

LEGISLATIVE COUNCIL

Wednesday, June 27, 1973

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

QUESTIONS**STEAM ENGINE**

The Hon. A. M. WHYTE: I seek leave to make a short statement prior to asking a question of the Minister of Health, representing the Minister of Environment and Conservation.

Leave granted.

The Hon. A. M. WHYTE: Some months ago I gave the Minister of Environment and Conservation certain details concerning the trial performance of a steam engine, which was at that time being tried in a Falcon motor car. Since the designer has claimed generally many advantages for this engine, and in particular its assistance in the elimination of pollution, and since the people who gave this information are still awaiting a reply, will the Minister confer with his colleague to see what stage the investigations by his department have reached?

The Hon. D. H. L. BANFIELD: I shall certainly do that.

INTAKES AND STORAGEES

The Hon. A. J. SHARD: I seek leave to make a brief explanation before directing a question to the Minister of Agriculture, representing the Minister of Works.

Leave granted.

The Hon. A. J. SHARD: Last week the Minister, in replying to a question, gave a glowing report on the condition of the rural areas of this State. Because I am a city dweller, I know that the metropolitan area has problems. Will the Minister obtain from his colleague details of intakes into our reservoirs this year? When I was in Cabinet earlier this year I learnt that there was not as much water in the reservoirs this year as there was at the same time last year and that, if the position did not improve rapidly, we might be in some trouble later.

The Hon. T. M. CASEY: What the honourable member has said is quite correct. There have been reports lately that the quantity of water in the metropolitan reservoirs now is not as great as it was at this time last year, because there was not as much rain in May of this year as there was in May of last year. However, I shall obtain information on the exact holdings in our metropolitan reservoirs and let the honourable member have the information as soon as possible.

AGRICULTURE DEPARTMENT

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: Yesterday the Minister replied to a question about moving the location of the headquarters of the Agriculture Department to the new town of Monarto, if the inquiry at present taking place favours such a move. Can the Minister say whether there is any possibility of deferring the proposition put forward over a long period regarding a move to Northfield? Or, is it the Government's policy to make a further inquiry about disbanding the Agriculture Department altogether?

The Hon. T. M. CASEY: I cannot give an undertaking in regard to the first part of the honourable member's question; that would be impossible at this stage. However,

I give an assurance, as I have done in the press and on radio, that there is no truth at all in any statement by anyone about disbanding the Agriculture Department. In one case there was an unjustified claim that the Agriculture Department would be part of the Education Department. However, I assure the honourable member that the Agriculture Department will remain.

GOVERNMENT PRINTING OFFICE

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a question of the Chief Secretary, as Leader of the Government in this Council.

Leave granted.

The Hon. M. B. DAWKINS: I believe that the Chief Secretary is in charge of the Government Printing Office; if I am incorrect in saying that, no doubt the appropriate Minister will handle my question. Honourable members have been aware for some time of the building of a new Government Printing Office, and some of us have seen the progress that has been made. Concern has been expressed about the distance between Parliament House and the new building, but I understand that arrangements have been made that will prevent any great difficulties in that direction. Can the Chief Secretary state when the new Government Printing Office will be opened and when demolition of the existing office will commence?

The Hon. A. F. KNEEBONE: I cannot give the exact details that the honourable member has requested, but the mapping branch of the Lands Department is already occupying a part of the new building at Netley. This would indicate that satisfactory progress is being made on the construction of the new building. I cannot give a date for the demolition of the old building. Speaking from memory, I think that the new building will be completed before the end of this calendar year. However, I will obtain more detailed information for the honourable member.

EGGS

The Hon. B. A. CHATTERTON: Can the Minister of Agriculture say what steps are being taken to introduce the necessary legislation to control egg production? Has the legislation been drafted, and can the Minister say when it will be introduced?

The Hon. T. M. CASEY: Honourable members will know that the overall control of egg production in Australia has been resolved at the Agricultural Council, where it took some time to be resolved. New South Wales has passed the necessary legislation; Western Australia passed the necessary legislation about 2½ years ago, which indicates that the Nullarbor Plain is a barrier for the transportation of eggs. I understand that the system there is working well, although there were teething problems initially. I believe that Victoria has passed the necessary legislation. As our legislation is now being drafted, I sincerely hope that it will be introduced in Parliament as soon as possible.

HOUSING

The Hon. C. W. CREEDON: I seek leave to make a statement prior to asking a question of the Chief Secretary, representing the Minister in charge of housing.

Leave granted.

The Hon. C. W. CREEDON: It came to my notice recently that land agents, in Gawler at any rate, have been buying houses from aged people, using painters to do a quick patchwork job on them and, in some cases that I could name, have sold the properties for between \$5,000 and \$6,000 profit, again often to aged people. The land agents have been using their own finance companies to

purchase and resell the properties. Can the Minister ascertain whether the Government intends to introduce legislation that will protect such aged people when eventually it is found out that they have been taken advantage of?

The Hon. A. F. KNEEBONE: I will convey the question to my colleague and obtain a reply as soon as possible.

FLINDERS MEDICAL CENTRE

The Hon. A. J. SHARD: I seek leave to make a statement prior to asking a question of the Minister of Health.

Leave granted.

The Hon. A. J. SHARD: When I had the honour to be Minister of Health I took considerable interest in the new Flinders Medical Centre. When I left Cabinet the planning for this centre was up to date (in fact, I think it was ahead of schedule) and many contracts that were financially favourable to the Government had been let, that is, the contracts did not exceed the expected price when tenders were called. Can the Minister say whether planning for the medical centre is still up to schedule or ahead of schedule and whether the latest contract that has been let is somewhere near the expected price when tenders were first called?

The Hon. D. H. L. BANFIELD: It is obvious that my colleague (the former Minister of Health) set the plans very well in operation before he left office. I can assure him that the timing is spot on, as is the costing, and I am grateful for this.

The Hon. A. J. SHARD: You are carrying on the good work.

The Hon. D. H. L. BANFIELD: In other words, no inflation has caught up with us at this time.

GEPPS CROSS ABATTOIR

The Hon. R. C. DeGARIS: I seek leave to make a short explanation prior to directing six questions to the Minister of Agriculture.

Leave granted.

The Hon. R. C. DeGARIS: In December, 1972, it was rumoured that proposed changes in the procedures of the Gepps Cross abattoir were to be instituted and, if instituted, would radically affect the rights of individual butchers to operate at the abattoir. Subsequently, on April 4 of this year, new procedures did become operative and met with violent criticism from the 200-odd butchers adversely affected. First, is it a fact that, since that time, individual members of the meat trade, together with the Meat and Allied Trades Federation, have made representations to the Minister, the Samcor Board, and the South Australian Ombudsman seeking relief from the minimum number for slaughter provision; secondly, remembering that, since April 4, many have been adversely affected by the new provisions, is it a fact that the only answer to all representations has been that the matter would be reviewed at the end of July, 1973, and requests for earlier review have been either denied or ignored; thirdly, can a review of this matter be undertaken as a matter of urgency without further delay, and if not why not; fourthly, I understand that one of the changes instituted in April last was the rationalization of deliveries. Is it a fact that even persons complying in every way with the new requirements as to the minimum numbers to kill are not receiving supplies as ordered; fifthly, allowing for variations in the available supplies of livestock, are the various slaughter chains being worked to their capacity, in particular is the pig chain working to capacity, and if not why not; finally, are employee or union views or action in any way responsible for the failure to achieve tallies, and what action is being taken to correct such a position, if it exists?

The Hon. T. M. CASEY: I am very pleased to be able to answer every one of the honourable member's questions. I make that point quite specifically. The first question related to butchers and members of the Meat and Allied Trades Federation having met the Minister, the board, and the Ombudsman. The answer to that is "Yes". Secondly, as to butchers who were adversely affected being told there would be a review of these charges and a further review in July, I understand this is what the board has indicated. As to a further review, I have already informed the people who came to me that Samcor is a statutory board and that they should take up the matter with Samcor. As to the rationalization of deliveries, I can say that the Samcor board, to my knowledge, has gone a long way to meeting requirements of butchers who amalgamate to buy under one name so that deliveries are made to the respective butchers and not to a central point for the butchers to pick them up. I believe deliveries are being made to the butchers in the syndicate. The final question related to slaughtering chains working to capacity. I understand that because of the lack of supplies of beef the beef chain is not working to capacity at the moment. This is not the fault of Samcor or anyone else in the industry. However, I believe the pig chain is working to capacity.

HOSPITALS

The Hon. V. G. SPRINGETT: Is the Minister of Health satisfied with the present arrangements for fire prevention and with fire-fighting equipment in our hospitals, especially the smaller private hospitals?

The Hon. D. H. L. BANFIELD: I have not had an opportunity to visit all the private hospitals in this State, but at some stage I will. I will get a report from my departmental officers to see whether they are satisfied with the present position.

WHEAT QUOTAS

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

Leave granted.

The Hon. B. A. CHATTERTON: The question of wheat quota transferability has long been a policy of the Labor Party, because it has felt that one of the great problems facing the wheat industry today is that wheat quotas have frozen production in the five-year period in which quotas have been assessed. I believe safeguards should be introduced to limit the amount of quota which can be transferred and also make it transferable on an annual basis only, as this would benefit the industry. I ask the Minister whether, in view of the fact that the United Farmers and Graziers of S.A. Inc. has now agreed to this view, he would like to make a statement about quotas?

The Hon. T. M. CASEY: It is a fact that wheat quotas are on the platform of the Labor Party, and have been for some time. I will discuss quotas soon with representatives of the industry in South Australia who, I understand, are gradually accepting the policy. Several years ago the matter was referred to the industry; however, it was not happy with the idea then. I believe the transfer of quotas on an annual basis can work quite well in this State. I suggest the honourable member read the report of the committee, chaired by Prof. Jarrett, which inquired into the wheat industry fully and furnished a comprehensive report in which it was suggested that the transferability of quotas was a must as far as the industry was concerned. There are other avenues which should be looked at in view of the fact that there were many small farmers who were

traditionally wheat farmers prior to the introduction of quotas, as they kept wheat on their farms to feed stock, but who, because of the intensification of pig, fowl and egg production, had to stop these side lines. Now they are finding that they have no quota.

In these circumstances, this matter should be looked at very closely and some ways and means should be devised whereby these people can obtain a quota. If it cannot be done, it cannot be done, but steps should be taken to see whether these people can possibly come into the quota system. As honourable members know, our quota issue is 73,400,000 bush. We have produced in excess of that on only one occasion and it is high time we tried to encourage wheat production to the extent that maybe we can bring in those people. The amount involved in this is about 200,000 bush., so it is not a very great amount.

The Hon. R. A. GEDDES: The media have reported that the Prime Minister, Mr. Whitlam, has made the comment that, in his opinion, the wheat quota should be abolished in Australia. Can the Minister of Agriculture say what is this State Government's attitude to the problem of wheat quotas, bearing in mind the remarks he has just made, when he pointed out that a lot of wheat would be needed in future years?

The Hon. T. M. CASEY: One of the problems in dealing with the over-production of any product is assessing the world situation. I am afraid that, on the world scene, Australia is a very small producer of wheat. I think we are about the seventh or eighth largest producer of wheat and our total production in Australia has, on an average, been about 500,000,000 bush., whereas if we look at Russia, for example, I think its production is about 2,800,000,000 bush., and then there is America, which has about 1,650,000,000 bush.

The Hon. R. A. Geddes: Isn't America the biggest producer?

The Hon. T. M. CASEY: No; Russia is the biggest. Then, coming down the line, there is China. We can find out eventually what China produces but I think it is about 800,000,000 bush. to 1,000,000,000 bush. of wheat alone each year. If I remember correctly from what I read on one occasion, its total production of coarse grains (that is, cereals of all kinds) was about one billion bushels, but that was back in 1967, which is the latest figure that the Americans have. It shows the enormity of the Chinese production but their annual increase in population is about the total population of Australia, so we must watch the world scene before we start to make statements that we should either lift or impose quotas of any description. In the present situation, where other countries (particularly America and Canada) already have restrictions, and had restrictions on their wheatgrowing long before we introduced quotas, it does not leave us in a very good bargaining position in world trade if we do not pull our weight in this respect. So all those factors must be taken into consideration.

[Sitting suspended from 2.45 to 3.35 p.m.]

MINISTERIAL STATEMENT: CONSTITUTIONAL BILLS

The Hon. A. F. KNEEBONE (Chief Secretary): I seek leave to make a statement.

Leave granted.

The Hon. A. F. KNEEBONE: I wish to make a statement which may help us to arrive at a solution of some of the problems we have been meeting recently. I wish to

read a statement which I understand the Premier has also made in regard to these matters. It is as follows:

The Government wishes again to make clear its position on the Constitutional measures before the Parliament. The Government will not accept amendments which place conditions on the achievement of universal adult suffrage for the Legislative Council. That measure must stand alone. It would appear that the Leader of the Opposition in the Legislative Council does not believe that, if the Bill seeking full adult franchise for the Council is passed, the Government will proceed with the Bill establishing a system of proportional representation for that House. There is no basis whatsoever for that fear. The Government's policy is to achieve one vote one value for Legislative Council elections. It will pursue that policy. It will press for the passage of the Bill establishing proportional representation and to this end gives the assurance that it is prepared to confer with the Legislative Council at a managers' conference at the earliest opportunity today.

It will not accept a position in which the Legislative Council sets, as the price of the people's right to an equal vote at its elections, agreement by the House of Assembly with the views of some Legislative Council members as to systems of proportional representation. The Government will not withdraw the proportional representation Bill. The Government believes that it must be clear (from the fact that it promptly replied by letter to the Hon. Mr. DeGaris concerning his proposals on the proportional representation Bill) that it is serious in proceeding with that measure, and desires it to achieve agreement. It believes that this public assurance ought to allay any fears in this regard, fears which it is claimed have given rise to the Legislative Council's attempt to attach conditions on the people's equal right to vote for the Houses of Parliament in this State.

I also indicate that we do not propose to have a conference on the Constitution Act Amendment Bill (Franchise) but we do propose to have a conference on the Constitution and Electoral Acts Amendment Bill (Council Elections).

CONSTITUTION ACT AMENDMENT BILL (FRANCHISE)

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

The Hon. A. F. KNEEBONE (Chief Secretary) moved: That the message be taken into consideration forthwith.

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

To strike out "forthwith" and insert "at 5 p.m. this day".

The PRESIDENT: I will put the question, that the amendment be agreed to.

The Hon. A. F. KNEEBONE: I am not able to debate that?

The PRESIDENT: It is purely a question of time. The debate can apply only to the time. We cannot debate anything regarding the Bill.

The Hon. A. J. SHARD: I should like the position clarified. Would the Council be in a position to proceed before 5 p.m. if it could do so?

The PRESIDENT: Not once the time is decided. Whatever is decided will be the time.

The Hon. F. J. POTTER: On a point of order, Sir, I take it that the proceedings at 5 o'clock would be only in relation to this message and, if the Council carries the amendment of the Hon. Mr. DeGaris that this matter be not considered before 5 o'clock, I presume that someone, perhaps the Leader of the Council, will move that the Council do adjourn until the ringing of the bells and that, if another matter comes before it, it may be possible to proceed with that matter. I should like a ruling on that.

The PRESIDENT: The ruling applies only to the message before the Council and has nothing to do with any other business, nor does it prevent the bells being rung earlier for another purpose.

The Council divided on the amendment:

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

Noes (7)—The Hons. D. H. L. Banfield, M. B. Cameron, T. M. Casey, B. A. Chatterton, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

Majority of 5 for the Ayes.

Amendment thus carried; motion as amended carried.

[Sitting suspended from 3.48 to 5 p.m.]

The Hon. A. F. KNEEBONE moved:

That consideration of the message from the House of Assembly be now proceeded with.

The Hon. Sir ARTHUR RYMILL moved:

To strike out "now proceeded with" and insert "taken on motion".

The Council divided on the amendment:

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

Noes (7)—The Hons. D. H. L. Banfield, M. B. Cameron, T. M. Casey, B. A. Chatterton, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

Majority of 5 for the Ayes.

Amendment thus carried; motion as amended carried.

Later:

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That the Legislative Council do not further insist on its amendments.

We now arrive at the finale of the events that have taken place this week. I have some confidence that at last I may succeed in the present motion, although I have not succeeded in similar motions all the week. This has been a most successful week in the history of South Australia and of this Chamber. I came into this Council nearly 12 years ago on a restricted franchise and at a by-election, which I think most honourable members recall. I even had a feeling that at least one Opposition member voted for me on that day.

The Hon. Sir Arthur Rymill: I believe that to be true.

The Hon. A. F. KNEEBONE: Yes. It was a very bleak day. It is one of those things I held against restricted franchise and the position that operated at that time, namely, voluntary enrolment and voluntary voting. We had people at various polling booths throughout Central District No. 1. Many of those people came to me the next day and said that they had stood at a polling booth all day, working to get me elected, but only one person came to the poll to vote. Other people came as far as the polling booth—

The Hon. R. C. DeGaris: Was that a secret poll?

The Hon. A. F. KNEEBONE: —and said, "Is it a compulsory vote? Do we have to vote?" After journeying from home to the polling booth on a wet afternoon and finding that it was voluntary voting, they turned away and returned home. What amazes me is the terrific change that has now come to fruition; it is something that I did not think would come in my lifetime. I find, too, that, as a result of an amendment moved by the Leader, we will now have a common roll that will automatically apply to both Houses. I just cannot believe that this has really happened in my lifetime.

The Hon. D. H. L. Banfield: Wait until you read it in *Hansard*.

The Hon. A. F. KNEEBONE: I look forward to that. This is something we have been trying to achieve since about 1907, and it has at long last been achieved. This is a very historic moment. I have great pleasure in moving the motion.

The Hon. R. C. DeGARIS (Leader of the Opposition): I support the motion, namely, that the Council do not insist on its amendment. Both Bills will be proclaimed at the same time. Unlike a few days ago when certain challenges were made and when we did not trust the Government, our supporting the motion will demonstrate that, when the Chief Secretary gives his word, it will be accepted for all time. I support the Chief Secretary in his view that this is a historic moment. It is something that we have all been striving to achieve, but in different ways.

The Hon. D. H. L. Banfield: Some peculiar ways, apparently!

The Hon. R. C. DeGARIS: If one remembers the Bill I introduced last year, it contained an opportunity to do what we have now achieved.

The Hon. D. H. L. Banfield: Your Bill was different from this Bill.

The Hon. R. C. DeGARIS: It was different, and the Hon. Mr. Banfield criticized it, but he could have played his part.

The Hon. D. H. L. Banfield: He did. He criticized your Bill. Never mind spoiling the occasion by bringing politics into it!

The Hon. R. C. DeGARIS: The result that has now been achieved could have been achieved a year ago if the Government then had decided to accept the principle of proportional representation; adult franchise could have proceeded then. I am pleased to support the Chief Secretary's motion and to repeat the remarks I made regarding the previous measure, namely, that the Council will over the years maintain the high standard it has achieved today, and the trust and co-operation that exists will continue in the future.

The Hon. M. B. CAMERON: I continue my support for the Bill as it stood originally. For a number of years, I have supported full franchise. I assure honourable members that, during that time, I got into much trouble within the Party that I have now left. It was this issue that allowed the real Liberal Party in this State to rise, because this is the real issue that created so much trouble. I can remember people threatening to take away my endorsement before I was elected to the Council, because I dared to support full franchise. I can remember that I ended up being the No. 3 candidate on the Senate ticket for the same reason and as a result I was not returned to that House.

The Hon. A. J. Shard: You wouldn't get No. 3 now.

The Hon. M. B. CAMERON: But I would have no trouble with the Party I now represent.

The Hon. A. F. Kneebone: You'd probably get No. 3 in that Party!

The Hon. M. B. CAMERON: I think I might even get No. 1. I am pleased that I do not have to change my mind on this issue and that I can look back and realize that I entered the Council on the issue of the full franchise that has now been achieved. I give my full support to the Bill.

The Hon. A. J. SHARD: I support the motion, and I do not wish this occasion to pass without saying something. If I had to start my career over again I do not know what I would talk about, because I have been talking about full franchise for over 17 years (I have been in

Parliament for 20 years; 17 years in the Council). As I said last evening, I thought I would never see the day when we would achieve full adult franchise and a common roll for the Council and the Assembly without much more trouble than we have experienced this week (and we have had enough trouble, certainly). It may sound egotistical, but I say that this is the reward for 17 years of persistent attacks on the undemocratic manner in which the Council has been elected in the past. No matter how right we were we could not win because we did not have the numbers, but it will be different in the future. It is up to all Parties now, if they get sufficient votes from the electors to have a majority in the Council, to give effect to their promises. If they do not get the numbers that cannot be done, and they do not deserve to be in a majority in that case.

It is somewhat galling that even though the majority of the people has backed our Party over many years, we have been frustrated in giving effect to our policy. I know that some honourable members opposite may say, "We have been helpful." However, at times we would have liked to introduce certain legislation, but we were afraid to introduce it because we knew what its fate would be. Under the new system, if a Party can get the number of votes on election day, it will get representatives here who will be able to do what they promised the people they would do, without being frustrated. I shall now be able to go out of Parliament and feel satisfied, because my efforts during the years when I have been talking a great deal and getting nowhere have at last been rewarded. I think it is something of which we on this side can be justly proud. I believe we can be satisfied that our time has not been wasted as much as we thought it may have been. I have great pleasure in supporting the motion.

Motion carried.

[Sitting suspended from 5.8 to 5.37 p.m.]

CONSTITUTION AND ELECTORAL ACTS AMENDMENT BILL (COUNCIL ELECTIONS)

The House of Assembly intimated that it had agreed to the Legislative Council's amendments Nos. 3 to 5 and 15 to 17; had disagreed to amendments Nos. 1 and 2, 6, and 8 to 14; had disagreed to amendment No. 7 and had made an alternative amendment in lieu thereof; and had made a consequential amendment to the Bill.

Consideration in Committee.

The Hon. A. F. KNEEBONE (Chief Secretary): We have had long arguments on all the amendments made by this Committee to the Bill yesterday. The amendments were sent to another place, which has agreed to some of them. I know, and I have stated here today, as the Premier has stated in another place, that the disagreements between the Houses will be considered at a conference of the managers of the Houses and I know that everyone is keen to reach the position where we can have a conference on this matter. In an endeavour to reach that position as soon as possible, without entering into any great debate, although I have strong views on these matters, I move:

That this Council do not further insist on its amendments to which the House of Assembly has disagreed.

The Hon. R. C. DeGARIS (Leader of the Opposition): I thank the Chief Secretary for dealing with these matters in this way. If we were to go *seriatim* through the disagreements by the House of Assembly, we would be here for some time. It appears to me on reading the list that there are four areas of disagreement, all of which I believe are capable of resolution at a conference.

The Hon. A. J. Shard: Can you enlighten me on which amendments they are: are they Nos. 1, 2, 6 and 7?

The Hon. R. C. DeGARIS: I cannot pick them out at short notice.

The Hon. F. J. Potter: It is best to deal with them by subject matter.

The Hon. R. C. DeGARIS: Four major matters appear to be in doubt; other amendments are consequential on those in doubt. I agree with the Chief Secretary that it is better to deal with the matter in this way. It is the best way to reach agreement on the amendments, which are mainly in the area of what voting system will interpret as accurately as possible each vote being counted and each vote counting equally. The idea of moving into a conference as quickly as possible to get a resolution of these matters is good. I ask that the Council insist on the amendments it inserted yesterday. I oppose the motion.

The Hon. M. B. CAMERON: I notice that the amendments put forward by the Government in another place include a system which I indicated that I would support—the optional preference system.

The Hon. D. H. L. Banfield: To look after the small groups.

The Hon. M. B. CAMERON: I am glad we have been able to show the way to the Government and anyone else associated with this measure. We have, of course, been the first to bring forward to the public a policy of a whole State electorate, and now we have helped the Government again to resolve this matter by bringing forward the optional preference system.

The Hon. D. H. L. Banfield: You're kidding!

The Hon. M. B. CAMERON: No, I am not kidding. If the Minister reads the report of the debate, he will see it clearly outlined there; I do not recall the Chief Secretary outlining any such system in his previous remarks. The only truly liberal Party in this State is going to show the way in other matters, too, and show them here. I will support the amendments made by the Government in another place. I trust this matter will be dealt with now. I believe this whole issue has been (I am not casting a reflection on this Council) somewhat of a farce in many ways and I hope it will be decided as quickly as possible. I am disappointed that the Government appears to have given in on another matter, but that may be raised after this Bill is finished with.

The Hon. Sir ARTHUR RYMILL: I should like some guidance. I take it that, if we vote against this motion, that includes voting against everything on this list?

The CHAIRMAN: Yes. I point out to the Committee that this is a question that I must put in a positive form, according to Standing Orders: that this Council insist on its amendments.

The Hon. F. J. POTTER: I want to facilitate the hearing of this matter but it seems to me that the way in which the motion has been put may be a little confusing. In fact, we have disagreement to certain amendments by the other place and the substitution of further amendments in lieu of our previous amendments in one or two instances. It seems to me, with respect, that the motion that the Chief Secretary should have moved is, that the Council do not insist upon the amendments made by this Council and agree to the alternative amendments made by the House of Assembly, which the Opposition here may perhaps counter by saying, "We insist on our original amendments and reject the alternative amendments." For the sake of clarity, it may be necessary to proceed in that way.

The Hon. A. F. KNEEBONE: My only thought was to expedite dealing with this matter, and I am sure the

Leader had similar ideas. In view of what the Hon. Mr. Potter has said, it may be better for me to frame my motion differently. I, too, do not want the situation to develop where we are rejecting out of hand an endeavour by another place to reach agreement on certain amendments. I have thought about it since and believe we must make haste slowly on these matters so that we know where we are going. Perhaps we shall have to deal with these amendments *seriatim* after all.

The Hon. F. J. POTTER: If I may put my suggestion again to the Chief Secretary, it is that he frame a motion in this way, that the Council do not insist on its amendments.

The Hon. A. F. KNEEBONE: I am trying to identify them by number.

The Hon. F. J. POTTER: That the Council do not insist on amendments Nos. so-and-so and accept amendments Nos. so-and-so.

The Hon. Sir ARTHUR RYMILL: The Hon. Mr. Potter has risen on the same point as I did—that the Chief Secretary should move that this Council do no longer insist on its amendments and agree to the alternative amendments of the House of Assembly.

The Hon. F. J. Potter: Yes.

The Hon. Sir ARTHUR RYMILL: I will then vote against that motion, which will mean that, as far as I am concerned, we insist on our amendments and disagree to the House of Assembly's alternative amendments.

The Hon. F. J. Potter: Yes.

The Hon. A. F. KNEEBONE: I appreciate the help I am getting. In the circumstances, Mr. Chairman, I seek leave to withdraw my motion and then move another.

Leave granted; motion withdrawn.

The Hon. A. F. KNEEBONE moved:

That this Council do no longer insist on its amendments to which the House of Assembly has disagreed and accept the alternative amendment made in another place.

The Committee divided on the motion:

Ayes (7)—The Hons. D. H. L. Banfield, M. B. Cameron, T. M. Casey, B. A. Chatterton, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

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

Majority of 5 for the Noes.

Motion thus negatived.

[*Sitting suspended from 5.59 to 7.45 p.m.*]

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 agreed to a conference, to be held in the Legislative Council committee room at 8.15 p.m., at which it would be represented by the Hons. R. C. DeGaris, A. F. Kneebone, F. J. Potter, Sir Arthur Rymill, and A. J. Shard.

At 8.1 p.m. the managers proceeded to the conference, the sitting of the Council being suspended. They returned at 1.45 a.m. on Thursday, June 28. The recommendations were as follows:

That the Legislative Council do not further insist on its amendments to which the House of Assembly has disagreed, but make the following amendment in lieu thereof:

Page 12, lines 10 to 38 (clause 23)—Leave out all words in these lines and insert—

"(a) Each group that received a number of first preference votes, being less than the prescribed number of votes, shall be excluded from the count and each ballot-paper relating to each

such group shall be attributed to the group, that has received a number of first preference votes equal to or greater than the prescribed number, indicated by the next available preference, if any, of the voter and for the purposes of this paragraph votes represented by ballot-papers so attributed shall be deemed to be first preference votes received by the group to which they were attributed:

(b) For the purposes of subparagraph (a) of this paragraph, the prescribed number of votes is one half of the number obtained by dividing the number of first preference votes cast at the election for the district by one more than the number of candidates required to be elected for the district and by increasing the quotient so obtained (disregarding any remainder) by one:

(c) The returning officer for the district shall then determine the quota for that election by dividing the total number of first preference votes that have been received by all the continuing groups by one more than the number of candidates to be elected for the district and by increasing the quotient so obtained (disregarding any remainder) by one."

and that the House of Assembly agree thereto.

That the House of Assembly do not insist on its alternative amendment to amendment No. 7.

That the Legislative Council agree to the consequential amendment made by the House of Assembly to the Bill with the following amendment:

Leave out the word "already".

and that the House of Assembly agree thereto.

Consideration in Committee.

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That the recommendations of the conference be agreed to.

In moving this motion, I point out that the conference was conducted in a very cordial manner, the managers from this Chamber debating the various matters with the managers from another place and negotiating to a point where I believe that a very good compromise was reached, solving the problems that confronted us in relation to these constitutional Bills. Here, I crave your indulgence, Mr. Chairman, so that I may refer to the other Bill that has been under discussion. I believe that, as a result of our efforts, we can reach agreement in regard to the amendments to that Bill, and when we deal with that matter I shall be moving that this Chamber do not insist on its amendments. I have the Premier's authority for saying that both these Bills will be proclaimed as soon as possible.

The Hon. A. J. Shard: At the same time?

The Hon. A. F. KNEEBONE: Yes. I do not think it is necessary for me to say any more than to stress that this has been a strenuous week for all of us, and I am happy to say that we have been able to resolve our differences in regard to these Bills and that our efforts have been worth while.

The Hon. R. C. DeGARIS (Leader of the Opposition): I have much pleasure in supporting the motion, and I agree with the Chief Secretary that the conference was conducted in a co-operative manner. All the subjects in dispute were thoroughly discussed and all the managers applied themselves to the task of finding a satisfactory solution. Right throughout the debate on this matter, the main point of contention has been the fact that a certain undetermined number of votes cast would be lost. I pointed out, I think on many occasions, that the use of a list system, when 11 members are being elected to the Council, makes it difficult to implement a full preferential system. Nevertheless, we have achieved a situation where every vote cast in the election will have a value and will in most cases play some part in electing a member to this Chamber.

I should also like to refer to the fact that this Chamber has been under considerable strain over the last few days,

and I should like especially to extend my congratulations to those who have stood firmly by a principle in which they believe, irrespective of any ultimatum that was delivered to this Chamber, and irrespective of any concern they may have had about their own political future. I am extremely proud to lead in this House people of such character who, irrespective of any question of their political future, were willing to stand by a principle in which they believed. Over some time, I have defended, I think with good reason, the idea that there should be some restriction on the franchise for election of members to this Chamber. I have always argued that this Chamber should be a place where Party politics as such should not be the most important consideration. I think that the most important consideration in this Chamber is for both Parties to co-operate to the best of their ability and to examine all matters before them, away from the Party pressures that exist in another place. I hope that under the new structure of this Chamber the same co-operation that has been seen here for many years will continue.

I have no doubt that, as a political Party, had we been able to reach agreement earlier on proportional representation, we would have solved the question of franchise before this. Since I have been a member, I suppose the first person in this Chamber who advocated proportional representation voting was the Hon. Arthur Whyte. He was the first member to approach me in this regard. I admit that finally, on examining this system, I was convinced that what he was saying to me was correct. It took some time to convince the Party to which I belong that this was the system that should be adopted for elections of this Chamber. After all this time, the system has now been achieved. I hope that, under this system, the Council will continue to function with the same spirit of co-operation, and independence on some occasions, as has been the case in the past. Indeed, on many occasions here I have noted with satisfaction the stand taken by members on certain Bills, irrespective of the views of their Parties. I believe it is incumbent on each group, under the new system, to seek people of high character and standing who are able to understand and debate legislation so that when it leaves this second Chamber it will be a credit to the State. I have much pleasure in supporting the motion. As I have said, I believe we are entering a new era. I trust that the co-operation that has existed in the past will continue in the future.

The Hon. M. B. CAMERON: Having had a brief look at the amendments agreed to at the conference, I see that they contain a provision that meets the only objection I have had about this Bill. Certain votes were previously excluded from the count, but it is clear from the amend-

ment that the votes will now be considered. I believe we will now have an optional preferential voting system, so that a person may or may not indicate a preference as he wishes. I had thought that this matter could be included in the scheme, and the Party I represent regarded it as desirable. Therefore, I support the motion.

I am pleased that at long last we are reaching an agreement that will bring the other Bill that has been before the Chamber to conclusion. I believe that it is unfortunate that, in the eyes of the public, we could be seen to be not agreeing to that other Bill without some agreement on this issue first. However, we seem to have retained this Bill, which was previously described as a fiendish mongrel, and we are at last going to get one vote one value for this Chamber.

The Hon. A. M. WHYTE: I want to congratulate those who have brought this legislation to a point where it is acceptable to all Parties. I am certain it will work to the advantage of the State. I reiterate what I said last evening that it is to the Premier's credit that he introduced a system of proportional representation. All who took part in the debate deserve credit. More especially, I wish to congratulate those members from both Chambers who went to the conference and resolved the difficulties that existed in the original Bill. I was brought up amongst people who believed in a single tax system and who convinced me early in my life that proportional representation would eliminate many of the anomalies that were associated with the election of members to this Chamber.

In 1969, I approached the then Premier (Mr. Hall) about this, and he told me that I had been listening to the Country Party for too long; he was not at all interested in what I had to say. I made various approaches to other people, including one to the Hon. Bert Shard and another to the Leader of the Opposition in this place. Without wishing to claim any credit for my part in this matter, I want to say how grateful I am that the Bill has been passed, and I hope that people generally in the State are grateful, too.

Motion carried.

Later:

The House of Assembly intimated that it had agreed to the recommendations of the conference.

ADJOURNMENT

The Hon. A. F. KNEEBONE (Chief Secretary) moved:

That the Council at its rising do adjourn until Tuesday, July 10, 1973, at 2.15 p.m.

Motion carried.

At 2.22 a.m. the Council adjourned until Tuesday, July 10, at 2.15 p.m.