimated that it had agreed to the Legislative Council's amendments Nos. 1, 3, 4, 7 to 11, and 13 to 19; it had agreed to amendment No. 2 with an amendment; and it had disagreed to amendments Nos. 5, 6 and 12.

Schedule of the House of Assembly's amendments to the Legislative Council's amendments:

Legislative Council's amendment No. 2. Page 2 (clause 2)—After line 4 insert new subsections as follows:

(1b) For the purposes of subsection (1a) of this section, land shall be deemed to be occupied if it is used (continuously or intermittently) solely for the agistment of sheep or cattle.

(1c) Where any land or building is presently unoccupied but has, within the preceding period of twelve months, been occupied for purposes that would render the land or building ratable property under the provisions of subsection (1a) of this section, a council shall, in the absence of notice of a contrary intention given by or under the authority of, a Minister of the Crown, be entitled to presume that it is intended that the land or building will be again so occupied within the succeeding period of twelve months.

House of Assembly's amendment thereto—leave out subsection (1c).

Schedule of the Legislative Council's amendments to which the House of Assembly had disagreed:

No. 5. Page 6, lines 11 and 12 (clause 24)— Leave out "(if the Minister approves in writing of expenditure for that purpose)".

No. 6. Page 6, lines 16 to 18 (clause 24)—Leave out paragraph (*c*).

No. 12. Page 10, lines 24 to 29 (clause 39)—Leave out all words in this clause after "is" in line 24 and insert—

"repealed and the following section is enacted and inserted in its place:

459a. *Disposal of reserves*—(1) Subject to this section, where a council is of the opinion that any land that constitutes or forms part of, a reserve is not required as a reserve, or for the purposes of the reserve, as the case may be, the council may sell or otherwise dispose of that land.

(2) No such land shall be sold or otherwise disposed of without the consent in writing of the Minister.

(3) Public notice must be given of any proposal to sell or dispose of land under this section at least twenty-eight days before the council sells, or disposes of, the land.

(4) A council shall not proceed under this section to sell, or dispose of, land that is of more than one-half acre in area unless a proposal to do so has been submitted to a poll of ratepayers and a majority of the ratepayers voting at the poll has voted in favour of the proposal.

(5) In this section—

'reserve' means any land vested in the council and shown as a reserve on a plan deposited in the Lands Titles Registration Office or the General Registry Office."

Consideration in Committee.

The Hon. A. F. KNEEBONE (Minister of Lands): I assume that these amendments will be dealt with individually.

The CHAIRMAN: Yes; that is proper.

Amendment No. 2:

The Hon. A. F. KNEEBONE: I move:

That the Legislative Council accept the House of Assembly's amendment to amendment No. 2.

I am not surprised that the other place has accepted so many of the Legislative Council's amendments. It is a demonstration of the spirit of co-operation prevailing in the other place.

The Hon. C. M. HILL: I am surprised at the approach of the other place to this pair of amendments. Honourable members will remember that the first one dealt with agistment and the second one with a form of machinery to try to help councils get their assessments adopted in a more businesslike and convenient manner than hitherto. The other place has accepted the amendment concerning agistment and rejected our proposal contained in new subsection (1c). The Bill, as it read originally, represented an intention by the Government to try to help local government where houses, for example, owned by Government departments were vacant when the assessment was adopted and then became occupied soon afterwards, resulting in local government losing a year's rates.

The Government said, "If the house is occupied for any part of that period of 12 months in the ensuing year, the council can obtain rates from the department." That was a worthy change. Local government did not know how to go about the process of collecting the rates—whether it should first assess the property and have the assessment adopted if the house was empty and then hope that the department would occupy the house.

In circumstances such as those, if the department did not occupy the house, the problem would arise how the rates were to be written off the council's books. The alternative was to write to the Government department asking whether it was its intention to occupy the house. I gave one example of a Government department not occupying a house but later occupying it. Local government did not quite know how to go about the procedure in cases where the Government was trying to help it. If local government could use the former year's condition of the house as regards occupation (whether it was occupied or vacant) as a guide to whether it was to assess it and adopt that assessment, that seemed to be the commonsense way of approaching the problem.

The Hon. F. J. Potter: There is the reason given in the schedule, that the amendments prejudicially affect the objects of the Bill.

The Hon. C. M. HILL: Some words had to be found, and those words sound rather important. I should have thought that the other place would act the other way round, and object to the agistment amendment and approve of the one relating to rates on Government houses. Local government must be given some guide on whether it is to place the subject properties within its assessment and whether it should adopt that assessment. I see no reason why the Legislative Council should change its mind on this matter. Our amendment was reasonable and sensible. For those reasons, I cannot agree to the motion.

The Committee divided on the motion:

Ayes (8)—The Hons. D. H. L. Banfield, T. M. Casey, R. C. DeGaris, G. J. Gilfillan, A. F. Kneebone (teller), A. J. Shard, V. G. Springett, and C. R. Story.

Noes (6)—The Hons. M. B. Cameron, M. B. Dawkins, R. A. Geddes, L. R. Hart, C. M. Hill (teller), and F. J. Potter.

Majority of 2 for the Ayes.

Motion thus carried.

Amendment No. 5:

The Hon. A. F. KNEEBONE: I move:

That the Council do not insist on its amendment No. 5.

At present councils are able to subscribe to an organization whose main purpose is the development of the State or part thereof or the furtherance of local government in South Australia. In the original Bill clause 24 retained that provision but provided, in addition, that councils might subscribe to organizations in Australia, as distinct from South Australia, with the approval of the Minister. The Legislative Council's amendment deletes the requirement that the Minister's approval must be obtained. I believe that it is reasonable that councils should be empowered to contribute to organizations in other States but, because ratepayers' money would be going out of South Australia, some control should be imposed, and the Minister's approval will provide that control.

The Hon. M. B. DAWKINS: I oppose the motion. The provision involves the Adelaide City Council, but it could also involve councils that desire to contribute to the Murray Valley Development League. I do not think any council will contribute a significant proportion of its revenue to a body in another State, and I am sure every council is sufficiently responsible to be entrusted with the responsibility of deciding its contributions without reference to the Minister. I said earlier that I did not intend to cast a reflection on any Minister,

past or present, but I do not think such a relatively small matter should be referred to the Minister.

The Hon. C. R. STORY: I, too, oppose the motion. Many councils near the borders of South Australia are confronted with the problem referred to. The Murray Valley Development League is a good example of a body in another State that could be involved. The Government itself has assisted that body.

The Hon. D. H. L. BANFIELD: I support the motion. The Hon. Mr. Dawkins said that the question of councils contributing to organizations in another State was a relatively small matter, but he did not say what sum would be involved. I suggest that what would be a relatively small matter would be to get the Minister's consent to any reasonable proposition in this connection.

The Hon. A. M. WHYTE: It seems strange to me that any Minister should claim to know more about a council's needs than the council itself does; the whole matter hinges on that. For every man elected to Parliament there are thousands walking the streets who are more capable. We are taking away from a council the right to make a decision for itself.

The Hon. G. J. GILFILLAN: Can the Minister say whether it would be necessary for a council to obtain permission from the Minister each year for the same donation to be paid?

The Hon. A. F. KNEEBONE: It would be reasonable to expect that once a subscription had been approved of, unless the amount was radically changed, the approval would continue to operate each year.

The Hon. A. J. Shard: For similar donations in my department, once it has been approved it would continue.

The Committee divided on the motion:

Ayes (7)—The Hons. D. H. L. Banfield, T. M. Casey, R. C. DeGaris, G. J. Gilfillan, A. F. Kneebone (teller), F. J. Potter, and A. J. Shard.

Noes (9)—The Hons. M. B. Cameron, M. B. Dawkins (teller), R. A. Geddes, L. R. Hart, C. M. Hill, H. K. Kemp, V. G. Springett, C. R. Story, and A. M. Whyte.

Majority of 2 for the Noes.

Motion thus negatived.

Amendment No. 6:

The Hon. A. F. KNEEBONE: I move:

That the Council do not insist on its amendment No. 6.

This amendment refers to the question of the Minister's approval of expenditure in regard to promoting a Bill before Parliament. It is natural that there should be some control of this expenditure.

The Hon. M. B. DAWKINS: This is a much more important amendment than the previous one. Every council should have the right to promote a Bill or assist in the promotion of a Bill before the Houses of Parliament, because they are sufficiently responsible bodies to make a correct decision in these matters. When I moved in Committee to delete these words I was not reflecting on any personalities. I do not believe the Minister should have the power to prevent a council from promoting a Bill before the Houses of Parliament, and I suggest that we insist on the amendment and consequently I oppose the motion.

The Hon. G. J. GILFILLAN: I support what the Hon. Mr. Dawkins has said. This amendment is different from the one with which the Committee has just dealt. A real principle is involved here, as local government takes its authority under the Local Government Act not from a Minister or a Government but from the Parliament. I do not believe Parliament should include in the legislation any provision that prevents a council from approaching Parliament, the body from which it obtains its authority to operate.

The Hon. A. M. WHYTE: I support the previous two speakers. It would be wrong to hand over to the Minister or to the Government any power that would prevent a council from deciding whether or not it should act on behalf of its ratepayers. After all, members of councils are elected, and they would not remain in office if they acted against the wishes of the ratepayers. If a council opposes any legislation that will affect its livelihood, it should have the right to put forward a case.

The Hon. C. R. STORY: I, too, support what the Hon. Mr. Dawkins has said. I do not think it is necessary for this provision to include the words "if the Minister approves in writing of the expenditure for that purpose". I do not know whether anyone in local government has abused a right with which they have been entrusted. I cannot understand why the Minister wants this power to approve of such expenditure in writing. Indeed, I do not believe it is necessary for him to approve of this expenditure at all.

The Hon. A. F. KNEEBONE: If a council receives the Minister's approval, it can spend the money to promote a Bill before Parliament. One honourable member said that councils would be debarred from spending money for this purpose. However, that is not so, as the Bill merely provides that a council must obtain

the Minister's approval. Another honourable member said that Parliament must have faith in councils, the members of whom are honourable men. Honourable members are not consistent, as in relation to a later clause they suggest that, because a council may not do the right thing, a poll should be held. I ask honourable members not to insist on the amendment.

The Hon. R. C. DeGARIS: I think I have been more than generous with the Minister in relation to the amendments. However, I am afraid I cannot agree with him in this respect. He made a good point regarding the next amendment that the Committee will consider and, with absolute consistency in my approach, I intend to urge the Council to insist on its amendment. I hope the Minister appreciates that my consistency will help to produce a worthwhile Bill. A council should have the right, as should any person, to promote a Bill before Parliament without having to get the Minister's approval. This is a fundamental right and a fundamental principle that should be preserved to any organization in our community, and therefore I oppose the motion.

The Committee divided on the motion:

Ayes (4)—The Hons. D. H. L. Banfield, T. M. Casey, A. F. Kneebone (teller), and A. J. Shard.

Noes (13)—The Hons. M. B. Cameron, M. B. Dawkins (teller), R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, H. K. Kemp, F. J. Potter, E. K. Russack, V. G. Springett, C. R. Story, and A. M. Whyte.

Majority of 9 for the Noes.

Motion thus negatived.

Amendment No. 12:

The Hon. A. F. KNEEBONE: I move:

That the Council do not insist on its amendment.

The amendments completely redraft the clause in the original Bill, the new clause providing generally what was achieved by clause 39 of the Bill as previously drafted, except that it is now provided that a council shall not sell a reserve exceeding half an acre in area unless the proposal has been submitted to a poll of ratepayers. Polls of ratepayers are well known not to produce a necessarily correct answer. They generally result in a low precentage of people voting and those who vote usually follow a concerted "No" campaign. A council would not necessarily be involved in great expense. In any case, where a reserve more than half an acre in area is sold, councils now have to get the approval of the Minister. I strongly urge the Council not to insist on this amendment.

The Hon. C. M. HILL: The Council should insist on its amendment, and I come back to the point of consistency regarding the two issues that have been before us. I believe I speak for individual ratepayers within the local council areas. I had in mind a council as an entity, and in speaking on this clause two separate approaches are involved. From the point or view of the individual or the ratepayer, the Minister must agree that there is in the public mind serious concern when a council contemplates the sale of a large reserve, or an area in some cases looked upon as park lands. When a council decides to dispose of an area such as this, I do not think it is unreasonable for Parliament to lay down that that council should, before it makes its final decision to dispose of that land, go back to its ratepayers and have a poll. The question whether or not the poll will be voluntary or compulsory or what is the percentage of those who vote in voluntary polls has nothing to do with this matter but, if the Legislature gives the ratepayers an opportunity to express their last word on the matter, it has done the right thing.

Previously, councils were able to dispose of these reserve areas if they were less than half an acre, except that they had to get the Minister's consent. This amendment, which we should support, does not alter that position: it only moves into the position of a piece of land exceeding half an acre in area, and often it is the sizeable pieces of land that are far more important to the people than are smaller pieces of land. I cannot see why the Government should not agree when a council wishes to dispose of a larger area of land like this, in which case not only must the council go to the Minister and get his consent but also it must turn back to its own local people and say, "Do you or do you not approve of us, your local governing representative body, disposing of this land?" It is a final check on a hasty or illconsidered decision of a council, and it is putting the final word back in the mouths of the people. It surprises me that the Government objects to that procedure.

Does the Government believe that this will obstruct local government in any way? I cannot see that it will. If a council has a genuine case for disposing of a piece of land in excess of half an acre, let it turn back to the people who, if they think it is genuine,

will approve of the decision. There seems to be nothing unreasonable or unduly cumbersome about that. Certainly, there is some trouble about holding a poll; some expense is involved, but let us not forget the issues that the poll is concerned with. No-one looks lightly on the disposal of park lands in excess of half an acre in area. I emphasize here that I am talking about reserve areas, not dedicated park lands. Often the people believe they are dealing with park lands. The legal word here is "reserve". The man in the street puts his own interpretation on these things. If he interprets a five-acre piece of open space in his area as park land, that is what he believes. It can be called a reserve, but that is only dragging a red herring across the trail. Why does the Government object to going back to the people for the final say?

The Hon. T. M. Casey: Often, there is only a small percentage poll.

The Hon. C. M. HILL: It does not matter how many people vote; the point is that those who vote are interested, and it is a democratic vote. The Committee should insist on its amendment.

The Hon. R. C. DeGARIS: I intend to support the Government on this because a council should have the right to do with its reserve what it will. This does not deal with park lands: it deals with reserves. From my own experience, I know of a country council where there are small reserves (stone, cemetery and water reserves), perhaps three-quarters of an acre in extent, tucked away in the scrub. To conduct a poll of ratepayers if the council wanted to sell a reserve of that kind would not be reasonable. However, I do not agree that it is not possible to get the people's opinion in a voluntary poll. There is provision for polling throughout the Local Government Act. For instance, if a council wants to borrow money, it is necessary to have a poll of ratepayers. Often, there are big polls. A poll of 2 per cent or 3 per cent of ratepayers has never occurred in local government on a matter of this sort. I recall polls in my own council area when the council wanted to borrow large sums of money, and there was a 70 per cent or 80 per cent poll. So I do not accept that argument of the Government, but I do support it on this amendment. I have complete confidence in local government in the selling and disposing of reserves.

The Hon. A. F. KNEEBONE: There are reasons why councils should be permitted to do this sort of thing. This matter concerns reserves, not dedicated park lands. It is not the title that is the determining factor. It will depend on other things, such as the location of the land and the amount of other land and reserve land in the whole area. There are people situated in the corner of the area in question who will go along in a block vote and there are people farther away, who should be concerned about the fact that some reserve, or some portion of it, is being sold, but who would not take a great interest in it; so a poll would not be much good. Things to be considered are the location of the land in question and its usefulness for the purpose, and the amount of other land in the area. For instance, buildings such as kindergartens have been erected on reserves quite illegally. Whilst it is not desirable to permit reserves to be used for such purposes, it may well be desirable to dispose of a reserve or a portion of a reserve for that purpose, if it is not required for recreation. In that case, Ministerial approval will provide adequate control. That is the right and reasonable approach to it.

Motion carried.

Later:

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendments to which it had disagreed.

The Legislative Council granted a conference to be held in the Legislative Council Committee Room No. 1 at 9.45 p.m., at which it would be represented by the Hons. T. M. Casey, M. B. Dawkins, R. A. Geddes, C. M. Hill, and A. F. Kneebone.

HOUSING GRANTS ADMINISTRATION BILL

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

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

That this Bill be now read a second time.

It is designed to facilitate the administration of housing grants expected to be received from the Commonwealth. Many honourable members will be aware that there is a Bill presently before the Commonwealth Parliament designed to give effect to new arrangements discussed between the Commonwealth and the States over the last six months. The Government had hoped that, by this stage, the Commonwealth legislation would have been passed but, whilst there is every expectation on the part of the Minister in charge of the Commonwealth Bill that it will be passed without any amendment of substance, it may be two or three weeks before that stage is reached.

Accordingly, it has become necessary for this Government to submit this Bill without being absolutely certain as to the details that will be included in the Commonwealth legislation when it is finally passed. I expect that some members of the Opposition will have seen a copy of the Commonwealth Bill but, if they have not, I shall be happy to secure one for them upon request.

For a number of years up to June 30 last, when the existing Housing Agreement terminated, the Commonwealth assistance for housing had been the provision of funds at a concessional interest rate of 1 per cent below the long-term Commonwealth bond rate. Actually, the funds provided were amounts nominated by the States out of their gross annual Loan allocations for general works purposes, so that the concession was really limited to the amount of the reduction in interest. It was a condition of the concession that at least 30 per cent of the funds nominated should be used through a Home Builders Account for making loans to persons desiring to acquire their own homes, and that not exceeding 70 per cent of the funds should go to the State housing authority for the provision of rental and sale houses. It was a further condition that the benefit of the reduced interest rate should be passed on to the tenants and prospective home owners concerned.

Whilst every other State has consistently kept its allocation to the Home Builders Account to the minimum of 30 per cent, South Australia has latterly made a much higher apportionment. For 1970-71, 53 per cent of our available funds went to the Home Builders Account, and the Budget for 1971-72 forecast almost 54 per cent. However, this much greater provision for loans to home owners has not reacted to the detriment of the South Australian Housing Trust. Last year the trust was allocated $11,750,000, which was about $10 per head of our population. The other five States together allocated to their housing authorities about $81,600,000, or about $7.2 per head of their combined population. At the same time, whilst the other States provided through their Home Builders Accounts about $3.1 per head, South Australia provided $13,250,000, or $11.3 per head. The gross allocation per head in South Australia under the Housing Agreement in 1970-71 was $21.3 per head, or rather more than twice the $10.3 per head for the other States.

The total funds allocated in South Australia for housing for each of the nine years up to June, 1970, varied from about $18,000,000 to $21,250,000. Last year the amount was raised to $25,000,000, and this year it will be at least the Budget figure of $26,500,000. The States have pressed the Commonwealth for an improved Housing Agreement stressing three specific features. First, and in particular whilst interest rates remain higher, that the concession on interest rates, especially where basic rental housing is concerned, should be greater than 1 per cent. Secondly, the Commonwealth should make a significant special contribution to rental rebates given by State housing authorities where under-privileged people are concerned. And, thirdly, a significant Commonwealth provision has been sought towards the capital costs and capital losses arising from urban renewal.

The Commonwealth has decided that it will not renew the Housing Agreement in the old form giving specific interest concessions. In lieu of this it proposes specific money grants towards the debt servicing of the capital provisions made by the States for housing over the next five years, with the grants continuing for 30 years. In respect of each year's capital provision, which the States will make directly from their annual Loan allocations rather than diverting them to special Commonwealth housing loans as in the past, the Commonwealth will provide grants of $2,750,000 a year for 30 years. South Australia's share of this will be 17.1 per cent, or $470,250 in respect of each year. This 17.1 per cent is consistent with South Australia's proportionate diversion for housing in recent years, and is almost twice a population proportion. This new arrangement will amount to significantly more than the old 1 per cent concession in interest. The Commonwealth will impose the condition, as before, that at least 30 per cent of capital allocations shall be for loans to acquire homes; it requires that the grants be used wholly for the benefit of tenants and purchasers of homes, and that at least 30 per cent of the grants shall be for the benefit of home purchasers through a Home Builders Account.

This State would expect to continue to provide capital moneys through a Home Builders Account on the basis of a continuing 50 per cent to 55 per cent rather than the minimum 30 per cent. It would propose to devote the major part of the new grant for the benefit of the rental housing of the Housing Trust where the need is greatest, but it will ensure that borrowers through the Home Builders Account get a continuing benefit at least as great as the former 1 per cent

concession, and if possible rather more. It is calculated that if two-thirds of the annual Commonwealth grant goes to the Housing Trust and one-third to the Home Builders Account (the minimum laid down by the Commonwealth is 30 per cent) it will be practicable to give the Housing Trust activities a rebate in interest charges of about 2¼ per cent and the Home Builders Account rather more than 1 per cent.

In addition, the Treasurer, in accordance with powers given under the Public Finance Act, will give the Housing Trust activities so long as interest rates remain high the further benefit of the Commonwealth contribution towards the repayment of State debt, which is ¼ per cent per annum. This would mean that, whereas Loan money has cost the State 7 per cent per annum interest during this year up to date (for a loan now open it is reduced to 6.7 per cent) the charge for Housing Trust activities can be kept to 4½ per cent per annum. Loans through the Home Builders Account, including administrative margins for the lending authorities and the Treasury, will presently remain at 6¾ per cent per annum.

Since the Commonwealth grants will be fixed amounts per annum whilst the actual capital expenditure may be expected to increase over the five years, and since the grants in respect of the debt servicing of each year's capital will continue for 30 years whilst the borrowing will be repaid over 53 years, it will be necessary for the State to set up special machinery to equalize the charges. Provision for this is made in the Bill. On the effective assistance towards interest this Commonwealth provision is an undoubted improvement. The Government would have liked it higher, but it will help to put a brake on the necessary increases in rentals, which were arising out of increasing capital and maintenance costs and high interest rates. Unfortunately, it will not entirely avoid the necessity for periodic rental adjustments as costs continue to rise.

In the case of specific Commonwealth assistance for rental rebates by State housing authorities to under-privileged persons, the Commonwealth has agreed to fixed annual money grants of $1,250,000, of which South Australia's share is to be $152,500 a year. These grants will not be sufficient to cover all the rebates that the State authorities are presently giving and certainly the Commonwealth grants will not themselves permit significant extensions though, no doubt, some extensions will be found necessary. However, these new grants are a real advance and the State Housing Ministers will endeavour now to have them extended. No special State legislation is necessary in respect of these particular grants.

The Government regrets that so far the Commonwealth has not been disposed to assist in the matter of urban renewal, and honourable members may be assured that the State Ministers, and particularly this Government, will continue to press for the necessity for Commonwealth participation in that most important social project. Before turning to the particular provisions of the Bill, some information as to the procedures in handling the Home Builders Account in this State may be desirable. In some other States these particular funds are distributed largely or almost wholly by building societies, mainly terminating societies.

In South Australia, for reasons mainly historical, terminating societies have not developed as major financing agencies for home ownership. Possibly the substantial reason was the extensive and economical operations of the State Bank as a housing finance institution. In part too the more extensive operations of the Savings Bank of South Australia in housing loans made the development of societies less necessary. This was accentuated by the fact that both banks lent at rates ordinarily below those at which the societies could afford to lend. Two permanent societies did, however, develop to significant size, together with a few smaller ones. However, the State Bank had become the major lender of governmental provisions for housing, and the public generally has sought its provisions to a considerable degree from that source. This has applied particularly to those persons of modest means who could not qualify for priority with the savings banks and trading banks.

The State Bank has never had a preference list in granting loans, but all qualified applicants take their turn on the waiting list. Accordingly, when this State entered into the Housing Agreement with the Commonwealth it was most convenient, most economical, and most in line with public demand that a considerable proportion of the Home Builders Account moneys were distributed through the bank. The permanent societies, however, were permitted also to participate, and in fact the financial supplementation they have received in relation to the volume of funds provided from their own resources has actually been greater than the proportionate supplementation of funds for societies in other States.

During earlier years of the arrangement the building societies received about 4¾ per cent of the total housing funds handled under the Housing Agreement, about 9 per cent of those passing through the Home Builders Account. In 1970-71 they received 7.6 per cent of the total allocations and 12.5 per cent of the Home Builders Account funds. There is an arrangement with the Commonwealth Minister at present that the building societies shall share in the Home Builders Account as a minimum to the extent of 5 per cent of total annual housing allocations and 9 per cent of Home Builders Account funds. They are currently clearly exceeding these minima, and the Government would intend to permit them to continue to do so. At present, however, and particularly whilst the waiting time for State Bank loans continues to be greater than for building societies and increasing, a much greater allocation to the societies cannot be arranged. For persons presently applying for State Bank loans the expected waiting time is about 13 months.

Turning now to the provisions of the Bill, I offer the following explanations. Clause 1 is formal. Clause 2 provides for the Act to come into operation on a day to be fixed by proclamation. This is thought desirable, because of the remote possibility that the Commonwealth Bill may be amended in some significant way in consequence of which a deferment of the commencement of this measure for some amendment may be necessary. Clause 3 includes normal definitions consistent with the Commonwealth Act and the provisions of this Bill.

Clause 4 authorizes the opening of two specific accounts at the Treasury necessary for the operation and administration of the grants. Because under the old Housing Agreement there is provision for a Home Builders Account, it is necessary to distinguish between that account and the new one by giving them specific numbers. Clause 5 authorizes the Treasurer to pay the housing assistance grants either to the Home Builders Account No. 2 or to the Housing Trust Debt Service Equalization Account in the manner that the conditions laid down by the Commonwealth require. These require at least 30 per cent for the Home Builders Account No. 2 and any remainder for the purposes of assisting the trust's activities.

Clause 6, subclause (1), provides for the financing of the capital sums required for the Home Builders Account No. 2 and the terms of repayment of those provisions. Subclause (2) of that clause is necessary to bring into line with the new procedures the interim arrangements which it was necessary to make after June 30, 1971, until new arrangements could be made and formalized. Subclause (3) of that clause refers to the dealing with repayments from the lending authorities who do the detailed financing of prospective home owners, whilst subclause (4) relates to the appropriate disbursements from the Home Builders Account No. 2.

Clause 7 subclause (1) provides for operation of the Debt Service Equalization Account, which will receive the appropriate proportions of the Commonwealth grants, earn interest from the Treasury upon balances in hand, and be used to assist in meeting the interest and sinking fund payments, which the Treasurer must recover to meet his own obligations upon the Loan funds, and thereby allow the Housing Trust a specific rebate. On moneys provided during the earlier part of this year the interest cost has been 7 per cent a year, but with the help of the equalization account supplemented by the benefit of the Commonwealth's ¼ per cent a year sinking fund contribution towards State debts it is expected the net charge to the trust will be reduced to 4½ per cent. With the new interest rates now to apply for Government borrowing it is estimated that, from about the end of January, 1972, this could come back to about 4¾ per cent.

Subclause (2) of that clause authorizes, in addition to payments by the Treasurer of interest on outstanding balances, other appropriations which may be necessary to cover any possible temporary deficiencies which may arise in the course of equalization. Theoretically, such small deficiencies may occur in an equalization, but detailed analyses on a wide variety of assumptions as to variations in interest rates and procedures in rebating suggest this is unlikely to occur either from the present five-year arrangement or any likely extension of that arrangement.

The Hon. C. M. HILL secured the adjournment of the debate.

HARBORS ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

Under the Act as it now stands all foreign-going and interstate ships of registered tonnage

over 60 tons and all coast trade ships of registered tonnage over 100 tons must take on a pilot when entering and leaving certain ports. This obligation becomes onerous and unnecessary when the master of a particular ship makes frequent and regular trips into and out of a particular port. The pilotage fees in such circumstances become quite costly and moreover, the harbormaster of the port can be put in the awkward position of not being able to meet the demand for pilot services.

An example may be seen with respect to the Shell Development Corporation, which intends over the next few months to run two supply vessels from Port Lincoln to an oil rig in the gulf. It is expected that these vessels, which are of Dutch registration and have Dutch masters, will require about 16 pilotages a month. Pilotage fees will amount to about $1,500 each month, and the Port Lincoln harbormaster has indicated that as the grain-shipping season is about to commence there could be frequent occasions on which an extra pilot would be needed. It is entirely impracticable to make an extra pilot available and the Government believes that in order to relieve this and similar situations, power must be given to the Minister of Marine to issue pilotage permits in certain circumstances.

This Bill provides the Minister with such a power which is exercisable only in fairly limited circumstances. The master must be examined and certified competent to navigate the particular ship into and out of the port with respect to which the permit is sought. The master must be engaged in dredging or similar operations, exploratory work or servicing other vessels engaged in sea-bed operations and must propose to use the port regularly. Penalties contained in the sections amended by this Bill are increased to a realistic level. The numerous other penalty provisions in the Act have been reviewed and proposals for increasing those penalties will be the subject of a separate Bill, which the Government hopes to place before Parliament in the New Year.

I will now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 amends section 89 of the principal Act, which sets out the duty of a master to take on board a pilot when entering or leaving a port. The ship to which this section applies is to be more simply described as a ship having a gross tonnage of or exceeding 100 tons. The other amendments to the section are either consequential or increase the maximum penalty for breach of the section to $500. Clause 3 contains consequential amendments to section 90 of the Act and increases the maximum penalty from $10 to $100. The existing maximum penalty has not been increased since the original Act was passed in 1881.

Clause 4 enacts new section 116a, which provides for the granting by the Minister of pilotage permits to certain masters. Such a master must be engaged in the operations to which I have already referred, must pass an examination as to his competency, must propose to use the port regularly and must pay a fee of $10. A pilotage permit may be effective for a certain period of time and may be subject to such conditions as the Minister thinks fit. Such a permit is not transferable. Clause 5 contains consequential amendments to section 117 of the Act. The minimum penalty of $4 is struck out, as it is intended that all penalties shall be expressed only as maximum amounts. Clause 6 contains consequential amendments to section 118 of the Act, which deals with the power of the Minister to cancel or suspend pilotage exemption certificates. The section is amended so as to extend to pilotage permits. The Minister is given power to suspend or cancel a permit for breach of conditions to which it is subject.

The Hon. R. A. GEDDES (Northern): I support the Bill. It is interesting to note that at this late stage of the Parliamentary session such an important measure as this, which deals with the successful workings of the Port Lincoln harbour, should be introduced. The Minister has not referred to the importance of this Bill being passed as quickly as possible. As the Act now stands, the Minister may grant a certificate of exemption from pilotage, at any point to which that part of the Act applies, to the master of any ship registered at any place within the British Commonwealth that trades solely between ports in the Commonwealth of Australia or between ports in the Commonwealth of Australia and ports in New Zealand. As the Minister pointed out in his second reading explanation, the important aspect is that the Shell Development Corporation intends over the next few months to have two Dutch supply vessels with Dutch masters moving out of Port Lincoln harbour 16 times a month.

Naturally enough, the Act, which has been amended many times over the years, has always allowed the masters of ships registered at any place within the British Commonwealth the privilege of moving within some ports in

South Australia without using the services of a pilot in certain instances. An exception must therefore be made now, to enable ships that are to take necessary supplies to an oil rig somewhere in Spencer Gulf to move in and out of harbour without having the costly encumbrance of $1,500 a month in pilotage fees imposed on them.

Another interesting aspect of the Bill is that not only pilots of foreign registration but also captains of ships that are conducting dredging or similar operations will receive this exemption. One would find it difficult to imagine the skipper of a dredge experiencing problems when coming into or going out of a harbour. The Bill will, of course, guarantee the safety of other vessels and their crew. The Bill lays down fairly rigid provisions. It provides that a permit shall be granted only to the master of a ship who is or is to be engaged in dredging operations or other similar operations, in exploratory operations of a hydrographic or oceanographic nature or in servicing vessels or structures used in the search for or winning of oil or other substances from the bed of the sea. That does not open up too wide the privileges that may be given to captains of ships. As the Minister stated in his second reading explanation, a fee must be paid for this licence. I am surprised to see that the nominal amount of only $10 has been fixed. The master of a ship must also pass a certain examination that will satisfy the authorities that he is aware of his responsibilities.

As the other amendments contained in the Bill, which I have checked with the provisions of the principal Act, are not of any major consequence, I will not comment on them. I remind the Council of what the Minister said in his second reading explanation: that the Port Lincoln Harbourmaster has indicated that, as the grain-shipping season is about to commence, there could be frequent occasions on which an extra pilot would be needed in that harbour. As the Government has said, it is entirely impracticable to make an extra pilot available and, in order to relieve the situation, the Government believes that power must be given to the Minister of Marine to issue pilotage permits in certain circumstances.

I hoped that when I received the second reading explanation and the Bill I would be able to find an excuse to have some of the costs of the m.v. *Troubridge,* which trades between Kingscote on Kangaroo Island and Port Adelaide, reduced. I can imagine what the pilotage fees for that vessel would be. Having referred to the 1968 amending Act, I found that masters of any ships registered in any place within the British Commonwealth and which trade solely between the ports of the Commonwealth and Australia have been given this privilege. The point I thought I could make is, therefore, null and void.

I do not wish to hold up the Council. I hope the Bill has a speedy passage, that the Shell Development Corporation finds oil in Spencer Gulf, and that Dutch vessels and Dutch masters are able efficiently to service the oil rig to which I have referred.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Duty to take on pilot."

The Hon. C. R. STORY: Although this seems a pretty important piece of legislation, it is whipping through this place with gay abandon. From the Minister's explanation it would appear that it applies only more or less to people engaged in the oil industry.

The Hon. T. M. Casey: Oh, no!

The Hon. C. R. STORY: I have not yet seen the second reading explanation. Will this mean that, if it becomes Government property, the *Troubridge* can come into the Port River without a pilot?

The Hon. R. A. Geddes: It can do that now.

The Hon. C. R. STORY: Is this being done to enable some people to carry out dredging work and oil research work without a pilot, or are there some other reasons that we do not know?

The Hon. T. M. CASEY (Minister of Agriculture): I do not want to delay the passage of the Bill. If the honourable member will read the Bill he will see that certain conditions must be complied with before a permit will be considered. It was mentioned in the early part of the second reading explanation that the shipping company was paying $1,500 a month to go in and out of Port Lincoln. We think this is an exorbitant fee, particularly when the company is under contract to service the oil rig in the gulf. The same situation applies in other cases. It is not necessary that such sums of money should be involved for companies engaged in these off-shore activities.

The Hon. R. A. GEDDES: I tried to explain the position, and I remind honourable members of the provision in the parent Act

which I quoted in the second reading debate. The Whip gave me the second reading explanation and the Bill last night, and this morning I was able to talk with interested shipping companies operating within South Australia. I have satisfied myself that no problems arise through the master of a vessel making application and, after passing certain specified tests, being authorized to bring his vessel into a certain port for the purposes explained by the Minister in relation to oil exploration, dredging operations, or exploratory operations of a hydrographic or oceanographic nature. It is a fairly restricted privilege being given to masters, I would say, of particular ability.

Clause passed.

Clause 3 passed.

Clause 4—"Pilotage permits."

The Hon. C. R. STORY: I am obliged to the Minister and to the Hon. Mr. Geddes for the explanations they have given. This is quite a departure. This is very late in the session, and I think one is entitled to be a bit curious about some of these things. I am now satisfied.

Clause passed.

Remaining clauses (5 and 6) and title passed.

Bill read a third time and passed.

WEIGHTS AND MEASURES BILL

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

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

That this Bill be now read a second time.

It is substantially a re-enactment and consolidation of the Weights and Measures Act, 1967-1968, and effects one change of great significance in the administration of weights and measures law in this State. Honourable members will be aware that the 1967 consolidation of weights and measures law continued in existence the arrangements whereby the administration of weights and measures law was shared between the Government and the various local government authorities. This dichotomy of administration was historically based and in the circumstances of its origin had much to commend it. Originally, weights and measures were properly a matter of local, as much as central government, concern, particularly when the day-to-day contact of the citizen with weights and measures was through the medium of the small corner store. The sight of the grocer with his beam scales carefully weighing out the sugar and salt is perhaps more familiar to our generation than it will be to our children. The marked growth in sales of pre-packed goods is very much a feature of the present retail scene. In short, the emphasis is changing from weighing or measuring at the point of sale to weighing or measuring at the point of manufacture or production.

As evidence of the changes that have occurred, honourable members will recall that local government, as such, had no direct part to play in the administration of the Packages Act, which was passed by this Council in 1967. In fact, this measure with its high degree of uniformity between the States looks more towards the national scene, since it cannot be denied that from the trade and commerce point of view uniformity of weights and measures law, on a national basis, is essential. Over the past four years, more and more local government authorities have taken advantage of section 31 of the Act, proposed to be repealed, to divest themselves of the administrative responsibilities for weights and measures. The reason for this is that, in the case of the smaller authorities, it is just not economically feasible to maintain the administration apparatus necessary effectively to carry out their functions under the Act, and in the case of the larger councils it would appear that their revenues could be applied to better purpose in other areas. Further, with the proposed conversion to the metric system additional burdens will fall on the local government authorities, which still retain the administration of the local aspects of the law.

For the foregoing reasons, it has been decided to centralize the administration of weights and measures in this State and, should this Bill receive the approbation of honourable members, the entire administration of the Bill and hence weights and measures law in this State will come within the purview of the Warden of Standards, subject of course to the general control and direction of the Minister. However, the Government is most reluctant to lose the manifest advantages of formal advice as to "local" aspects of weights and measures law, and for this reason this Bill provides for the establishment of a Weights and Measures Advisory Council, one-third of the membership of which is to be drawn from government authorities. The function of this council will be to advise the Minister on any matter in connection with weights and measures policy. It also has been given some powers of initiating advice on its account. It is proposed that the commercial interests will

also receive direct representation on this council. By this means, it is hoped to achieve desirable uniformity in the administration of the law and at the same time to ensure an appropriate flow of advice and information from parties affected to assist in policy formulation.

I now consider the Bill in some detail. Clauses 1 to 3 are formal. Clause 4 is the usual transitional provision in Bills of this nature. Clause 5 sets out the definitions necessary for the purposes of this Bill. The only new definition of importance is that of the advisory council and definitions related thereto. Also a definition of "measuring instrument" has been included to cover the rather long description of "weights, measures, weighing instrument or measuring instrument", formerly set out in the Act proposed to be repealed which, for convenience, I shall in future refer to as "the repealed Act". Clauses 6 and 7, which deal with standards of measurement, are, minor drafting amendments apart, in identical terms to sections 6 and 7 of the repealed Act.

Clauses 8 to 12 again are merely re-enactments of sections 8 to 12 respectively in the repealed Act and deal with the care and custody of standards. The careful preservation of standards is, of course, fundamental to good weights and measures administration. Clause 13 provides for the establishment of a Weights and Measures Advisory Council and at subclause (4) the composition of the council is set out. Briefly, the composition of the council is two persons having detailed technical knowledge of weights and measures, that is, the Warden and Deputy Warden of Standards, the South Australian Commissioner for Prices and Consumer Affairs, who will represent interests of consumers, two local government representatives and one representative of commerce. The machinery for the appointment of these members is set out in subclause (4).

Clauses 14 and 15 are again formal provisions as to removal from office and vacation of office of members of the council. Clause 16 provides for the usual procedural matters in relation to meetings, etc., of the council. I would, however, draw honourable members' attention to the fact that at least "two official" members and one other member are required to constitute the quorum of three members. Clause 17 is self-explanatory. Clause 18 sets out the duty of the council, which may be summarized as advising the Minister on any matter of weights and measures policy. Clause 19 provides for the appointment of the officers necessary to administer the measures, that is, the Warden and Deputy Warden of Standards and sufficient inspectors. Clause 20 provides that the warden will be responsible, under the general control and direction of the Minister, for the administration of the measure. Clause 21 is a somewhat alternative form of section 14a of the repealed Act. Clause 22 is for practical purposes a re-enactment of sections 32 and 33 of the repealed Act and deals generally with the powers of inspectors, and clause 23 is again a re-enactment of section 36 of the repealed Act, which deals with additional powers of inspectors.

Clause 24 follows closely section 34 of the repealed Act and deals with the stamping of measuring instruments. Clause 25 permits the use of "old" patterns approved before January 1, 1966, being the day on which the Commonwealth Parliament's legislation in this area had effect. Clause 26, with some minor drafting amendments, re-enacts section 35 of the repealed Act in its entirety. This provision deals with the general question of stamping and verification of measuring instruments. Clauses 27, 28, 29 and 30 are incidental to this provision and again follow the corresponding provisions in sections 39, 40, 41 and 42 of the repealed Act. Clause 31 re-enacts in terms section 44 of the repealed Act, which provides that trade and commerce will be conducted with reference to Commonwealth legal units of measurement. Clause 32 re-enacts section 47 of the repealed Act, which provides that sales will be by net weight or measure.

Clause 33 re-enacts section 48 of the repealed Act, which deals with false declaration of weights, etc., and clause 34 deals with short weights. Clause 35 preserves the rights of a person to sell grains, etc., by the bushel and preserves the old weight relationships. Clause 36 provides for the peculiar circumstances of the sales of coal and firewood. Part VI, being clauses 37 to 50 with minor drafting exceptions, substantially re-enacts Part VI of the repealed Act. I would, however, draw honourable members' attention to clause 48, which is intended to ensure that weights and measures prosecutions are not commenced lightly or without due consideration. Honourable members will no doubt be aware that such is the general standard of honesty and probity on the part of traders in this State that prosecutions under this Act are comparatively rare and it is the earnest wish of the Government that this situation will obtain in the future. The second and third schedules are re-enactments of the old second and third schedules

except for Part II of the second schedule, which has been brought up to date.

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

MINING BILL

The House of Assembly intimated that it had agreed to the Legislative Council's further amendment to the amendment made by the House of Assembly to the Legislative Council's amendment No. 11, and to the Legislative Council's alternative amendment to the Legislative Council's amendment No. 4.

SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 23. Page 3252.)

The Hon. R. A. GEDDES (Northern): The principal clause of this Bill is clause 4, which places the Railways Commissioner and his officers and employees under the control and direction of the Minister of Roads and Transport. This is a complete departure from the traditional practice, and I find it difficult to decide whether it is a progressive move or a political move to get greater control over the work force of this State.

On the one hand, I believe there is a greater need for control over transport by the Minister because of the greater complexity and the changing economics of transportation, particularly in regard to the South Australian Railways. On the other hand, as a country member representing a vast area of the State, I am very conscious of the fact that the railways play a most important part in transporting primary products, as does road transport.

If I take the Minister's second reading explanation and the Bill in their pure innocence, I support the Bill. I and my colleagues representing the Northern District will now have a direct approach to the Minister in connection with railway services. We have bitter memories of what happened in 1965 or 1966 in connection with the transport co-ordination legislation that was introduced by the Hon. Frank Walsh; that legislation undoubtedly would have crippled private enterprise transport of primary products and other products in this State. Although Eyre Peninsula is rather isolated from the rest of the State and is not linked by rail with our main rail system, it is linked by road. What results could flow from direct control by the Minister over the Railways Commissioner, his officers and employees? As I said earlier, much is left to be desired in relation to the efficiency and economics of the railways. Other members have also referred to this matter. Indeed, other honourable members have said that the railways could never be run at a profit. I cannot really answer that point.

The Hon. C. M. Hill: That was in relation to passenger services.

The Hon. R. A. GEDDES: I thank the honourable member for that interjection. I remember his speech, but not the contents of it. There is urgent need for greater efficiency in the railway system and for private enterprise to be allowed to work in co-operation with the railways. As the Council has more important business with which to deal now, I ask leave to conclude my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

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

That Standing Orders be so far suspended as to enable the conferences on the Local Government Act Amendment Bill (General) and the Secondhand Motor Vehicles Bill to proceed during the adjournment of the Council and that the managers report the results thereof at the next sitting of the Council.

Motion carried.

At 9.35 p.m. the Council adjourned until Thursday, November 25, at 2.15 p.m.