# LEGISLATIVE COUNCIL

Tuesday, October 10, 1972

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

## ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Police Regulation Act Amendment,
Land Tax Act Amendment,
Statutes Amendment (Valuation of Land).

## QUESTIONS

### ART EXHIBITION

The Hon. D. H. L. BANFIELD: Has the Minister of Agriculture a reply to my recent question to the Minister of Education regarding art exhibitions?

The Hon. T. M. CASEY: My colleague has supplied the following reply:

The principle of emphasizing the common humanity of all children contained in the honourable member's suggestion for the encouragement of art exhibitions including work from students in both special and ordinary schools is laudable, and would be strongly supported by educationists. There is no doubt that some mentally retarded children are artistically gifted, and their work would bear comparison with that of ordinary children. Joint art exhibitions should therefore be possible. There would be certain dangers to be guarded against in mounting such exhibitions. Care would have to be taken to see that no degrading comparisons could be made, and that there was no competitive element in the exhibition. Arrangements could be made for the primary art consultants to include work from special schools when they are asked to organize exhibitions of children's art.

### CANCER REGISTRY

The Hon. V. G. SPRINGETT: On September 26, I asked a question of the Minister of Health regarding the possible creation of a cancer registry in South Australia along the lines of the Norwegian scheme. Has he a reply?

The Hon. A. J. SHARD: I have the following reply:

As the honourable member is aware, comprehensive records of selected cancer cases are being maintained by the Radiotherapy Department of the Royal Adelaide Hospital and the Anti-Cancer Foundation of the University of Adelaide. It is agreed that this data, while valuable, does not represent the total incidence of all types of cancer throughout the State. As this is a matter which is of national as well as State importance, the issue of adopting central cancer registries based on the recently introduced New South Wales system of compulsory notifications from all hospitals was debated at the last conference of the Australian Health Ministers held in Queensland in March of this year. The general views of the States, other than New South Wales, was that it was preferable to establish, in the first instance, a comprehensive registry of all illnesses requiring hospital care before isolating the various forms of cancer by the separate compulsory notification system. It is understood that this broader system is working well in Western Australia.

The collection of hospital morbidity statistics, including statistics relating to cancer, is being extended progressively throughout South Australia. An analysis is currently being made of the present computer-based morbidity information obtained from hospitals in this State over the past several years in order to improve the extent and quality of present reporting methods. I am conscious of the need to obtain increased information on the incidence and changes in incidence patterns of cancer and other major diseases affecting the community. In the report submitted by the honourable member the following statement is made:

> Changes in cancer incidence are also of great importance from the point of view of planning and administration of medical services for cancer patients. Hospitals now in the planning stages must meet the needs of future years, but they will do so only to the extent that future changes in needs can be foreseen and taken into account in planning.

I agree with this viewpoint, but would add that the same statement applies with equal truth to other major conditions, such as heart disease, "strokes", mental illness and other major medical problems. I can assure the honourable member that my departmental officers will do all that is possible to extend the information available on the incidence of cancer so that possible environmental causes will not be overlooked and improved planning can take place for the management of this group of diseases.

### RAILWAYS ASSISTANCE

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

Leave granted.

The Hon. L. R. HART: I address my question to the Chief Secretary because it involves a matter of Government policy. On the ABS channel 2 programme *Monday Conference* last night, the Prime Minister stated that the Commonwealth would help with the construction of the underground railway line in Melbourne and that it would also assist with the eastern suburbs railway line in Sydney. Will the Chief Secretary say whether the Government intends to construct an underground railway in Adelaide and, if it does, whether approaches have

been made to the Commonwealth Government for financial assistance for the construction of such an underground railway?

The Hon. A. J. SHARD: To answer the second part of the honourable member's question first, I assure him that the Minister of Roads and Transport has left no stone unturned to bring to the notice of the Commonwealth Government the need for assistance in the running of the railways in this State. What stage the planning of the proposed underground railway in this State has reached, I am not aware. However, I will ask my colleague for a reply to the question, and I will bring it down as soon as possible.

## CITRUS ORGANIZATION COMMITTEE

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

Leave granted.

The Hon. M. B. CAMERON: I heard on a lunch-time broadcast today what appeared to be a semi-official Government announcement, issued by the member for the Assembly District of Chaffey, concerning the Citrus Organization Committee and its failure to handle the problems associated with fruit marketing. The honourable member said that he would conduct a poll of growers to ascertain their views regarding the future of the committee and also regarding a new scheme which, he said, would entail the introduction of new legislation. Will the Minister say whether the Government is now announcing the demise of the Citrus Organization Committee and whether the poll to be conducted by the member for Chaffey will be regarded as an official referendum and, if so, whether it will include not only the residents of Chaffey District but also those in other parts of the River area?

The Hon. T. M. CASEY: I can give two specific replies to the questions asked by the honourable member. Regarding the first part of this question, I say "No"; the Government has no plans at this stage to end the Citrus Organization Committee, because under the Act it will run until January 12, 1973. Regarding the second part of the honourable member's question, the answer is again "No", because I have not seen the screed that the member for Chaffey intends to circulate in River areas. Perhaps it could be an indication of growers' feelings. However, that is as far as I am willing to go at this stage, as I have not yet seen what that member intends to circulate.

## BOLIVAR EFFLUENT

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

Leave granted.

The Hon. M. B. DAWKINS: Some two or three months ago the Minister was good enough to invite the Hon. Mr. Kemp and me to visit the Bolivar testing station with regard to the testing of soils for the possible (I hope it will be the probable) use of reclaimed water from Bolivar. The Minister was good enough to indicate at that stage that he hoped to have available in October a report on the progress of the tests. Has he received that report and, if so, will he say whether it will be made available to honourable members? If the Minister has not received the report, can he say how soon it will be available?

The Hon. T. M. CASEY: I have not received the report at this juncture. However, I will certainly ask my departmental officers what stage has been reached with it, and I will then inform the honourable member.

## HILLS SUBDIVISION

The Hon. H. K. KEMP: I seek leave to make a statement prior to asking a question of the Minister of Agriculture, representing the Minister of Environment and Conservation.

Leave granted.

The Hon. H. K. KEMP: Considerable concern is being felt in the Hills area as a result of the tremendous uncertainty that faces landholders (in fact, every resident) regarding the subdivision that will be permitted if and when revised planning for the area is completed. The Hills residents have accepted a 20-acre minimum in the watershed area and a 10-acre minimum in other areas that have been restricted. There is a rumour, promulgated from a seminar held last week at Oakbank, that a 70-acre restriction will be placed on rural land regardless of whether or not it is in the watershed area. I do not think it needs emphasizing to show how greatly this is disturbing the community. When will the revised planning for the Adelaide Hills, of which we have been informed, be completed, and can it possibly be expedited so as to remove the present tremendous uncertainties?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring down a report. With the honourable member, I sincerely hope that agricultural land will not be affected in any way.

The Hon. H. K. KEMP: Will the Minister of Agriculture ask the Minister of Environment and Conservation to ensure that, when planning for the Adelaide Hills area is completed, sufficient time is given for all interested parties to examine the matter thoroughly before the scheme is implemented?

The Hon. T. M. CASEY: I will refer the question to my colleague and bring down a report when it is available.

## SCHOOL BUS DRIVERS

The Hon. E. K. RUSSACK: I understand the Minister of Agriculture has a reply to my recent question about school bus drivers.

The Hon. T. M. CASEY: The present practice is that, on initial appointment, all school bus drivers, both private and teacher, are required to undergo a medical examination and forward a certificate to the Education Department indicating their fitness to drive a school bus. A further certificate is again required at the age of 60 years and thereafter every two years until retirement at 70 years of age. Should a serious illness occur between the time of appointment and the age of 60, a medical certificate must be submitted before the resumption of driving duties. Where the department suspects a driver's competence to drive, on either physical or medical grounds, then a further examination is requested. The Minister of Roads and Transport has appointed a committee to report to him on, among other things, the licensing and examining of drivers of passenger vehicles. The matter of medical examination is one of the items the committee will be considering.

## BUSH FIRES

The Hon. R. A. GEDDES: Has the Minister of Agriculture a reply to my question of September 26 regarding publicity about protection for people in the event of bush fires?

The Hon. T. M. CASEY: In amplification of my previous reply to the honourable member's question regarding television scatters which were being used to assist in human survival in bush fires, I point out that the series covered aspects of survival while on foot, and care with picnic fires. South Australia will also produce a further series for the coming fire season to include subjects depicting survival in cars, on foot and in houses, and general fire prevention. The Bushfire Research Committee and the Woods and Forests Department have published techniques for bush fire survival in a single-page leaflet, a sample of which I shall be happy to show to the honourable member. Some 8,000 copies of this leaflet were distributed throughout the State last summer by Emergency Fire Services brigades, district councils and similar organizations, whilst a further 3,000 were handed out at the 1972 Royal Show. A similar distribution will take place in 1972-73, with greater emphasis being placed on such outlets as the Royal Automobile Association and the National Parks and Wildlife Service. Therefore, whilst I do not wish in any way to denigrate the information contained in the *National Development Quarterly* (which, I consider, is an excellent article), I feel that the publicity proposed by the committee, and the distribution media to be used, will give this important subject a much wider coverage than publication of the article in the *Journal of Agriculture*.

## CITRUS WASTE

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

Leave granted.

The Hon. A. M. WHYTE: Experiments have been conducted in America with the feeding of livestock with citrus waste from the various citrus sources. The cattle industry in Australia at present is in such a position that a similar system could be experimented with in South Australia. In this State we often have huge quantities of citrus waste. The following is an extract from a report on investigations conducted by C. B. Ammerman and others on behalf of the Florida State Horticultural Society:

> Dried citrus pulp has been shown to be a valuable feedstuff for ruminants, including dairy cattle, fattening cattle, and fattening lambs. In the processing of this feedstuff, the citrus fruit residue resulting from the canning industry is chopped or ground and dehydrated.

I do not believe that I need to enlarge on that report, which I shall show to the Minister if he is interested in it. Can the Minister say whether any such experiments have been conducted in South Australia and, if they have not been conducted, whether his department will consider conducting such experiments?

The Hon. T. M. CASEY: The honourable member is about four years late. I looked at this matter when I toured the United States of America and, when I returned, I took it up with Mr. Curren, the member for the Assembly District of Chaffey. Mr. Curren considered the matter in relation to the Murray River irrigation area, and it was considered not to be a practical proposition at that time.

The Hon. R. C. DeGaris: Was that on the basis of Mr. Curren's report to you?

The Hon. T. M. CASEY: It was about four years ago.

The Hon. R. C. DeGaris: Was it on the basis of that report to you?

The PRESIDENT: Order!

The Hon. T. M. CASEY: At that time it was considered not to be a practical proposition, and I do not believe that the circumstances have changed greatly since then. Nevertheless, I shall refer the matter to my departmental officers and see whether the matter can be further investigated. Experiments into the use of citrus waste were conducted in the first place because citrus contained a high percentage of carbohydrate. In the United States of America similar kinds of experiment were conducted with potatoes, because there are sometimes gluts of potatoes in the mid-west of that country. Consequently, potatoes are used there extensively for cattle feeding, but their use depends on the supply.

The Hon. A. M. WHYTE: Perhaps the Minister's information, not mine, is four years behind the times. The practice of feeding citrus to cattle in the United States of America has apparently grown from the time when the first experiments took place, and it is now one of their methods of fattening cattle. The Australian beef and meat market has a greater volume and security now than when the Minister instigated investigations in South Australia.

## FAUNA PROTECTION

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

Leave granted.

The Hon. R. C. DeGARIS: In 1964 the Legislative Council played a significant role in creating new legislation to protect our native fauna. The provisions passed by the Council at that time were largely designed to prevent illegal trading in and trapping of rare birds and the sale of rare birds' eggs. I am sure that every honourable member is deeply concerned that illegal trapping is still being carried out on a not insignificant scale in South Australia. Consequently, will the Minister confer with his colleague to see whether legislation can be introduced to increase substantially the penalties for illegal trading in and trapping of our native fauna?

The Hon. T. M. CASEY: I shall refer the Leader's question to my colleague, and I shall certainly have words with him along the lines indicated by the Leader.

## RUBELLA

The Hon. M. B. CAMERON: Has the Chief Secretary a reply to my recent question about rubella?

The Hon. A. J. SHARD: The South Australian Public Health Department has conducted a State-wide rubella vaccination campaign since September, 1970. This campaign is carried out in accordance with the policy for rubella vaccination recommended by the National Health and Medical Research Council. This policy aims at mass vaccination of girls aged between 12 and 14; older girls and adult women may be vaccinated against rubella on an individual basis by their private doctors. The immunization of girls aged 12 and 13 is done at all secondary schools. By the end of July, 1972, a total of 26,761 girls of this age group had been vaccinated. At the same time, over 2,000 older girls and adult women had been vaccinated by private medical practitioners. It has been a successful campaign, and very few parents have not given permission for their children to be vaccinated against rubella. Compulsion for any immunization procedure is not justified unless this is necessary in the event of an outbreak of a dangerous disease, such as smallpox.

## SCHOOL OF TECHNOLOGY

The Hon. L. R. HART: Has the Minister of Agriculture, representing the Minister of Roads and Transport, a reply to my recent question regarding the installation of traffic lights at the entrance to the Institute of Technology at The Levels?

The Hon. T. M. CASEY: My colleague has informed me that it is neither practicable nor desirable in the interests of road safety to install traffic signals at the junction of Warrendi Road with Main North Road, as these will operate only during school peak periods. As motorists expect traffic signals to operate during the full period of the day, part-time operation would lead to confusion. Discussions are currently taking place between representatives of the Road Traffic Board and the management of the Institute of Technology with a view to resolving the complex problems involving north and south bound vehicular traffic entering and leaving the institute via the Main North Road and the movement of pedestrian traffic between the

railway and bus services and the institute. These discussions will include the feasibility of rerouteing buses through the institute grounds. The operation of the Warrendi Road junction is not considered to present a serious hazard now, but it will be kept under review and any change in circumstances will receive appropriate remedial treatment.

## ECZEMA TREATMENT

The Hon. A. M. WHYTE: I seek leave to make an explanation prior to asking a question of the Minister of Health.

Leave granted.

The Hon. A. M. WHYTE: I have received a letter from a constituent who states that two members of her family are severely affected by eczema. She has outlined in the letter that the ointments and the stockinet gauze that must be worn by the children are expensive items. These are not tax deductible, so she claims, and are not included in the pharmaceutical subsidized list. One child uses creams that cost about $6 a week, and also has to wear stockinet gauze. My constituent has asked of me, and I ask of the Minister, whether it has been taken up with the Commonwealth authorities that perhaps these creams, etc., should be placed on the subsidized list and that some consideration should be given to the cost of the gauze that must be worn. Will the Minister, through his department, make such a submission to the Commonwealth authorities?

The Hon. A. J. SHARD: Yes.

## EXAMINATION CERTIFICATES

The Hon. A. M. WHYTE: Has the Minister of Agriculture a reply from the Minister of Education to my recent question regarding examination certificates?

The Hon. T. M. CASEY: My colleague has informed me that the area school certificate referred to by the honourable member in his question was abolished in 1969, but it has been replaced by the Education Department internal certificate, which is offered for achievement in fourth-year and fifth-year courses that are internally assessed. These courses are based on syllabuses that are sufficiently flexible to meet the needs and abilities of students, whereas the Public Examinations Board syllabuses are externally examined by that body. Some employers have shown reluctance to accept these internally examined certificates, but their refusal appears to be based on prejudice and misunderstanding. The number of students in South Australian secondary schools who sit for these certificates has grown during the past few years. The figures in 1970 were 3,045 and, in 1971, 3,528, an increase of 483 in one year.

Dissemination by the Education Department of knowledge on the use and understanding of these courses has been undertaken and, over the years, there has been a changed attitude towards their acceptance. Many employers have seen that students with good achievement in these courses have superior qualifications to students with mediocre achievement in P.E.B. courses. Internally examined courses do not lead to Matriculation at the university, but four Leaving subjects, in internally examined courses, are acceptable as entrance to certificate courses at the South Australian Institute of Technology, and good grades (A and B) at fifth-year level usually qualify students to enter teachers colleges.

It is not really possible to equate the courses to meet the request contained in the letter read by the honourable member that "we feel the quality of the course should be upgraded so that the certificates are of equal value". The nature, intention and content of the courses differ. However, no doubt the parents would have been informed by the head of their school as follows:

1. that internal courses do not lead to Matriculation, so that students cannot proceed to university or the South Australian Institute of Technology; and
2. that both parent and student see the full limitations as well as the advantages of these courses before students embark on these studies.

The parents of country students may be assured that the Education Department has informed, and is continuing to inform, employer organizations of the value of these internal certificates.

## HANDICAPPED PERSONS REGISTER

The Hon. R. C. DeGARIS: I seek leave to make an explanation prior to asking a question of the Minister of Health.

Leave granted.

The Hon. R. C. DeGARIS: I was interested in the reply given by the Minister to a question asked by the Hon. Mr. Springett in relation to a cancer register being kept by the department. Can he say whether the department or the Health Ministers' Conference has considered the question of extending the idea of registers,

particularly to a register of handicapped people in South Australia?

The Hon. A. J. SHARD: To the best of my knowledge (although I will have this confirmed), a register has not been extended to that extent yet. However, I will draw my departmental officers' attention to the question and obtain a report as soon as possible.

## WHEAT

The Hon. A. M. WHYTE: Has the Minister of Agriculture a reply to a question I asked recently in which I sought certain figures relating to the wheat industry?

The Hon. T. M. CASEY: The Manager for South Australia of the Australian Wheat Board has informed me that payment of 3.725c a bushel was made on No. 68/69 pool wheat on November 16, 1971. This was the final payment on that pool. I have a table setting out expected payments on other pools, and I seek leave to have it included in *Hansard* without my reading it.

Leave granted.

WHEAT POOL PAYMENTS

| Pool No. | Total estimated realization (cents a bushel) | Paid to date (cents a bushel) | Expected balance (cents a bushel) | Estimated next payment (cents a bushel) | Time |
|---|---|---|---|---|---|
| 69/70 .. .. .. | 124.312 | 110.000 | 14.312 | 8.0 | July, 1973 |
| 70/71 .. .. .. | 131.154 | 110.000 | 21.154 | 8.0 | Nov., 1973 |
| 71/72 .. .. .. | 135.501 | 110.000 | 25.501 | not available | not available |

The Hon. T. M. CASEY: The reasons for the delays in payments on these pools were clearly stated by the Chairman of the Australian Wheat Board (Mr. J. P. Cass) in a paper entitled *Wheat Marketing in Time of Quotas* delivered to the 44th ANZAAS Conference held recently. I have a copy of this paper, which I shall be happy to let the honourable member peruse if he so desires.

## MEAT

The Hon. A. M. WHYTE: Has the Minister of Agriculture a reply to my recent question concerning meat?

The Hon. T. M. CASEY: I am informed that at least two scanograms are at present being used in Australia to appraise their value. One is being evaluated as a tool for determining body composition of cattle by a Melbourne University and Victorian Agriculture Department team. The other is being used in a similar programme of evaluation on sheep by a team from the University of Sydney and Hawkesbury Agricultural College. Meanwhile, it is not considered prudent, in view of the high capital cost of these machines, to purchase one for the Agriculture Department. Should the test equipment prove the scanogram's value, further consideration will be given to obtaining one.

## BRUCELLOSIS

The Hon. H. K. KEMP: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. H. K. KEMP: The contract payment made by the Agriculture Department to carry out the tuberculosis and brucellosis eradication campaigns in the cattle industry is, I believe, 30c a head. This is a reasonable fee where large herds are involved and where sufficient equipment in the way of stockyards and races is available for the treatment of animals concerned and for their subsequent re-examination, in the case of tuberculosis, for reaction. In the Adelaide Hills probably every herd the owner of which has this equipment is already under examination, but a high proportion of cattle in those districts is in the hands of people with 20-acre and 10-acre cattle ranches, usually with no equipment whatever, and it is necessary for the veterinary officer, when examining the cattle for these diseases, to try to round up the cattle into makeshift yards which often make completely impossible the confining of any beast. The 30c charge is now absolutely laughable. Will the Minister say whether any consideration has been given to putting a realistic figure on the contract work for examining cattle for the elimination of these two diseases?

The Hon. T. M. CASEY: I will take up this matter with my departmental officers. I thank the honourable member for drawing this most important matter to my attention. I will try to find out the exact position and bring down a report.

## WATER QUOTAS

The Hon. L. R. HART (on notice):

1. How many water quotas have been issued under the Underground Waters Preservation Act?

2. How many quota holders under this Act have exceeded their quotas?

3. How many gallons of water have been used in excess of these quotas?

4. How many quota holders have used less than—

(*a*) 75 per cent of their quotas?

(*b*) 50 per cent of their quotas?

The Hon. A. J. SHARD: Any attempt to answer the question in its present form would provide data that could only be an incomplete and misleading statement of the position. It is pointed out that, in implementing restrictions on the use of underground water in the northern Adelaide Plains, notices have been issued under section 17 of the Underground Waters Preservation Act directing that the withdrawal of water from all wells be restricted either as to maximum output or use.

Landholders have not been issued with quotas, but wells with a history of use for irrigation have been restricted to a maximum output, and wells with no history of irrigation use have been restricted to non-irrigation purposes. In the area there are many properties on which there is more than one well and a number on which there are wells with differing types of restriction, for example, one well restricted to a maximum withdrawal and another to use for the provision of drinking water for grazing stock only. There are also landholders who own more than one property but who work all their land as a single business. In these cases the quotas of the various wells have been integrated for only as long as the properties are owned and worked togther.

Further, some restriction notices include in the maximum withdrawal figure an amount that may be utilized only if supplied to a neighbour who does not own a well. Finally, it must be stressed again that it is the output from a well that is restricted, not that an owner is issued with a quota. The honourable member is therefore seeking information in respect of restrictions imposed on the use of underground water in the northern Adelaide Plains, as follows:

1. The number of wells:

(*a*) restricted to a maximum withdrawal figure;

(*b*) restricted to use for the provision of drinking water for grazing stock and/or domestic use only; and

(*c*) which may not be used for any purpose.

2. (*a*) the number of landowners who operate irrigation wells; and

(*b*) the number of landowners who draw water for irrigation purposes from wells owned by a neighbour.

3. The number of cases, during the initial restriction period ending June 30, 1972, where the directions in a notice of restriction were not complied with, and the action taken in those cases.

4. The number of landholders who used less than (*a*) 75 per cent or (*b*) 50 per cent of the maximum permitted withdrawal from the wells owned by them.

As soon as this information is obtained it will be made available.

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## PERSONAL EXPLANATION: KALANGADOO HOUSES

The Hon. R. C. DeGARIS: I seek leave to make a personal explanation.

Leave granted.

The Hon. R. C. DeGARIS: On September 28, I directed a question to the Minister of Agriculture, representing the Minister of Roads and Transport, on information that came to me by telephone. As I have since received a letter stating that the information I gave was not completely accurate, I now desire to correct the statement I made. In my explanation, I said that there were six railway houses in Kalangadoo, whereas there are four railway cottages. I also said that the houses had recently been renovated and sewered, whereas they had not been renovated or sewered. However, the validity of the question still stands, and I should still like a report from the Minister in regard to these houses.

## JUVENILE COURTS 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.*

It gives effect to a recommendation concerning the minimum age of criminal responsibility which was made at the recent conference of Australasian child welfare Ministers. It was resolved by the conference that the age at which a child can incur criminal liability be raised from eight years to 10 years. The raising of the age limit means that children between the ages of eight years and 10 years can be charged only with being neglected or uncontrolled or as being habitual truants.

Figures reveal that prosecutions in the Adelaide Juvenile Court rise in proportion to increase in age. Very few children between the ages of eight and 10 years have been charged with criminal offences in the last few years. In the eleven months from July 1, 1971, to May 30 this year, there were 3,659 prosecutions, of which 67 concerned children between eight and 10 years of age. In the year beginning July 1, 1970, there were 58 prosecutions in this age group, from a total of 3,117. Therefore, numbers in this group appear to remain at a low level that is fairly static. Where these children are alleged to have committed acts of a criminal nature, the matter may be dealt with by discussions between the police, welfare officers and the parents. This is a practice already in frequent use as an alternative to formal proceedings.

The form of the Bill is as follows: Clauses 1 and 2 are formal. Clause 3 amends section 5 of the principal Act. In the definition of the Community Welfare Act it is incorrectly cited as having been passed in 1971. This is amended to 1972. Clause 4 amends section 69 of the principal Act. The age of criminal responsibility is raised from eight years to ten years.

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

## METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL

Second reading.

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

*That this Bill be now read a second time.*

For some time now the Government has been engaged in the planning of a substantial reorganization and rationalization of the meat industry of this State. The benefits that will be obtained from such a rationalization are—(*a*) improvements in the quality and wholesomeness of meat offered for sale for human consumption; and (*b*) the creation of soundly-based commercially-viable abattoirs effectively serving the needs of all sections of the community.

This Bill is the first step in giving legislative effect to the scheme, and is brought down at this time to meet the urgent need for a reorganization of this State's principal abattoir, the establishment at Gepps Cross, which is operated by the Metropolitan and Export Abattoirs Board. The Government has been concerned that large numbers of cattle are leaving this State to be slaughtered at establishments in other States, either for sale in or export from those States or indeed, in some cases, for subsequent sale in this State. The fact that such movements are economically feasible points out the need for a critical examination of our facilities here.

The effect of this Bill is to enable the board to operate as a financially viable business, ultimately economically self-sufficient and having slaughtering fees that are competitive with charges in other States. The need for this reorganization is so well recognized in the industry generally that it calls, at this stage, for little elaboration. In addition, to provide some clear and apparent evidence of the proposed reorganization, it is provided in this Bill that the Metropolitan and Export Abattoirs Board will, in future, be known as the South Australian Meat Corporation. This change of name has necessitated many formal amendments to the principal Act, and in the consideration of the clauses of this measure I shall refer only in general terms to those clauses that are purely consequential on this change of name.

I will now deal with the Bill in some detail. Clauses 1 to 3 are formal. Clause 4 effects a number of formal and consequential amendments to section 3 of the principal Act, which sets out the definition necessary for the purposes of the Act. The only amendment of substance is that proposed in relation to the definition of "stock", which will have the effect of excluding poultry from that definition. It is not considered that, in the circumstances of this Act, poultry should be included within the definition of "stock". In addition, definitions of "the corporation" and "member" are inserted by this clause.

Clause 5 is a formal amendment relating to the change of name of the Metropolitan and Export Abattoirs Board. Clause 6 is a formal amendment. Clause 7 continues in existence the present body corporate, the Metropolitan and Export Abattoirs Board, under the name of the South Australian Meat Corporation. This clause also makes certain necessary consequential amendments and transitional provisions.

Clause 8 removes from office the present Chairman and eight members of the board and replaces them with a group comprised of a Chairman and five members appointed by the Governor. Honourable members will recall that the eight members represented a number of "sectional interests", the descriptions of which are set out in subsections (3)

and (4) of section 10 of the principal Act. The removal from office of members representing these sectional interests is not to deny the valuable part that they have played in the affairs of the board in the past. In fact, it is intended that many of the interests at present represented on the board will secure representation on a proposed authority that will ultimately have wide powers in relation to the meat industry as a whole. However, it is considered that the "new-look corporation" will necessarily have to be more streamlined and perhaps more "commercially orientated" if the plans for the Gepps Cross abattoir are to be made fully effective.

Clauses 9 to 13 are consequential or formal amendments. Clause 14 reduces the quorum for a meeting of the corporation from four to three in view of its diminished size, the Chairman being counted as part of the quorum for this purpose. Clause 15 removes from section 24 of the principal Act a somewhat restrictive provision that enjoins the corporation to meet "at least once in every six weeks". In the Government's view, the corporation should be free to arrange its meetings as it thinks fit. This clause also makes a number of formal amendments. Clause 16 is again an important provision, in that it will enable the corporation to delegate its powers in the interests of managerial and organizational efficiency.

Clauses 17 to 21 are formal or consequential amendments. Clause 22 will enable the corporation to enter into superannuation arrangements with the South Australian Superannuation Fund, and also makes some formal amendments, as does clause 23. Clause 24 repeals section 32 of the principal Act, a somewhat archaic provision, dealing with what are, substantially, "common informers". Clause 25 makes a formal amendment. Clause 26 repeals section 34 of the principal Act and deserves some comment. Section 34 of the principal Act gave the old board no option in industrial disputes but to refer the matter forthwith to arbitration. Since the intention of this clause is so clearly contrary to all modern industrial thinking, that is, that arbitration is not the first but the last step in the resolution of industrial disputes, its deletion is obviously called for. Its absence will of course not have any other effect on the application of the industrial laws of this State to the corporation.

Clause 27 is formal. Clause 28 repeals section 37 of the principal Act, which gave the board power to promote a Bill before Parliament. A provision of this nature is clearly inappropriate in relation to the reconstituted corporation. Clauses 29 to 33 make certain formal amendments. Clause 34 repeals a provision of section 43 of the principal Act that enjoined the board to present its accounts for audit within 30 days of the end of its financial year. The Government is informed that such a provision is now not practical. This clause makes some formal amendments. Clauses 35 to 40 make certain formal amendments.

Clause 41 removes from the Act subsections (3) and (4) of section 50, which imposed additional costs on the slaughter of stock for exporters that are considered to be unnecessary. The provisions proposed to be repealed gave a monopoly in this matter to the Government Produce Department. Clauses 42 and 43 make certain formal amendments. Clause 44 is an amendment of substantial and far-reaching importance. In effect, it removes from the principal Act all the board's old borrowing powers together with the inhibiting controls on its expenditure and replaces them with: (*a*) a power to borrow from the Treasurer (and with his consent, from any other person) for any purposes; and (*b*) a right for the Treasurer to guarantee the repayment of outside borrowings by the corporation. It is felt that access to funds in this manner will enable the corporation to plan its expenditure in a systematic and economically productive manner. All previous borrowings of the old board have been appropriately secured in proposed new section 53.

Clause 45 merely removes from section 67 of the principal Act an unnecessary limitation on the location of the offices of the bankers to the corporation and makes certain formal amendments. Clauses 46 to 56 make formal amendments. Clause 57, by amendment to section 82 of the principal Act, makes it clear that the corporation has a right to charge fees for other services rendered by it in addition to slaughtering. Clauses 58 to 62 make formal amendments. Clause 63 amends section 91 of the principal Act, which at present gives the board an absolute monopoly in the delivery of meat from its abattoirs. In terms of this section, the board must impose the same charge for delivery anywhere in the metropolitan abattoirs area. The effect of the present section is to involve the board in losses running into tens of thousands of dollars. The effect of the proposed amendments will be to give power to the corporation to fix more equitable charges in this area.

Clauses 64 to 68 make formal amendments. Clauses 69 and 70 amend sections 96a and 96b of the principal Act by providing an alternative method of fixing fees by determination of the corporation. The need for this flexibility will be demonstrated in relation to clause 83 below. Clauses 71 to 78 either effect formal law revision amendments consequential on the enactment of the Land Acquisition Act or relate to the change in name of the board. Clauses 79 to 83 make formal amendments.

Clause 84, as far as possible, gives the corporation power to fix all fees by resolution as an alternative to fixing them by regulation. I wish to make it quite clear that the purpose of this provision is to place the corporation in a competitive position in that its charging structure can be rendered much more flexible by this means. It is intended to be a vehicle for encouraging the slaughtering of stock at the abattoir, not discouraging it. A provision of this nature is considered essential in the establishment of a successful commercial basis for the corporation's operations.

Clause 85 is a formal amendment. Clause 86 removes the provision that the corporation's regulations require the approval of the Central Board of Health as well as confirmation by the Governor. Clauses 87 to 97 make formal amendments. Clause 98 is a consequential amendment.

As I mentioned earlier, this Bill is but a first step in an overall reorganization of the meat industry. It is expected that, when the Bill to provide for this overall reorganization is brought down, substantially all of the principal Act as amended by this Bill will be re-enacted in that measure. For this reason a number of further amendments that the Government has in mind for the principal Act have not been proposed in this Bill. All that is proposed here is the minimum number of amendments in the Government's view sufficient to enable the corporation, as reconstructed, to commence its new tasks armed with a sufficiency of powers and financial resources.

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

## MARKETING OF EGGS ACT AMENDMENT BILL

(Second reading debate adjourned on October 4. Page 1801.)

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Constitution of board."

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

In new subsection (2) (*a*) to strike out "eligible candidate" and insert "person".

The Parliamentary Counsel thinks it better to have "person" instead of "eligible candidate" in this provision.

Amendment carried; clause as amended passed.

Clauses 6 to 8 passed.

Clause 9—"Casual vacancies."

The Hon. T. M. CASEY: I move:

In new paragraph (*e*) (iv) after "market" to insert "the equivalent of".

The reason for this amendment is that we do not want to provide that every hen shall produce a certain number of eggs. If there is more than one hen, the provision will be complied with as long as the overall figure matches up with the number of hens involved; it may be that one hen will produce more than another hen produces. This amendment overcomes the problem of our more or less confining the production to each individual hen. This clarifies the position.

Amendment carried; clause as amended passed.

Clauses 10 to 13 passed.

Clause 14—"Registered agents of the board."

The Hon. L. R. HART: Where new subsection (6b) states "The Minister may appoint", can that be taken as meaning that "The Minister shall appoint"? As the provision stands, the Minister could possibly refuse to appoint a competent person to hear and determine an appeal, but I believe that the Minister should be obliged to appoint a competent person for that purpose.

The Hon. T. M. CASEY: This kind of provision is not unusual; it occurs in the Barley Marketing Act. Under that Act the Minister may be called upon if the board cannot resolve a situation, and the Minister can call for information from both parties. A problem recently existed between the Barley Board and a grower, but the matter was cleared up expeditiously, and I see no reason why that kind of thing cannot be done under this legislation.

Clause passed.

Clause 15—"Producer agents."

The Hon. L. R. HART: To make clear who determines the prescribed fee, I believe that the words "by the board" should be inserted in new section 20 (3).

The Hon. T. M. CASEY: That matter will be dealt with by regulation.

Clause passed.

Clauses 16 to 19 passed.

Clause 20—"Delivery of certain eggs for grading and stamping."

The Hon. L. R. HART: I wonder whether the words "and handling" should be inserted after "stamping" first occurring in new section 31a (4).

The Hon. T. M. CASEY: I doubt whether those words should be inserted because, if eggs are graded and stamped, they must be handled.

Clause passed.

Remaining clauses (21 to 24) and title passed.

Bill reported with amendments. Committee's report adopted.

## PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (COMMITTEE)

The House of Assembly intimated that it had agreed to the Legislative Council's amendments Nos. 1 to 18 and No. 20, but had disagreed to amendment No. 19.

Consideration in Committee.

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

That the Council do not insist on its amendment No. 19.

The amendment departs from the principles of the principal Act and makes the Government, which should be answerable to the people, subordinate to a committee not so responsible. I am authorized by the responsible Minister to make clear that it is the Government's firm intention to co-operate with the committee in every possible way by the provision of plans and detailed information relating to its building intentions in the area subject to the committee's jurisdiction. In short, the Government is willing to go as far as it possibly can to conduct its building operations as if it were bound by the part of the legislation under review. For those reasons, I ask honourable members not to insist on the amendment.

The Hon. G. J. GILFILLAN: I am pleased that the Government has given that undertaking. The reason given (that the Government is answerable to the people) is subject to question, because councils and other organizations are perhaps even more answerable to the people most directly affected. We have seen an improvement in relations between the Public Buildings Department and local government over the last few years, but there is still room for further improvement. The Government's undertaking, that it will act as if it were bound by the Act, is a step in the right direction. We could have absolute confusion if the committee had to work without knowledge of the Government's intentions. I hope that this co-operation will be extended outside the area covered by the committee, because I know of instances where Government undertakings have been approved without the knowledge of the local council. This can affect local councils in many ways in the provision of roads and drainage, where large paved areas are provided. I know of cases in which no notice had been given to local councils as regards the drainage requirements. I accept the Government's undertaking and support the motion.

The Hon. R. C. DeGARIS (Leader of the Opposition): I am pleased that the Minister has given the Government's undertaking in relation to this matter. Nevertheless, I am somewhat concerned, because I believe strongly that in matters such as this the Crown should be bound. If we look at the Environmental Protection Council Bill, we find there that the Crown is bound. Yet the reason given why the Government cannot accept the amendment is that the Government will be responsible to a committee. It appears to be all right in one section where the Crown is bound, but not in another. I have seen in my time sufficient evidence to sway me to think that the Crown should be bound. Those of us who live in country areas are probably more aware of this and of the pressure a Government department can exercise to cut across the thinking of local government that there is some need, if not for co-operation, for the Crown to be bound.

A department might wish to build a house, irrespective of the zoning regulation; and park lands might have been taken over by a Government department to be used for a Government depot, etc. These matters were in the mind of the mover of the amendment, apart from the questions in relation to the development of the city of Adelaide. Although I am pleased that there will be maximum co-operation with the committee to be appointed, nevertheless I express my disappointment that, in matters where we will be dealing with the future planning of the city of Adelaide, the Crown will not also be under the committee's control. As the Hon. Mr. Gilfillan is satisfied with the Minister's assurance, I, too, am satisfied.

The Hon. F. J. POTTER: I was pleased to hear the Minister's undertaking on this not unimportant matter. However, I am concerned about the Commonwealth Government, which is also involved in this question. As far as I am aware, we have not been told what the Commonwealth Government's position might

be, and the amendment cannot in any way bind the Commonwealth.

The Hon. R. C. DeGaris: That may be raised again soon.

The Hon. F. J. POTTER: I hope it is. We all know that the State Government is a major builder and owner of buildings within the city of Adelaide and that the Commonwealth Government leases many buildings. In the past, the Commonwealth has also erected buildings; no doubt it will continue to do so in the future. I hope that the Government will take the opportunity to confer with the appropriate Commonwealth Minister (probably the Prime Minister) and seek that Government's co-operation in the whole scheme of the Bill so that the Commonwealth will submit plans and ideas for the erection of buildings and for use of land owned by it within the city of Adelaide. I hope that this matter will not be overlooked.

Motion carried.

## LEGAL PRACTITIONERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 3. Page 1721.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which deals entirely with the legal assistance scheme administered under the Legal Practitioners Act. This scheme, as honourable members may know, is the oldest legal assistance scheme in the Commonwealth, having been instituted in 1933 when consideration was given to providing legal assistance in South Australia to people who could not afford to pay all the fees in connection with receiving legal help of one kind or another. At that time, the legal profession offered to co-operate in a voluntary scheme and, through the Law Society, this scheme was instituted.

Since then, South Australian legal practitioners have co-operated almost to a man in the administration of the scheme and have taken clients referred to them by the committee that was set up for the purpose. Despite the criticisms one hears from time to time, our legal practitioners treat their non-paying clients in the same way as they treat any person who can afford legal advice and assistance. It is gratifying to know that, over the years, the various Governments of the State have increased their contributions to the scheme. Legislation passed only a couple of years ago set up a combined trust account system whereby the interest earned by a proportion of the practitioners' trust accounts (the proportion provided at present is one-half) is paid into the combined trust account; that scheme has worked very well. It is only since its institution that payments to practitioners who have been co-operating and working under this scheme have risen somewhat above the very small amounts previously received by them.

It is interesting to note that the amount practitioners received under this scheme only a short time ago was as little as about 20c in the dollar on what would be a normal account. That money came to them only as a result of contributions made by the Government towards the fund. With the institution of the combined trust account interest scheme, this has been raised to about 50c in the dollar of the fees incurred in any instance. It is hoped that the additional provision made under this Bill, whereby the amounts allowed for investment at interest from trust accounts are raised to two-thirds, will greatly increase the dividend available to persons co-operating in the scheme. It is true that in other States, where the schemes have not been in operation for such a long period, and since systems of getting interest on trust moneys have been instituted, dividends on solicitors' accounts have been raised to about 80c in the dollar, which is most desirable.

True, trust accounts of solicitors in the Eastern States are very much greater in amount than are those of solicitors in South Australia. This has arisen because of a somewhat controversial matter of which we will probably hear a great deal more before we finish this session, namely, that solicitors in the Eastern States handle real estate transactions, and consequently their trust account moneys are at a much higher level than are those of solicitors in South Australia. It is a fact of life that cannot be ignored. It is from the interest on the investment of the trust account moneys, even if it be only for a short term, that much money comes into the legal assistance fund. We have for many years in South Australia provided legal assistance, and we do it on a very broad scale. In some of the other States (I think in New South Wales) no assistance whatever is provided in matrimonial actions, whereas in South Australia perhaps the greatest degree of assistance would be available in those actions. It is always in that area where financial difficulties arise, particularly for women. In spite of that, and although practitioners have struggled along and got very little out of the fund for a long time, South Australia has a high reputation in the Commonwealth

for the standard of service provided. In one or two of the other States legal assistance is augmented by the system of a public solicitor, but I do not think that system works very well, because inordinate delays are experienced when a small department must deal with a large number of applications. The personal approach to an individual solicitor, with the person concerned being treated as a normal client would be treated, has much to be said for it.

The Bill itself need not delay us very long. It is really a machinery Bill to enable the proportion of trust moneys to be increased from one-half to two-thirds. There is provided also some machinery whereby the society itself may act as a collecting agent for amounts to be paid, or assessed to be payable, by assisted persons. It has always been a bit of a bugbear in the past and quite burdensome for practitioners to have to collect small weekly amounts from clients (as little as perhaps $1 a week) over a long period of time. It is costly to the practitioner, and if the society will take over this work it is a step in the right direction. Obviously, it will assist legal practitioners to get on with the job in hand, that of advising clients referred to them by the committee administering the scheme.

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

## HIGHWAYS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 3. Page 1722.)

The Hon. C. M. HILL (Central No. 2): I support this short Bill which, as the Minister explained, has a two-fold purpose: first, it makes some adjustment in the position regarding compensation of landowners where acquisition takes place of pieces of land required by the Highways Department for road widening purposes; secondly, it increases the amount of money paid by the Municipal Tramways Trust to the Highways Fund in compensation for the wear and tear on roads and for lighting along the roads upon which the M.T.T. buses travel.

This latter adjustment was foreshadowed by the Minister earlier in this session, when the Road Traffic Act was amended and consent was given for M.T.T. buses with axle weights greater than those normally required to travel upon our roads by special permit. Section 27b of the principal Act is amended by clause 3, which deals with the question of compensation to landowners. It is interesting to see that that provision was inserted back in 1949.

I should like to reflect briefly on the policy laid down then by the Highways Department concerning the widening of main roads throughout metropolitan Adelaide. Much credit should be given to the officers of that department at that time and also to the Minister and Government of the day, because it was a far-sighted decision gradually to widen metropolitan roads so that the change could be implemented over a period of time as traffic volumes increased. I do not think many people realize what a far-sighted and most commendable decision that was.

It was necessary for the Act to be amended in 1949, and it is part of that amendment that we are further amending now. That the Metropolitan Adelaide Transportation Study approved of the 1949 decision and that the Breuning report on transportation in this State strongly recommended the same road widening indicates the wisdom of the decision taken then. Apparently, there has been some need for adjustment in the machinery of acquisition, and that has necessitated the introduction of part of this Bill. The relevant provision, which appears on page 2 of the Bill, states that improvements must not be erected upon that portion of land which is due for acquisition after the day of deposit, and any enhancement that may be made to the property as a result of any improvements need not necessarily be taken into account when final compensation is fixed.

The Bill then deals with the question of the deposited plan and the proof of the person claiming compensation in relation to the Commissioner's consent. I hope the Highways Department will inform owners, when it first gives notice of its intention to acquire, that they must not in any way cause improvements to be made to the land without the Minister's consent, because sometimes people act in good faith, but in such a way that they do not receive compensation for money spent on improvements. It is only fair that the department should inform landowners of the change in the law so that people will not act in such a way as to put themselves at loss when the ultimate compensation is fixed between the owner and the department.

The Bill refers also to the day of deposit, and this may raise queries in the minds of honourable members who review the legislation. The day of deposit is set down by the Commissioner when he serves notice upon the parties in accordance with section 27b of the Act. The

Commissioner must give notice to the owner and occupier, mortgager and encumbrancee of the land and, after adopting a plan showing the amount of land intended to be acquired as well as any improvements on that land, the plan must be adopted and deposited with the Registrar-General at the Lands Titles Office.

Notice must be given in the *Government Gazette* of the adoption and, when the Commissioner serves the notice to which I have referred, he must state therein the day of deposit. After that date, no further improvements must be made. Under new subclause (8a), some discretionary power is given to the Commission to permit improvements in certain circumstances. That new subclause provides that the Commissioner may agree to any special arrangements. I ask the Minister to say whether the phrase "any special arrangements" includes the fact that compensation can in some circumstances be made to landowners where they in some way improve their properties after the day of deposit.

Earlier in the Bill it is provided that the landowner can be compensated for the enhancement of the land if the Commissioner's consent has been given to those improvements. However, it does not say in that portion of the Bill anything about the Commissioner's consent regarding the actual construction of improvements. Whereas I believe new subclause (8a) is a let-out provision that will permit the Commissioner to return some of the capital cost of improvements that are made in the full knowledge and with the consent of the Commissioner, the phrase "special arrangements" is not very definite at all. Indeed, it is quite vague, and I would like to hear whether the Minister believes that "special arrangements" includes an arrangement whereby, if the Minister approved of any improvements being put upon the land, the value of those improvements could be taken into account when compensation was fixed and owners could be compensated for such outlay. I most certainly hope that that is the case.

The second leg of the Bill (if I can use that term) deals with the contribution by the Municipal Tramways Trust to the Highways Fund. Honourable members can see from the Bill that the amount of compensation payable to the fund is almost doubled by the Bill. It is, of course, fair to accept that buses with heavy axle weights cause more wear and tear on our roads, and it is obvious from anyone's observations that the volume and degree of lighting being erected on our highways far exceed that which was necessary a few years ago.

Whereas in the past the M.T.T. paid a sum equivalent to .5c for every kilometre travelled upon any road by an omnibus controlled by it, that sum has now been increased to .95c, which is almost double the initial figure. Contributions in recent years have remained fairly static: in 1970, the contribution was $85,554, in 1971 it was $86,628, and in the year ended June 30, 1972, it was $86,444.

This means, therefore, that an extra $80,000 approximately will be payable by the M.T.T. to the Highways Fund for compensation for this wear and tear and towards the extra lighting that is needed so that our highways are illuminated in a modern way, to up-to-date standards. Therefore, the Bill includes these two machinery measures dealing with the points I have made. I see no reason to question the Bill further. I support it.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Widening of main roads."

The Hon. C. M. HILL: I asked earlier whether the Minister could tell me whether "special arrangements", mentioned in new subsection (8a), would include the position where the Commissioner's consent would be required to an owner's effecting some improvement on land where naturally he would seek some compensation for that improvement at the appropriate time. Could the Minister clarify that point?

The Hon. T. M. CASEY (Minister of Agriculture): That is so: the owner would first have to get the consent of the Commissioner.

Clause passed.

Clause 4 and title passed.

Bill reported without amendment. Committee's report adopted.

## CIGARETTES (LABELLING) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 4. Page 1790.)

The Hon. V. G. SPRINGETT (Southern): I support this short Bill, which corrects an error made when the Bill was first introduced owing to the insertion in it of an extra clause, which necessitated the renumbering of the subsequent clauses. All that this Bill does is ensure that paragraph (*a*) of section 5 of the principal Act refers to section 4, and not section 3. The reference to section 3 is changed to a reference to section 4.

Section 3 speaks of offering or exposing cigarettes for sale and keeping or having them in possession for sale. Section 4, to which this amending Bill really applies, refers to a day to be fixed by proclamation, after which a person shall not sell cigarettes unless they are enclosed in a container marked with a prescribed health warning in accordance with the regulations. There is nothing more to it than that. Therefore, I support the Bill. In doing so, it would not be amiss for me to congratulate the Commonwealth Government on its present campaign seeking to ensure that children shall learn the unreasonable risks they take if they engage in heavy cigarette smoking.

The Hon. D. H. L. Banfield: Do you reckon the campaign is strong enough?

The Hon. V. G. SPRINGETT: I should like to see an even stronger campaign. Having said that, I congratulate the Commonwealth Government and I am sure that most honourable members will agree with me on that. I support this Bill.

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

[*Sitting suspended from* 4.7 *to* 4.30 *p.m.*]

## FOOTWEAR REGULATION 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.*

It stems from a recommendation of the Ministers of Labour of all States of the Commonwealth, who are each responsible for the administration of the Acts of the States relating to the branding of footwear. The main amendment is to require the brand to disclose the material used in the uppers of footwear in those cases where the upper is made of leather or a material that resembles leather. Also, if the quarter-linings of footwear are made of leather or of a material that resembles leather, it will be necessary for those linings also to be described. These amendments are primarily designed as a consumer protection measure.

The other amendments are minor ones: first, to provide that heel tips and caps should be excluded from the definition of "sole"; and, secondly, to permit any shoes with an all-leather sole that have heels of wood, metal or plastic to be branded as having an "all-leather sole" (this at present being permissible only in respect of ladies shoes). These amendments are found to be necessary owing to the changing designs of footwear. Since it is the desire of the participating Governments, and also clearly in the interests of the trade generally, that the proposed amendments to the relevant State Acts should be as uniform as possible, this Bill is in substantially the same form as a measure that has recently been enacted into law in Victoria.

Clause 1 is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation. It is proposed that this be a uniform date in all States. To ensure that the industry shall have sufficient formal notice of the proposed requirements, it is at present intended that the date shall be January 1, 1974, provided the legislation of all States is enacted before the middle of next year. Clause 3 amends section 4 of the principal Act by inserting technical definitions of "quarter-lining" and "upper" in relation to shoes and by amending the definition of "sole" to exclude materials comprised in heel tips and caps from the definition of materials comprised in the soles of shoes.

Clause 4 amends section 5 of the principal Act and spells out specific labelling requirements for "soles", "uppers" and "quarter-linings" in relation to shoes and in general is intended to ensure that, so far as is practicable, there shall be a clear statement as to the materials used in each part of the shoe. In addition, this clause also provides that wood, plastic or metal if used in heels will not of itself preclude the description of "all-leather sole" being applied to soles otherwise consisting of leather. This clause also repeals subsection (2) of section 5 of the principal Act, which has now become redundant.

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

## RIVER TORRENS ACQUISITION 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.*

It is intended to invest the Minister with power to require a survey to be made delineating the boundaries of land for the purpose of acquisition under the River Torrens Acquisition Act. Under section 2 of the Act, the top of the river bank is defined as a point that is, in the opinion of the Surveyor-General, the top of the bank of the river. To reach this opinion a survey must be undertaken. In

section 3 a similar situation arises. Under this section the Minister of Works, when he has decided to acquire certain land, is required to cause a plan to be prepared delineating the land that is to be subject to the acquisition. At times the Minister may require a survey to be made before he has reached a decision about the acquisition.

The Surveyor-General does have powers of entry for the purpose of survey under section 27 (1) of the Land Acquisition Act, 1969, and section 31 of the Surveyors Act. 1935-1961. In order to remove any doubt about the applicability of these powers, a specific right is given to the Minister to require the preparation of the appropriate plan of survey. A metric amendment is also made to the principal Act. Clauses 1 and 2 are formal. Clause 3 enacts a new section 2a to the principal Act. This empowers the Minister to direct the preparation of a plan delineating the top of the river bank. It further provides that the provisions of Part V of the Land Acquisition Act, 1969, which concerns rights of entry, shall apply to all such surveys. Clause 4 amends section 3 of the principal Act by inserting "sixty metres" in the place of "two hundred feet".

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

## PREVENTION OF POLLUTION OF WATERS BY OIL 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.*

Its purpose is to increase the fines that may be imposed under the principal Act, in view of certain recommendations made at meetings of the Commonwealth and State Ministers of Marine. It is hardly necessary for me to emphasize the danger of the pollution by oil of our coasts and waters. Oil pollution of the world's seas and littoral zones results in the destruction of both marine and bird life. Sometimes, it is hazardous to shipping. Not infrequently, it fouls our beaches and tidal waterways and is difficult and expensive to counteract. The fines that may be imposed under the principal Act are quite inadequate in proportion to the seriousness and ever-presence of the problem of oil pollution. A new scale of fines, more realistic in range and deterrent effect than that existing, is proposed. The most significant particular of this proposed new scale of fines is the increase of the maximum fine that may be imposed for the primary offence—the unlawful discharge of oil at sea—from $2,000 to $50,000.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 provides that the Act shall commence on a day to be fixed by proclamation. Clause 3 amends section 5 of the principal Act by increasing the maximum fine for an unlawful discharge of oil into waters from $2,000 to $50,000. Clause 4 amends section 8 of the principal Act by increasing the maximum fine for failure to fit equipment to prevent oil pollution from $1,000 to $10,000. Clause 5 amends section 9 of the principal Act by increasing the maximum fine for failure to keep oil records from $1,000 to $5,000. Clause 6 amends section 10 of the principal Act by increasing the maximum fine for failure to report an escape of oil from $400 to $10,000 and by increasing the maximum fine for obstructing an investigator from $400 to $2,000.

Clause 7 amends section 11 of the principal Act by prescribing a maximum fine for failure to provide satisfactory facilities, when required by regulation to do so, of $5,000. Clause 8 amends section 12 of the principal Act by increasing the maximum fine for a transfer of oil at night without permission from $400 to $2,000. Clause 9 amends section 13 of the principal Act by specifying that a regulation made under the Act may prescribe a maximum fine not exceeding $2,000. Clause 10 amends section 14 of the principal Act by increasing the maximum fine for obstructing a routine inspection from $400 to $2,000.

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

## ADVANCES TO SETTLERS 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.*

The principal Act, the Advances to Settlers Act, 1930, as amended, authorizes the making of an advance presently limited to an advance of $9,000 for the purposes of erecting, enlarging or altering a dwellinghouse on the holding of a person who is a "settler" within the meaning of the Act. Since it has been decided that the maximum loan that may be made by the State Bank for ordinary housing purposes is to be increased to $10,000, it appears equitable that the maximum loan under the principal Act

for settlers should also be set at $10,000. Accordingly, this short Bill provides for this increase. However, since it is possible that the maximum amount that can be lent by the State Bank for ordinary housing purposes may be determined by the Treasurer, it appears desirable that some additional flexibility should be provided in the Advances to Settlers Act so that any increase that may be made for ordinary housing can be reflected in the Advances to Settlers Act without the necessity of legislative amendment. It is proposed that the maximum amount shall in future be varied by proclamation.

Clause 1 is formal. Clause 2 amends section 12a of the principal Act, which relates to the provision of advances for dwellinghouses, and the amendments proposed provide (*a*) that the maximum advance shall be increased from $9,000 to $10,000; and (*b*) that, by the insertion of proposed subsection (2a), in future the maximum advance that can be made under this Act may be varied by a proclamation. This latter amendment should ensure appropriate flexibility.

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

## INDUSTRIES DEVELOPMENT 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.*

This short Bill is intended to enlarge the purposes for which the repayment of borrowings may be guaranteed under the principal Act, the Industries Development Act, 1941, as amended. At present, an application for a guarantee under that Act may be made only for assistance for an industry. Since the term is not defined in the principal Act, regard must be had to the general law on the matter. An examination of this law suggests that an essential element of an industry is that it must be carried on for profit. In the Government's view, this interpretation tends to restrict the application of the principal Act and leaves it unable to encompass a substantial variety of sporting, social or cultural activities that are of value to the people of this State but are not carried on for profit.

Clauses 1 and 2 are formal. Clause 3 amends section 2 of the principal Act, which contains definitions necessary for its purpose, by inserting two new definitions, that of "business" and that of "industry". When those two are read together, the enlargement of the scope of the expression "industry" to cover sporting, social and cultural non-profit-making activities is, I suggest, quite clear. Clause 4 amends section 14 of the principal Act, which deals with the giving of guarantees by the Treasurer for the repayment of moneys borrowed for the purposes of establishing or developing an industry as defined. The first amendment proposed is to substitute, in subsection (1) of section 14, the word "assisting" for the word "enabling". It is thought that in the circumstances of the measure the word "enabling" is perhaps a little too restrictive.

The second amendment amends paragraph (*b*) of subsection (2) of the section and is intended to provide for an alternative form of report on an application where the business concerned is of a non-profit-making nature. Instead of having to report whether or not the business will be profitable, it will be sufficient for the committee charged with the investigation of the matter to report whether or not the business is capable of earning an income sufficient to meet its liabilities and commitments. The third amendment is to recast paragraph (*c*) of subsection (2) which in its present form requires the committee to have regard to the employment that will be generated by the industry being examined. Under the proposed amendment, the committee may have regard to the general public interest where, in the circumstances of the industry being examined, there is not likely to be a significant generation of employment. Clause 5 amends section 16 of the principal Act by substituting the words "assisting" and "assist" for the words "enabling" and "enable". The reasons for this amendment are the same as those canvassed in relation to the first amendment made by clause 4.

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

## ADJOURNMENT

At 4.47 p.m. the Council adjourned until Wednesday, October 11, at 2.15 p.m.