LEGISLATIVE COUNCIL

Tuesday, November 6, 1973

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

QUESTIONS

OFFICE OF CHIEF SECRETARY

The Hon. R. C. DeGARIS: As there appear to have been considerable changes in Ministerial responsibilities and changes in the relationship of the office of Chief Secretary to Cabinet, can the Chief Secretary outline to the Council the present duties and responsibilities of the Chief Secretary?

The Hon. A. F. KNEEBONE: The only change in the duties of the Chief Secretary is that the physical services the Chief Secretary undertook in the preparation of papers for Cabinet and for Executive Council have been transferred to the Premier's Department.

The Hon. R. C. DeGARIS: Following that information, is there any need for the continuation of the Ministerial office of Chief Secretary? After all, the very term "Chief Secretary" implies that documents and other matters are prepared for the consideration of Cabinet.

The Hon. A. F. KNEEBONE: The Leader has asked whether there is any need for the continuation of the position of Chief Secretary. I certainly hope so.

WHEAT SALES

The Hon. C. M. HILL: I seek leave to make a short explanation prior to directing a question to the Minister of Agriculture.

Leave granted.

The Hon. C. M. HILL: A newspaper report last week concerning a wheat deal with Egypt indicated that the proposition had been attacked and that the Commonwealth Minister for Primary Industry (Senator Wriedt) had ordered the Australian Wheat Board to make credit sales instead of cash sales of wheat to that country. The value of the wheat involved was approximately $129 000 000. The South Australian grower members on the Australian Wheat Board (Mr. T. M. Saint and Mr. M. S. Shanahan) said at the time that the board had agreed unanimously that there was no justification for allowing the risk of credit. They said that Australian wheatgrowers should not be put at risk because of the uncertain conditions in the Middle East, and went on to say:

> In creating this precedent the Government could further interfere with the decisions of the board. This would be infiltration into the board's operations and the first step to Government control of the industry.

My questions to the Minister are: first, is the Minister completely satisfied that these arrangements are in the best interests of the South Australian wheatgrowers? Secondly, if the Minister is not completely satisfied, will he support the South Australian grower members of the Australian Wheat Board and make representations to his Commonwealth colleague (Senator Wriedt) on behalf of these grower members and South Australian growers generally?

The Hon. T. M. CASEY: I can say here and now, with no hesitation whatever, that I am completely satisfied that the action that the present Minister took was right. I will explain why. I took the opportunity of reading the press statement about this transaction between the Australian Government, the Australian Wheat Board, and the Egyptian authorities. The situation, from that press statement, clearly indicated that the Australian Government and the Australian Wheat Board were in complete agreement with what had been laid down initially for agreement with the Egyptian authorities, who were informed of the attitude of both the Australian Government and the Australian Wheat Board. That was prior to the commencement of hostilities. When hostilities commenced in the Middle East, the Wheat Board acted independently, without consultation with the Australian Government, and was going to inform the Egyptian authorities that it would ask for a cash sale rather than the terms that had been agreed upon previously—that the terms be on credit.

To me, this was completely outside the board's powers as far as the marketing organization was concerned. It had every reason to consult the Australian Government before making this announcement. As a result of this, which caused great upset to the Egyptian authorities, the Minister for Primary Industry had no alternative but to adhere to the previous agreement, which was a contract with the Egyptian authorities that the wheat would be sold on credit. I point out to the honourable member and for the benefit of honourable members opposite that we must realize that it was only two years ago, when we were finding it difficult to sell wheat overseas, that we obtained a contract on terms with Egypt, with the United Arab Republic, and we were glad of its support on that occasion. It has been the policy of the Australian Government to give credit terms to developing countries; it is laid down specifically as its policy. It is a good policy because we can then stabilize our industry and give our growers an opportunity of knowing exactly what they are to produce to meet the requirements of those countries buying wheat on terms.

Reference has been made to the fact that the Egyptians have been lackadaisical in their payments. This was refuted by the Egyptian authorities. On occasion, there has been some disquiet about the financial aspect but I am not prepared or competent to voice an opinion on that because it is not within my purview. However, I know that the Egyptian authorities have made no secret of the fact that, if they get behind with their payments, they will accept that interest will be charged on the money, and that the money will be forthcoming. I understand that all the money they owed to the Australian Wheat Board for previous consignments has been paid. When an agreement is entered into, it should not be broken unless all parties to it are consulted. That was the situation that resulted in the Minister for Primary Industry taking the course of action he took.

Of course, the other aspect of the matter is that, if we lose the sale of wheat to Egypt, which is a country that will never be able to produce enough wheat for its own consumption as it is a very dry country and will always be an importer of wheat, it will go elsewhere, probably to the Union of Soviet Socialist Republics. I leave it at that for the honourable member to decide.

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

Leave granted.

The Hon. M. B. DAWKINS: In his reply to the Hon. Mr. Hill, I understood the Minister to say that the Commonwealth Government was willing to give credit to developing countries to assist them. I believe that that would be no different from the policy of the previous Commonwealth Government. However, the opinion I was unable to get from the Minister was whether he believes that any credit given to developing countries or any other assistance given to them should be borne by the Australian people as a whole, or does he consider, as the present Commonwealth Government apparently does, that the credit at present

being extended should be extended at the expense of the Australian wheatgrower?

The Hon. T. M. CASEY: That is indeed a strange question for the honourable member to ask. True, credit is extended to developing countries. It has always been the policy of the Labor Party to do this. The honourable member then said he thought it was the policy of the previous Commonwealth Liberal Government. I do not know what that Government's policy was on many matters.

The Hon. C. M. Hill: Why don't you answer the question?

The Hon. T. M. CASEY: I am answering it. The Hon. Mr. Hill asked a question and, because he got a reply that he did not expect, he is now claiming that this was the policy of the previous Commonwealth Liberal Government. However, I cannot answer that question, as I do not know (as, indeed, the honourable member does not know) what that Government's policy was.

The Hon. M. B. Dawkins: You know that that Government extended assistance to developing countries.

The Hon. T. M. CASEY: I do not believe we can determine what is good for one and what is good for another. Australia is in many respects a fully-developed nation, and it has always been stipulated that, if it can assist developing countries, it is Australia's responsibility to do so. I do not believe the contracts that have been entered into are detrimental to the Australian wheatgrower. Indeed, as I said earlier, if our selling period can be extended it will benefit greatly the Australian wheatgrower, who, having some idea of how much grain is required in the coming year, will be able to plan accordingly. I do not know what explanation the honourable member requires other than that.

The Hon. M. B. Dawkins: You didn't answer the question.

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

Leave granted.

The Hon. A. M. WHYTE: I was interested to hear the Minister's explanation to the Hon. Mr. Hill and also his reply to the Hon. Mr. Dawkins regarding the sale of wheat. Can the Minister indicate the basis on which nations are included in the "developing" category? Recently, a contract for the supply of wheat to Chile was cancelled. I do not know whether that was a temporary cancellation and whether a further contract has been entered into, but, according to the press, a contract for about $1 000 000 worth of wheat for Chile was cancelled. I should have thought Chile would be regarded as a developing country.

The Hon. T. M. CASEY: I cannot comment on that aspect of the issue, as it does not come under my jurisdiction. However, I shall endeavour to find out. I am not a member of the Commonwealth Government—

The Hon. C. M. Hill: You were talking about it a moment ago.

The Hon. T. M. CASEY: —which, in conjunction with the Australian Wheat Board, arranges sales of wheat to countries outside Australia. The honourable member should know that for himself, without making silly interjections. I understand it was necessary to cancel a contract last year when Australia did not have the necessary wheat to supply these countries. That may be what the honourable member is referring to. However, I shall try to obtain the necessary information.

The Hon. G. J. GILFILLAN: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. G. J. GILFILLAN: I was interested to read in yesterday's newspaper that the Prime Minister (Mr. Whitlam) had signed a contract for Australia to sell wheat to China, for a period of three years, on terms to be negotiated later. As I understand the position that has existed, and as I understand the Act, export sales are in the hands of the Australian Wheat Board. Can the Minister say whether a direct sale between the Prime Minister and the country concerned is a new departure and, if it is, whether it is proposed to amend the Act accordingly?

The Hon. T. M. CASEY: I did not see the statement attributed by the honourable member to the Prime Minister but, as no contract has been drawn up at this stage, there is no reason why the Prime Minister, in his official capacity, cannot look into the possibilities of reciprocal trade between Australia and any other nation. I would be most reluctant to comment at this stage on the actual figures, because I have not seen them. However, I can assure the honourable member that I could not see the Prime Minister taking it into his own hands to commit the wheat industry of Australia to something it could not fulfil. I will try to follow up the question and see whether I can get information from the Prime Minister's Department on exactly what has transpired.

RUST IN WHEAT

The Hon. G. J. GILFILLAN: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. G. J. GILFILLAN: With each passing day the rust problem in South Australian wheat crops worsens; indeed, the position is deteriorating at an alarming rate. Halbert, the wheat variety that appears to be most affected, has until now been resistant to existing strains of rust in South Australia. The rust spores that affect grain can travel for thousands of miles, and apparently a strain of rust has evolved that attacks this variety of wheat. It has been grown on the strong recommendation of the authorities; in fact, in some areas it has been zoned as being the only soft wheat acceptable for receival into the bulk handling system. Because of the very serious situation this year, when some crops will perhaps be total failures and many crops will be partial failures, a critical situation has arisen in connection with the decisions that growers currently have to make as to what wheat varieties they will sow next year. There are several varieties of wheat that are not widely known in South Australia but they have proved to be rust resistant in situations similar to the current situation. Because of their losses and potential losses this year, many wheatgrowers will be looking for other sources of seed and for different varieties so that they can plan for next year's sowings. In some areas, of course, the early crops are already being harvested. Once the more resistant varieties go into the silo system they will be lost as separate varieties. Consequently, will the Minister, as a matter of urgency, ask his department to make a survey of the position, so that the amount of rust-resistant wheat of this variety can be ascertained, particularly in those areas that are claimed to be free of noxious weeds? If that survey can be made, all available resistant seed can be made available to growers for seed next year before it is lost in the general bulk handling system.

The Hon. T. M. CASEY: I view with concern, as does the honourable member, the deterioration of our wheat harvest as a result of adverse seasonal conditions. It has been very disquieting to hear at this time of the year that

another 1½in. (3·81 cm) of rainfall has been received in our important cereal growing areas. This rainfall will not help the rust situation; indeed, it will worsen the situation. In New South Wales several varieties of wheat have been tested, two of which are mendos and eagle, but unfortunately they have been attacked by rust in parts of northern New South Wales and southern Queensland. At one stage these two strains were thought to be completely resistant to rust. Other strains, such as kite and condor, have been introduced; I do not believe that these two varieties have been grown to any great extent in South Australia. I will ask my departmental officers to look at the situation to see whether there are strains that have been rust resistant this season and whether they can be made available for seed next year. One of the complicating factors is that a decision to grow a certain variety of wheat in South Australia involves a calculated risk at any time. We are affected by rust only about every five years or six years, so it is up to the farmer to decide whether to plant totally rust-resistant wheat of a very low yield or not so resistant wheat of a high yield. This is the calculated risk with which most farmers are faced at any time. When one looks at the figures in South Australia and realizes that we are susceptible to rust only every five years or six years, as a farmer I would be inclined to go for the high-yield rather than the low-yield variety. However, it is up to the farmer to decide. I am considering the matter only from conditions applicable in South Australia. The adverse season now being experienced hits home strongly that we should have had rust-resistant wheat. Here again, we are back to the calculated risk the farmer must take from season to season. However, I will ask my departmental officers to examine the situation regarding rust-resistant wheat which has been grown in South Australia and which has been resistant up to the present.

LEAD POISONING

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

Leave granted.

The Hon. M. B. CAMERON: Today's press report contains an article in which Professor Bloom, of the University of Tasmania, said that tests had shown that 8 per cent of Hobart schoolchildren had enough lead in their blood to cause disease, anaemia or mental retardation. He estimated that between 25 per cent and 30 per cent of children in Melbourne or Sydney would have dangerous levels in their blood. He stated that Russia, Sweden and Germany had banned its use, Japan had controlled the levels, and the United States of America and Britain were introducing progressive controls from 1975. He said that, unless something was done here, the next generation was in danger of developing into second-rate human beings with psychiatric and behavioural disorders. He said that lead deposits never left the body once they were introduced into the system. Can the Minister say whether any tests have been conducted in South Australia to discover whether such a problem exists in children here; whether any action is being taken to isolate the causes of such levels (if such tests have been conducted); and whether the Government intends to legislate to restrict or ban the use of lead in petrol?

The Hon. D. H. L. BANFIELD: I know of no tests that have been made on children in South Australia in this regard or of any proposed legislation to prohibit the use of lead in petrol.

The Hon. M. B. CAMERON: In view of the Minister's reply, in which he indicated that the Government would not take any action on the serious problem of lead in the blood of children—

The Hon. A. J. Shard: Who said it was serious?

The Hon. M. B. CAMERON: Professor Bloom in Tasmania.

The Hon. A. J. Shard: That does not mean it is serious in South Australia.

The Hon. M. B. CAMERON: Will the Minister cause tests to be conducted in South Australia to try to discover whether this problem does exist here and, if it is found to exist, will he legislate to take action on the causes of this problem?

The Hon. D. H. L. BANFIELD: I am not convinced, of course, that the problem as is suggested exists in Tasmania does exist in South Australia. However, my departmental officers will watch the position, and if they believe a special survey should be conducted I will be willing to take up the matter.

ELECTORAL ACT

The Hon. A. J. SHARD: I seek leave to make an explanation prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. A. J. SHARD: I understand that the reason why the Electoral Act Amendment Bill (Commissioner) has been adjourned during the last few sitting days is that Royal assent has not been given to the Electoral Act Amendment Bill that was passed in the first session of this Parliament. Can the Chief Secretary say whether Royal assent has been given to the Electoral Act Amendment Bill that was passed in the first session of this Parliament? If Royal assent has not been given, can the Chief Secretary say how much longer we may have to wait for assent to be given before we can deal with the amending Bill that is now on file?

The Hon. A. F. KNEEBONE: I inquired yesterday in regard to this matter of the Premier's Department and was told by Mr. White of that department—

The Hon. R. C. DeGaris: That is the Chief Secretary's Department?

The Hon. A. F. KNEEBONE: —that the Governor's Private Secretary (Captain Henderson) had told him that the Acts which had been sent for assent by the Queen had been assented to on October 24.

MURRAY RIVER

The Hon. J. C. BURDETT: I seek leave to make a statement before asking a question of the Minister of Agriculture, representing the Minister of Marine.

Leave granted.

The Hon. J. C. BURDETT: All honourable members will realize that the Murray River is running at a high level at present. I have noticed that the river is full of large items of debris such as half trees and logs, some of which are on the surface and some of which are submerged or partly submerged and are, therefore, difficult for one to see. Much of this debris is of the same colour as the water and is, therefore, difficult for one to notice. I was disturbed to see at the weekend that, even though the weather was inclement, many light craft, such as 16ft. (4·9 m) runabouts and craft of that type were travelling on the river at speeds of 25 miles an hour (about 40 km/h) to 30 miles an hour (about 48 km/h). I suggest that this is dangerous and that these craft could easily come to grief if they collided with logs and other objects that were hard to see. Indeed, I know of one craft which collided with a log but which, fortunately, was able to reach the bank. This problem is not peculiar to one area:

it applies to the whole length of the river in South Australia. I am concerned that, if we have a fine weekend, people will even try to ski in these conditions, which would be extremely dangerous. Will the Minister ask his colleague urgently to consider this matter and issue warnings or take any other steps that he considers proper?

The Hon. T. M. CASEY: I shall be pleased to refer the honourable member's question to my colleague and bring down a reply as soon as it is available.

STUART HIGHWAY

The Hon. A. M. WHYTE: Has the Minister of Health, representing the Minister of Transport, a reply to my recent question about the Stuart Highway?

The Hon. D. H. L. BANFIELD: Construction of the Stuart Highway has been completed from Port Augusta to Hesso, and work is in progress from Hesso to Bookaloo. Funds are available in the current financial year to complete this section. All available resources from the Highways Fund are committed to the essential maintenance and other needs of high priority, and no possibility is seen of extending construction on the highway this year. The Highways Department will continue a programme of maintenance and the upgrading of weak sections between Bookaloo and the Northern Territory border. Improved conditions on the Stuart Highway are expected during the summer months. The degree of financial assistance which can be obtained from the Commonwealth Government for the Stuart Highway is inflexibly dependent on the terms of the Commonwealth Aid Roads Act, which was determined some 4½ years ago and which does not expire until next year. Therefore, nothing can be done until the new Act becomes effective on July 1, 1974. The Government will continue with its representations to the Commonwealth in an endeavour to ensure that South Australia receives financial assistance that is appropriate to road needs.

RESCUE SERVICES

The Hon. R. A. GEDDES: Has the Chief Secretary a reply to the question I asked on August 21 about rescue services?

The Hon. A. F. KNEEBONE: Search and rescue responsibilities involved in an accident as set out in the honourable member's question are outlined in an inter-departmental search and rescue policy agreement, which covers both State and Commonwealth departments. The co-ordination of search action in relation to the emergency referred to would rest with the Marine Operations Centre at Canberra, or the local police, depending on the size and position of the vessel. In this instance the Department of Civil Aviation was not approached for assistance of any kind. If it had been, at least one of the aircraft engaged for the operation would have been equipped to drop supplies to the distressed persons. It is understood that the operator involved in this emergency has now equipped his aircraft to cope with a similar situation if the need should arise in the future. The Department of Civil Aviation considers this to be a prudent and reasonable action because of the special circumstances associated with the aircraft's regular engagement in fish spotting activities, but the department does not believe that the equipping in a similar manner of all light aircraft that may be used for search and rescue purposes is either practical or justified.

PARINGA BRIDGE

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to asking a question of the Minister of Health, representing the Minister of Transport.

Leave granted.

The Hon. M. B. DAWKINS: My question refers to the regrettable tragedy that occurred on the Paringa bridge during the weekend. It was only last week that I asked a question about further bridge construction on the Murray River. Since then, of course, this regrettable tragedy has occurred. Honourable members probably know that the Paringa bridge is between 40 and 50 years old and, while it was probably adequate then, narrow lanes alongside the railway lines are no longer adequate on a main highway. Will the Minister ask his colleague whether the Government will consider replacing this bridge, or at least widening it or creating better safety measures there?

The Hon. D. H. L. BANFIELD: I shall be happy to refer the honourable member's question to my colleague.

POKER MACHINES

The Hon. C. M. HILL: Does the Chief Secretary agree that the recent report that poker machines are being sold in South Australia by distributors from other States is correct and, if so, does the Government intend to take action in this matter?

The Hon. A. F. KNEEBONE: I am seeking a report on this matter at the moment.

MARKETING REPORT

The Hon. R. C. DeGARIS: As a study is being made, I think by P.A. Consultants, regarding stock and meat marketing in the South-East, can the Minister of Agriculture say whether that report will be available to Parliament?

The Hon. T. M. CASEY: I cannot answer the question specifically but I will look at the situation and inform the Leader accordingly.

GAY ACTIVIST ALLIANCE

The Hon. J. C. BURDETT: Has the Minister of Agriculture a reply from the Minister of Education to the question I asked recently concerning the Gay Activist Alliance?

The Hon. T. M. CASEY: My colleague states:

In the past, in relation to public controversies such as those concerning the moratorium, the Vietnam war, and conscription, constructive guidelines have been established for the determination of school policy and for the use of visiting speakers. These guidelines are generally accepted by the schools and have been used by them with discretion and responsibility. They are: (1) that in relation to a highly controversial matter the head of a school should consult with staff, senior students and parents before determining the school's policy; and (2) that the school should not be used as a means of outright propaganda for any point of view. Schools are fully aware of their responsibility to ensure that in any discussion of controversial issues students should be exposed to a balanced and thorough examination of the issues involved and be given an opportunity to investigate all points of view. In circumstances where schools have demonstrated beyond question their ability to act responsibly in relation to these guidelines, it would be unnecessarily dictatorial of me, as Minister, to lay down specific "do's" and "don'ts" with respect to the treatment of the question of homosexuality. The way in which school policy is determined on such a matter would not be altered in any way by the fate of the Criminal Law (Sexual Offences) Amendment Bill.

UNDERGROUND WATERS

The Hon. G. J. GILFILLAN: Has the Minister of Agriculture a reply to the question asked by the Hon. R. C. DeGaris on October 3 regarding underground waters?

The Hon. T. M. CASEY: The Minister of Works states that the report will not be tabled in Parliament. Two copies will be provided in the Parliamentary Library for use by members.

CHEST CLINIC

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

Leave granted.

The Hon. C. M. HILL: On August 7, I asked the Minister a question regarding the possibility of delay in the completion of the chest clinic on North Terrace. I asked whether, if delays were occurring, the Minister could give reasons. The Minister said he understood the work was proceeding according to schedule and that the opening was expected to take place some time in October. Did the opening take place in October; if not, has there been further delay and, if so, what is the reason for it?

The Hon. D. H. L. BANFIELD: The opening did not take place in October, as I had expected. It is now expected that the official opening will take place in the new year, but the place will be commissioned before the end of this year.

GOOLWA BARRAGE

The Hon. C. M. HILL: Has the Minister of Agriculture, representing the Minister of Works, a reply to my recent question about safety at the Goolwa barrage?

The Hon. T. M. CASEY: The Goolwa barrage is open to the public only during daylight hours, and a notice is displayed at the entrance to the barrage reserve when the waterways are open. It is appreciated that there are no safety rails on the walkway across the barrage and installation would create operating difficulties, as this is essentially a runway for the mobile gantry crane used for handling stop logs. As the public has not been denied access to the barrage since its construction in 1940, it has become a popular tourist attraction. Accordingly, the Minister has directed that the position at Goolwa and also at the locks and weirs along the Murray River be examined as regards tourist safety. The Minister has asked for a report on the alternatives of retaining present arrangements, of providing, if possible, additional safety equipment, or of closing the structures to the public.

MURRAY NEW TOWN (LAND ACQUISITION) ACT AMENDMENT BILL

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

MONARTO DEVELOPMENT COMMISSION BILL

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

MOTOR FUEL DISTRIBUTION BILL

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

FRIENDLY SOCIETIES ACT AMENDMENT BILL

Read a third time and passed.

URBAN LAND (PRICE CONTROL) BILL

In Committee.

(Continued from November 1. Page 1548.)

Clause 3—"Arrangement of Act."

The Hon. J. C. BURDETT: I move:

To strike out "PART IV—CONTROL OF THE PRICE OF NEW HOUSES".

The whole of Part IV deals with the control of the prices of new houses. I move this amendment because I intend to vote against all the clauses in Part IV. The Speechley report advocated temporary price control of land in allotments. It is noticeable that that was the main point made by the Hon. Mr. Chatterton in the second reading debate—the price control of land in allotments. The Hon. Mr. Potter summed up the matter admirably by saying, in effect, "Let us do in principle what the Speechley report suggests, namely, temporarily, for the time being, control the price of land in allotments, and let us not do the other things that this Bill does." There can be only one valid reason for endeavouring to control the price of new houses, and that is to avoid the provisions of the Bill. It is unlikely that it would be necessary, because the competition between speculative builders themselves in houses for sale would be likely to be effective in keeping down the prices, and also new houses would be competing with price-controlled land and land released by the Land Commission.

It is not necessary, in order to avoid evasion of the Bill, to make the Bill apply to new houses. If Part IV is passed, it will have the effect of reducing the supply of new houses, thereby increasing prices. The Speechley report stated that the reason for the high price of land was not the action of speculators but was the shortage of supply; and, in the same way, if there is a shortage of supply of new houses, it will increase, and not keep down, the prices of houses. That would be contrary to the Government's expressed intention in the Bill. In its present form Part IV is unsatisfactory. It refers to a reasonable margin of profit. We have no idea what that margin may be or what is considered reasonable. It has not been referred to in any of the speeches and is not stated in the Bill. There are no effective guidelines or formulae on how the profit is to be determined.

Further, Part IV is expressed to apply not only to sales but to demises or leases, and therefore the rents of new houses that are let will be controlled, and no criterion is contained in Part IV of how that is to be determined. Such nebulous guidelines as there are relate to price and not to rental. What is particularly important is that "house" is defined as including a flat; so that new flats built for the purpose of rental will have their rental controlled, and controlled in a way that no-one would know about and, therefore, no-one would build them, so that important source of housing would be withheld from the public. I have considered Part IV carefully because I appreciate it could be of some benefit, notwithstanding what I have said, in preventing an evasion of the Act. I have tried to think of ways of amending Part IV to remove the objections to which I have referred, but I believe that Part IV is beyond cure.

The Hon. A. F. KNEEBONE (Chief Secretary): I oppose the amendment. True, the Government has included Part IV in the Bill to prevent people from evading other provisions in the legislation. The honourable member said that the escalation in the price of land had been caused by a shortage of supply, not by speculation. However, it is the same thing really: speculation causes the shortage.

The Hon. R. C. DeGaris: The Speechley report does not say that.

The Hon. A. F. KNEEBONE: Last week the Leader referred to someone who speculated in land because that person could see that there would be a shortage. The person did not buy the land because he was magnanimous and pure in heart: he bought it because he thought there would be a shortage, and the shortage was then accentuated because he was holding on to land. As a result, he

received an increased return for it. That person clearly bought the land for speculative purposes, and his action resulted in an even greater shortage. In other words, the shortage was compounded by the fact that he was holding on to land. Part IV will eliminate a means by which people might otherwise evade other provisions in the legislation. I therefore oppose the amendment. Because it is the first of a number of amendments designed for the same purpose, I will regard this as a test amendment.

The Hon. M. B. CAMERON: I support the amendment. If people are discouraged from building new houses as a result of the adverse effects of this provision, the money that would otherwise have been invested in new houses could easily be directed into speculative purchases of older houses. There will then be the same sort of shortage of older houses that there has been in connection with blocks of land. I suppose we will then have to go through the process of providing a reasonable margin of profit in connection with transactions involving older houses. So, Part IV will create a further problem, rather than cure a problem.

The CHAIRMAN: I have allowed some latitude in the debate on this provision because I believe that, as a result, we will save time later when we reach amendments related to the amendment now being debated.

The Hon. C. M. HILL: The Chief Secretary said that Part IV would prevent evasion of other provisions in the legislation. Does the Chief Secretary realize that this Part applies to new houses built on land, no matter how long that land may have been owned by the person involved? If a person bought a block of land prior to May 16, that vacant land does not come within the terms of the legislation. How can the Chief Secretary say that the provision is designed for the purpose he referred to, when the provision catches all new houses, irrespective of when the land was purchased?

The Hon. R. C. DeGARIS (Leader of the Opposition): I support the views of the Hon. Mr. Burdett. The Speechley report was specific on this matter: there was no recommendation for the control of the prices of new houses. Admittedly, there was support for controls for a short time on the prices of vacant allotments. I imagine that, when the Government set out to implement the recommendations in the Speechley report, someone said, "What will happen if someone builds a house on a vacant block? That person could get around the legislation." The Government has fallen into the trap of trying to block every loophole and, in doing so, it has formulated unwarranted legislation.

Regarding a person who builds a house on a vacant block, I point out that there is fierce competition in the house building industry. I believe that there are sufficient house builders to ensure that competition will keep prices down. I believe that about 60 per cent of houses built in Adelaide are built by speculative builders, who produce high-quality houses at reasonable prices. If we are to have price control on each new house built, and if all factors must be taken into account when a price is put on the house, the situation would be almost impossible. What the Government is looking for is an interim measure to overcome a difficulty it foresees, but I see no practical reason why prices of new houses should be controlled. I believe that this Part should be struck out of the Bill.

The Committee divided on the amendment:

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

Noes (6)—The Hons. D. H. L. Banfield, T. M. Casey, B. A. Chatterton, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

Majority of 6 for the Ayes.

Amendment thus carried; clause as amended passed.

Clause 4 passed.

Clause 5—"Interpretation."

The Hon. J. C. BURDETT: I move:

In paragraph (*f*) of the definition of "controlled area" to strike out "proclamation" and insert "regulation".

As the Bill stands, by the stroke of a pen its provisions could be made to apply to Port Lincoln, Ceduna, Mount Gambier, or anywhere else in the State. The Government has said that the Bill is necessary to overcome a temporary shortage of land in the metropolitan area. It would be impossible to extend the provisions of the Bill beyond the legislative intention without referring it back to the Legislature if the amendment was carried.

The Hon. A. F. KNEEBONE: I oppose the amendment, which is the first of a series of amendments that would do much the same thing. I point out that, at present, Parliament sits fairly consistently, but that is little help in this regard. A regulation could be made and it would remain in effect from the rising of this Parliament at the end of November until Parliament resumed next February, which means that the regulation would be in existence for some months. As sales could take place during the period of the regulation, what would happen if the regulation were disallowed? Legal action might be necessary in this regard.

The Hon. R. C. DeGaris: Doesn't that apply to all regulations?

The Hon. A. F. KNEEBONE: Yes.

The Committee divided on the amendment:

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

Noes (6)—The Hons. D. H. L. Banfield, T. M. Casey, B. A. Chatterton, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

Majority of 6 for the Ayes.

Amendment thus carried.

The Hon. J. C. BURDETT: I move:

To strike out the definition of "dwellinghouse".

This amendment is consequential on the deletion of Part IV, which applied price control to new houses, as a result of which this definition is redundant.

The Hon. A. F. KNEEBONE: I oppose the amendment.

Amendment carried.

The Hon. J. C. BURDETT: I move:

To strike out the definition of "new house".

This is a similar amendment, striking out a definition that has become redundant as a result of the deletion of Part IV.

The Hon. A. F. KNEEBONE: I also oppose this amendment.

Amendment carried.

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

In the definition of "the control period" to strike out "16th May, 1973" and insert "date of the commencement of this Act".

In my second reading speech I referred to the various dates on which the Premier had said at various times the Act would come into force. Those dates ranged from 1967 to a definite February, April, and, finally, May 16, 1973. I see little argument for the need for retrospectivity in relation to land price control.

The Hon. A. F. KNEEBONE: I oppose the amendment, the effect of which will be automatically to validate any

transactions that have been entered into between May 16, 1973, and the date of commencement of the Act. It will also permit land purchased during that period to be resold for the first time, after the date of proclamation of the Bill, at uncontrolled prices. The Premier's announcement regarding the Act's coming into operation on May 16 had a profound effect on escalating land prices. Had the Premier not said that a Bill would be introduced freezing land prices as from that date, land prices in South Australia would now be much higher than they are.

The Hon. R. C. DeGaris: Why have land prices fallen in other States?

The Hon. A. F. KNEEBONE: I am talking not about other States but about South Australia and saying that, had the Premier not stated that this Bill would be retrospective to May 16, land prices in this State would be much higher than they now are. Therefore, I am strongly opposed to this amendment, which deletes the date "16th May, 1973" and makes the Bill applicable from the date of commencement of the Act.

The Committee divided on the amendment:

Ayes (10)—The Hons. J. C. Burdett, M. B. Cameron, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), R. A. Geddes, G. J. Gilfillan, C. M. Hill, Sir Arthur Rymill, and V. G. Springett.

Noes (8)—The Hons. D. H. L. Banfield, T. M. Casey, B. A. Chatterton, C. W. Creedon, A. F. Kneebone (teller), F. J. Potter, A. J. Shard, and A. M. Whyte.

Majority of 2 for the Ayes.

Amendment thus carried.

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

In paragraph (*b*) of the definition of "vacant allotment of residential land" after "has" to insert "at any time".

The aim of the legislation, we have been told by advertisement, is to provide a greater flow of building blocks to the community, particularly when transferring broad acres into building blocks. The present definition of "vacant allotment of residential land" could cover a person who buys a block of land for redevelopment, bulldozes down the existing dwelling, and cleans the block up only to find that the block then comes within the scope of this Bill. I do not believe this is the intention of the Bill, and my amendment indicates a probable anomaly in the definition. This amendment excludes from control those blocks that may come on to the market from the demolition of an existing building.

The Hon. A. F. KNEEBONE: I do not believe the honourable member is achieving what he desires by this amendment because the clause already applies to any allotment on which no dwelling has been or will be erected. It goes back as far as one would wish it to go back.

The Hon. R. C. DeGaris: My amendment qualifies it to make sure that that is clear.

The Hon. A. F. KNEEBONE: The extra wording is unnecessary, I believe, but I would need to have the extra words interpreted by an expert to see whether they affect the clause. At this stage I believe the extra words are redundant and I oppose the amendment.

Amendment carried.

The Hon. J. C. BURDETT: I move:

In the definition of "vacant allotment of residential land" to insert the following new paragraph:

(*da*) upon which are situated premises used, or genuinely intended for use, as a hall or place of public entertainment;

This amendment is to be part of the definition of "vacant allotment of residential land" and is one of the exclusions. It seems to me that this amendment is desirable. It is not an important one, but should be inserted in order to be logical and to complete the exclusions from the definition of "vacant allotment of residential land". In his reply to the second reading debate, the Chief Secretary suggested that this amendment was unnecessary. He said:

I refer now to the definition of vacant allotment of residential land, and explain that the reference to lands on which are situated premises genuinely used or intended for use for various commercial or industrial purposes is intended to indicate clearly when vacant land becomes improved land so that the erection of pseudo improvements as a means of evading the controls of the Act is clearly avoided. I see little need to expand the descriptions contained in the Bill, as such things as halls are obviously recognizable improvements that could not be used to evade the controls of the Act.

If it is unnecessary to include a hall, surely it is also unnecessary to include a place of public worship.

The Hon. A. F. KNEEBONE: I am not opposed strongly to the amendment, despite what I said previously.

Amendment carried.

The Hon. J. C. BURDETT: I move:

In subclause (2) to strike out "proclamation" (twice occurring) and insert "regulation"; and to strike out all words after "area" second occurring.

These amendments are along the lines of one I moved earlier.

The Hon. A. F. KNEEBONE: I have already made my position clear. However, I do not know that the second part of the amendment is in the same category as others to which I have referred. An amendment has been put on file regarding the termination of the Act, and this seems to tie in with that. If the honourable member assures me this is not so, I will leave my argument on that until later. I repeat my previous opposition to "regulation" rather than "proclamation" in matters of this kind.

The Hon. J. C. BURDETT: I assure the Chief Secretary that my only reason for moving this amendment was not the proposed amendment about the short-term operation of the Act, but mainly because regulations may be changed.

Amendments carried; clause as amended passed.

Clause 6 passed.

Clause 7—"Establishment of the Tribunal."

The Hon. J. C. BURDETT: I move:

In subclause (2) (*b*) to strike out "one shall be a person" and insert "two shall be persons"; and to strike out paragraph (*c*).

The amendments are consequential upon the amendment to remove new houses from price control.

The Hon. A. F. KNEEBONE: I agree that this amendment is tied up with the intention to remove from the Bill any reference to the control of prices of new houses. I have already expressed my opposition to the removal of such a provision, and therefore I oppose the amendment to clause 7.

Amendments carried; clause as amended passed.

Clause 8—"The Chairman."

The Hon. J. C. BURDETT: I move:

In subclause (1) to strike out ", not exceeding five years,".

I intend to support the amendment placed on file by the Hon. Mr. DeGaris to provide that the Act shall expire on December 31, 1974. It would seem inappropriate and unfitting that, if the Act is to expire on December 31, 1974, the Bill should contain this provision "not exceeding five years". Even if the amendment of the Hon. Mr. DeGaris is not carried, the deletion of "not exceeding five years" probably would have no greatly deleterious effect on the Bill.

The Hon. A. F. KNEEBONE: This is in line with earlier comments about the short-term operation of the

Bill. I am strongly opposed to this amendment that is in line with the amendment to be moved by the Leader to bring the Act to a conclusion on December 31, 1974. Because of what has been done to the Land Commission Bill, I cannot see that the measure will be able to do very much in the short term of this Bill. Honourable members must be very optimistic if they think that, despite what they have done to the Land Commission Bill, the Land Commission could go into operation, procure land, subdivide it, provide all services, and produce sufficient blocks of serviced land, with or without the assistance of private enterprise, in the short period of 13 months. In fact, it would not be 13 months by the time this Bill became law and was proclaimed.

Honourable members have said they support the principle of overcoming the shortage of land and of providing more land in an endeavour to assist the small man to secure for himself a serviced block of land on which he can build a house. If this amendment is looking after the small man, all I can say about it and the Leader's amendment is that, as far as the effectiveness of this legislation for the control of land prices is concerned, honourable members may as well have defeated the Bill on the second reading, because they are making it ineffective. It would be impossible to provide sufficient serviced residential land to comply with the much vaunted law of supply and demand and retain control of the price of land. I strongly oppose the amendment.

The Hon. R. C. DeGaris: This Bill will not provide blocks of land for people—

The Hon. A. F. KNEEBONE: No; I did not say that. I said that what honourable members opposite have done to the Land Commission Bill means that the Land Commission could not possibly provide the required number of serviced blocks of land to affect the law of supply and demand.

The Hon. R. C. DeGARIS: The first thing the Government should do is get to work to make sure that there is no blockage to the flow of land available on the market as a result of the application of the Planning and Development Act. Secondly, it should limit the use of the powers under the Land Commission Bill to ensure that blocks will go on to the market free from speculators. Many powers exist, both administratively and under the Land Commission Bill, to increase the supply of blocks of land to the community. Let me illustrate to the Chief Secretary one point he made strongly in his summing up of the second reading debate at page 1546 of *Hansard*, where he said:

> I am merely illustrating what the Opposition's "brilliant surgery" has done to it. The brilliant surgery that is now before honourable members in the form of the amendments to this Bill will have the same effect: this Bill will not achieve the Government's desired aim in respect of speculation.

Then I interjected:

> Do you regard this as a permanent measure?

The Chief Secretary replied:

> No . . . It was never intended to be.

All that this amendment does is to remove the phrase "not exceeding five years". Where the chairman of a tribunal has been appointed for a period not exceeding five years (it can be up to five years and it probably will be five years) that hardly fits in with what the Chief Secretary said in the summing up of the second reading debate, that this Bill is not a permanent measure and was never intended to be. This amendment is reasonable, if we accept what was said in the second reading debate, that it is not a permanent measure.

The Hon. J. C. BURDETT: The Chief Secretary said that, if we were eventually to carry the amendment to limit the operation of the Bill to 12 months, we might as well have defeated it at the second reading. I contest that strongly. The Prices Bill was first moved in 1948, since when as the Prices Act it has been reviewed every 12 months, and it has worked successfully. It is nonsense to say that we may as well, by moving this amendment, have defeated the Bill at the second reading.

The Hon. A. F. KNEEBONE: The Leader said that, because the Bill stated "not exceeding five years" for the term of office of the chairman of the tribunal, it meant that the Bill would be of a permanent nature. I do not know how he works that out.

The Hon. R. C. DeGaris: I did not suggest that.

The Hon. A. F. KNEEBONE: Yes, you did. You said that having "not exceeding five years" in the Bill contradicts the fact that it is not of a permanent nature. The Hon. Mr. Burdett said that the reason for these two amendments was the termination of the operation of the Act on December 31 next year. This amendment does not only delete the words "not exceeding five years": it is also in line with the Leader's amendment. The Hon. Mr. Burdett has said that we can introduce another Bill to extend the life of this legislation. Honourable members opposite do not accept my assurance that it is only of a temporary nature and is introduced only until such time as the Land Commission can provide serviced residential blocks. I have said before that, until the supply of serviced blocks is sufficient to meet the demand, I agree with honourable members in what they say about the control of the price of land. The Hon. Mr. Burdett said that the Prices Act had worked well. This Bill can do similar good work in this field. It is of a temporary nature and will operate only until we get sufficient blocks of land on the market.

The Hon. Mr. Hill knows how long it takes from the dividing of broad acres to the actual supplying of those broad acres, surveyed, serviced, costed, etc. He knows as well as I do that it takes longer than 12 months to get a serviced block from broad acres. That is why I strongly oppose the amendment.

The Hon. C. M. HILL: Much of the reason for the delay that has been referred to related to Government departments. I read recently that a Minister said that the staff of the State Planning Authority was up to date in its work. I hope that the problem has been overcome at last. When I look at this Bill I do not know whether the Government is sincere. The accusation has been made that this place, by means of legislative surgery, will prevent the Land Commission from being effective. I deny that accusation wholeheartedly, and I hope it will not be repeated. The Land Commission Bill gave the Government the power of compulsory acquisition over broad acres on the fringes of the metropolitan area; those broad acres can now be purchased by the Land Commission. When we think how the Housing Trust has over the years purchased land of that nature without resorting to compulsory acquisition and when we realize that the commission has been given that power, I fail to see how actions of this place will restrict the commission's activities. Once the commission has been fully established, it can buy broad acres, if need be, by compulsion. What more does the Government want than that?

The Hon. M. B. CAMERON: The Minister said that he did not believe that the Land Commission could provide sufficient blocks within 12 months to overcome the problem in connection with land prices. For how long will it be necessary for this legislation to be in force? How long will it be before the problem is overcome, and

is it expected that the legislation will be required for five years?

The Hon. A. F. KNEEBONE: If the honourable member read the provision he would see that it says "up to five years". The honourable member seems to think that, once broad acres are purchased, a magic wand can be waved and, as a result, roads, electric light, power, and water will be provided within a week or two. It is not possible to achieve that situation in 12 months. The broad acres must first be purchased. If we rush into such transactions we will be accused of all sorts of things. We must act responsibly and provide the services that we said we would provide. The Hon. Mr. Hill refused to answer me when I asked him how long he thought it would take; all he could do was criticize a Government department, saying that it was its fault that private enterprise could not do this in 12 months. Let us not fool ourselves: private enterprise cannot convert broad acres into serviced blocks and place them on the market in 12 months, either.

The Hon. C. M. HILL: I do not want to avoid answering the Minister. I agree that in the past subdividers have been subjected to delays of between 18 months and two years. The Minister tried to paint a picture of a complete vacuum between the present time and the time when land is put on the market by the commission. The Minister knows that there are plans for the transitional period. In a newspaper article on August 27 a Minister said that his land development unit would put 300 allotments on the market at Salisbury North. So, he has his transitional machinery; it is not a case of a complete void between now and then. The Minister can go to the Housing Trust and get further parcels of broad acres and put them on the market if he wishes to do so. The Minister said that the allotments would be made available to the public at prices that would be very competitive, compared with other land in the area. He said that no specific prices had been put on the land, but it was expected that they would become market leaders and help to stabilize land prices in the area.

The Committee divided on the amendment:

Ayes (11)—The Hons. J. C. Burdett (teller), Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V. G. Springett, 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 4 for the Ayes.

Amendment thus carried; clause as amended passed.

Clause 9—"Terms and conditions upon which nominated members hold office."

The Hon. J. C. BURDETT: I move:

In subclause (1) to strike out ", not exceeding three years,".

The amendment will not affect the Bill in any major way. I intend to support the Leader's amendment to limit the operation of the Bill, in the first instance, to make it subject to review as at December 31, 1974.

The Hon. A. F. KNEEBONE: I oppose the amendment on the same grounds as I opposed the previous amendment.

Amendment carried; clause as amended passed.

Clauses 10 to 13 passed.

Clause 14—"Land to which this Part applies."

The Hon. J. C. BURDETT: I move:

To strike out "(*b*) either" and subparagraph (i) of paragraph (*b*); and to strike out "(ii)" and insert "(*b*)".

These are the first of a series of amendments designed to keep free from price control newly-subdivided land and to leave subdividers free from price control, in accordance with the Speechley report and with the Bill as it was introduced in another place but which at the last minute was amended to apply to newly-subdivided land. In the second reading debate I asked why the Government at the last minute made the Bill apply to newly-subdivided land, contrary to the Speechley report, but no explanation has been given for the change. The Chief Secretary gave reasons why the price of subdivisional land should be controlled, but why did this logic not appeal to the Speechley committee and to the Government when the Bill was first introduced? Why does this argument appeal now, whereas it did not appeal before? The Speechley committee considered that it was most important to retain a free supply of new subdivisions but, if they are price controlled there will be few of them. There will be no incentive to subdividers to apply enormous resources and sums of money and effort to get subdivisions on to the market, because there is no test of a reasonable margin of profit. They will have no idea of the price at which they will be able to sell once they have subdivided the land.

The Hon. T. M. Casey: What do you say is a reasonable profit?

The Hon. J. C. BURDETT: They are the Government's words in the Bill; I cannot say.

The Hon. C. M. Hill: We have been asking that throughout the debate.

The Hon. T. M. Casey: I am asking you what you think is reasonable.

The CHAIRMAN: Order!

The Hon. J. C. BURDETT: Although we have asked the Government, we have not been told. The Chief Secretary made scathing references to our surgery on the Land Commission Bill. The Bill now before us has undergone the most radical surgery in another place, so a little more surgery by us will not hurt it. The amendments simply put the Bill back into the form in which it was originally introduced.

The Hon. B. A. CHATTERTON: I oppose the amendments. I do not agree with the Hon. Mr. Burdett that price control on newly-subdivided land is contrary to the Speechley report. This matter was not included in the report, which made specific recommendations on the price control of resold blocks. The situation has altered greatly since the report was printed in April. The recommendations were drawn up prior to the report being printed. Subsequent to the report being printed, the rate of increase in the prices of new allotments has been even more rapid, and I do not think that price control on them will preclude them from being formed. The price of new allotments has risen well above that needed to induce new subdivisions, and that is why I believe the provision is justified.

The Hon. J. C. BURDETT: Price control on newly-subdivided land is contrary to the Speechley report, which states that it is most important that subdividers be free to sell land for new subdivisions. The report makes clear that it was not the intention of the committee that newly-subdivided land be subject to price control.

The Hon. R. C. DeGARIS: The Chief Secretary said in his second reading explanation that consent was not required for the sale of newly subdivided blocks, so there has been a change of heart by the Government in the past three or four days. What has happened since then is obvious. The Speechley report made a certain recommendation and the draftsman was instructed to draw up a

Bill along those lines. Then, the bright academic Socialists in the Labor Party suddenly started to dream up these things because they thought someone might make a few dollars profit from the sale of a new house or a subdivision and that, therefore, they should be brought within the legislation or the whole Bill would fall to the ground.

However, as most Socialist theorists fail to understand, nothing will be achieved in the long term by that attitude, because, if a price is fixed at which newly subdivided land can be sold, the subdividers will not be enticed into this field. We will then have insufficient building blocks, about which the Government is now complaining. This is the most ridiculous provision that the Government has introduced in measures dealing with land. If the Government wants new land to come on to the market, it should clear the decks and let the land supply flow. Imposing controls will merely create land shortages.

The Hon. A. F. KNEEBONE: I was interested to hear the Leader refer to Socialist legislation.

The Hon. R. C. DeGaris: I didn't say "Socialist legislation".

The Hon. A. F. KNEEBONE: The Leader said that the Socialist people—

The Hon. R. C. DeGaris: Theorists.

The Hon. A. F. KNEEBONE: —in the A.L.P. had dreamed up these matters. The Hon. Mr. Burdett just praised one of the Socialist types of legislation, namely, price control. The Leader said that it was important that there should be no control over new land subdivisions. However, until the commission can provide sufficient blocks to reduce to a reasonable price the cost of serviced blocks, the introduction of uncontrolled serviced blocks will mean an escalation in prices. The cost of broad acres will also be inflated. It is all very well for the Leader facetiously to say that, because the Minister in the second reading explanation said something that should have been removed therefrom, the Government has changed its mind on this matter in the past four days. He knows that is a ridiculous statement. The amendment moved in another place was passed some weeks ago and the Government has not changed its mind on this matter since then. Incidentally, the second reading explanation of this Bill was given more than four days ago.

The Hon. R. C. DeGaris: Sitting days.

The Hon. A. F. KNEEBONE: The Leader did not say sitting days. The Government considers that this provision is necessary until sufficient blocks can be provided. It has been stated that this is a temporary measure and that it is necessary to control prices on the sale of serviced blocks in new subdivisions.

The Committee divided on the amendments:

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

Noes (6)—The Hons. D. H. L. Banfield, T. M. Casey, B. A. Chatterton, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

Majority of 6 for the Ayes.

Amendments thus carried; clause as amended passed.

Clause15—"Certain land transactions forbidden without consent of the Commissioner."

The Hon. J. C. BURDETT: I move:

In subclause (3) (*c*) after "writ" to insert ", order,".

I have moved this amendment because sales may be ordered by a court other than by way of writ. For instance, an order could be made under the Law of Property Act. I suggest that this amendment is likely to be formal and not controversial; it simply makes the clause complete and clear that any sale ordered by a court is to be exempted.

Amendment carried.

The Hon. J. C. BURDETT: I move:

In subclause (3) to insert the following new paragraph:

(*ca*) a transaction under which land is sold by a mortgagee acting in pursuance of powers arising from a mortgage over the land;

This is an important amendment because mortgagee sales should be exempted from price control for the reasons I stated in my second reading speech. In that speech I acknowledged the possibility of evasion as referred to by the Chief Secretary. However, this possibility is outweighed by other considerations. Mortgagees have imposed on them by the courts (and this has been recognized for a long time) a grave obligation to do their utmost to get the best possible price for land by mortgagee sale. This helps the little man, the mortgagor.

The Hon. D. H. L. Banfield: There is the concern for the little man again!

The Hon. J. C. BURDETT: Yes. In the nature of things, it is obvious that a mortgagee sale fetches a much better price, particularly if the mortgagee has this obligation, than will be achieved on a bailiff's or sheriff's sale. The problem to which I referred in my second reading speech has not been answered by the Chief Secretary. All he did was to indicate the possibility of evasion on a mortgagee sale.

I raised a further point in that debate, which once again was not answered, that if mortgagee sales are not exempted from price control then the mortgagee will not pursue a mortgagee sale; he will sue, proceed to judgment and to a sale by warrant of execution, which is likely to be detrimental to the mortgagor by way of additional cost, apart from anything else. If mortgagee sales are to be subjected to price control it is likely to be to the detriment of the mortgagee, which is an artificial way for a mortgagee to proceed. If he is to be fettered with price control it is unlikely he will obtain a good price anyway. It is undesirable for legislation to produce artificial practices.

I also asked the Chief Secretary a further question during the second reading debate, and once again he did not reply, about mortgagors presently receiving loans from mortgagees, such as banks and other institutions. If mortgagee sales are to be subjected to price control a mortgagee will not, when the mortgagor gets behind in his repayments, allow the matter to escalate. In other words, he will no longer extend leniency to the mortgagor. It is for that reason that I move the amendment.

The Hon. A. F. KNEEBONE: I oppose excluding mortgagee sales from price control because it places the gate wide open to collusion. A mortgagor could easily, by arrangement with the mortgagee, agree to default in his payment with the result that the mortgagee is uncontrolled and could sell at any price he could obtain, as the honourable member said. Once this opening is well known, I am sure there will be a rush to do just what I have said. I therefore oppose the amendment.

The Committee divided on the amendment:

Ayes (11)—The Hons. J. C. Burdett (teller), Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V. G. Springett, 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 4 for the Ayes.

Amendment thus carried.

The Hon. J. C. BURDETT: I move:

In subclause (3) to insert the following new paragraph:

(ja) any transaction for the sale and purchase of an allotment where the allotment has been created by the subdivision or re-subdivision of a larger parcel of land and has not previously been sold as a separate allotment:

This is one of a series of amendments to free subdivisional land from price control. It was an exemption that was in the Bill when it was first introduced in another place. During discussions on this aspect of the Bill reference has been made to the Speechley report, and I wish to make it clear, by reading from the report, that it was the intention of that report that new subdivisions should not be subject to price control. The report stated:

And, most important, subdividers would also be free to sell land for new subdivisions at uncontrolled prices.

The Hon. A. F. KNEEBONE: I have already stated my opposition to the principle covered by this amendment.

The Hon. M. B. CAMERON: I support the amendment, as I supported the previous amendment. It seems that any control over subdivisional land in the first sale will merely aggravate the problem we are trying to cure. If a person buys such land for further speculation he will be subject to the provisions of the Act.

Amendment carried.

The Hon. J. C. BURDETT: I move:

In subclause (3) to strike out subparagraph (iv) of paragraph (*k*) and insert the following new subparagraph:

(iv) an amount—

(A) that has actually been paid by the vendor as interest upon moneys borrowed for the purpose of purchasing the land;

or

(B) that represents simple interest at the rate of 10 per cent per annum on the principal of those moneys from time to time outstanding.

whichever is the lesser;

The reason for this amendment is to include, as one of the costs, any interest paid on the land at a reasonable rate. Paragraph (*k*) as it now stands sets out a formula for determining whether an application for consent must be made when an allotment is sold. As the Bill stands, no allowance is made for interest; therefore, no allowance is made for interest as a cost of the land in determining the price. I suggest that interest, if incurred, is a very real cost and allowance should be made for it. The limitations on the rate of interest prevent the proposed subparagraph from being used for the purposes of evasion.

The Hon. A. F. KNEEBONE: This amendment ties up with another which is to follow. The intention of these amendments is to permit the vendor to claim interest paid on the purchase of land and, in addition, to permit him to apply compounding interest at a prescribed rate (the current long term bond rate plus 1 per cent) to the aggregate of not only the cost of the land and the attendant purchase cost but also the interest which he pays on moneys used to purchase the land and the rates and taxes which he pays during the period of his ownership. As we see it, the net result of this amendment would mean that land prices could escalate by approximately 25 per cent a year and it seems iniquitous that the vendor should be permitted to apply a compounding interest rate to the value of the interest incurred in the purchase of the land. Subparagraph (B) of the first amendment does, however, restrict the interest rate which he can claim to a maximum of 10 per cent per annum at simple interest. I do not know whether the honourable member has looked at the effect of his amendment, but I have taken out an example that will show the anomalies created.

In a case in which three blocks of land were purchased at $3 000 each, the purchaser of Block A borrowed 90 per cent of the full sum and put down a deposit of 10 per cent. Therefore, he borrowed $2 700 at 10 per cent for a year, amounting to $270, plus compound interest at 9½ per cent, adding another $25. As a result, he would be able to charge $3 295, without taking into consideration any other charges. The purchaser of Block B borrowed 50 per cent of the purchase price and therefore borrowed $1 500 at 10 per cent for a year, giving $150, plus compound interest at 9½ per cent, adding another $14. Therefore, he would get only $3 164. A man with plenty of money who decided to pay cash for the land would get no advantage at all, and this seems to indicate an anomaly in the proposal. I am opposed to the amendment. I cannot see that it would help the situation, as all the other things that could be included would cause the price of land to escalate by 25 per cent a year.

The Hon. Sir ARTHUR RYMILL: We have heard a great deal of talk about surgery on this Bill, so I shall take out my scalpel and try to open up the total subject a little further. I want to ask the Chief Secretary where this rate of 7 per cent originated. As of today, for instance, I know of no such rate; it just does not exist anywhere. Was it plucked out of the air? It happened to be the Commonwealth long-term bond rate at the time the Bill was drawn, but it is not so any longer; that is now 8½ per cent. We are told that inflation is running at about 14 per cent, double this 7 per cent. So it means that, if it is all that a man can add to the value of his land per annum, he will gradually lose value on it. It is not even keeping up with the rate of inflation. So it seems totally unfair to me. Can the Chief Secretary say where the figure of 7 per cent came from?

The Hon. A. F. KNEEBONE. It was probably the interest rate, or the long-term bond rate, at that time but, if I attempted to alter anything in the Bill, I would be accused of changing my mind again. If the honourable member does not think that 7 per cent is enough, that is for him to do something about it.

The Hon. SIR ARTHUR RYMILL: That shows the fallacy of introducing this type of Bill. The Chief Secretary has guessed that it may have been the long-term bond rate at the time the Bill was drawn, and that is his best guess. We stick 7 per cent in this Bill because that happened to be the interest rate at the time it was drawn. What happens to interest rates? They change, but the amount that the wretched owner is entitled to does not change at all: he is stuck with 7 per cent. Interest rates may be higher soon. It seems to me that as a matter of ordinary fairness the owner of a block of land should be entitled at least to the measure of inflation, which is about 14 per cent at present. That means that in seven years the value of the owner's money will have halved, if it remains in money. If he has it in land, he is entitled to a 7 per cent increase, which is anyhow less than the interest rate he has to pay if he borrows the money to buy the land; so he is getting no increase in the price of the land over and above what he has paid for it, plus interest, yet he will finish up with land at the same price as he paid for it, adding in his interest payments and so on; and he is allowed to sell it at the price, which is half what he paid for it, in money terms, in seven years time. The whole thing is so artificial and fictitious that it just does not make any sense to me.

The Hon. M. B. CAMERON: I do not support this amendment, because I can see that the proposition put forward by the Chief Secretary has some effect. The valid point made by the Hon. Sir Arthur Rymill is correct, that

7 per cent now is insufficient. Will the Chief Secretary consider changing that figure or tying it to some long-term interest rate that could vary with the rate of inflation or the bond rate of interest current at the time? It is up to the Government to set a fair rate.

The Hon. J. C. BURDETT: The Chief Secretary has forgotten that a person who has borrowed money, bought land and paid interest on the money has paid interest and, in determining his profit, we are allowing him interest only on a profit margin for something he has paid. Someone buys land and pays cash for it: he has not incurred interest, so he does not get that benefit. He is losing the benefit. However, if someone buys land and has not enough money to pay for it, and borrows money and incurs interest, it is a genuine cost that he incurs. If we are allowing a profit margin on the cost, it should be allowed also on the interest.

The Hon. Sir ARTHUR RYMILL: I am not happy about the drafting of this amendment. Perhaps the Hon. Mr. Burdett could explain it to me more carefully. He allows for an amount that has actually been paid by the vendor as interest on money borrowed for the purpose of purchasing the land or it represents simple interest at the rate of 10 per cent per annum on the principal of those moneys from time to time outstanding. But what if he has not borrowed any money on the land? If that is the case, it seems that the effect of this amendment is to knock him out of the benefit of the 7 per cent and everything else. I hope the Hon. Mr. Burdett will explain it to me. It is possible that a person has borrowed 50 per cent of the purchase price: what happens then? What does this amendment provide in the way of additions to his sale price?

The Hon. J. C. BURDETT: This amendment is simply to include another cost on which interest may be allowed. The purpose of this part of the Bill is to set out various costs of obtaining and holding the land on which interest is to be allowed, for the purpose of determining the profit on sale. The price paid and the registration fees are taken into account. In the Bill as it stands, rates are taken into account but not included in the computation of interest at 7 per cent. The purpose of this amendment is to make the computation of interest apply to all costs of acquiring and holding the land, and they include interest. So the purpose of the amendment is that, if we buy land and seek to sell it, the interest rate on the money we have expended on our costs of acquiring and holding the land shall be on the price, the stamp duty, the registration fees, the amount paid to a legal practitioner, interest, and so on, and by a later amendment rates, too.

The Hon. Sir Arthur Rymill: Interest upon moneys borrowed?

The Hon. J. C. BURDETT: Yes.

The Hon. Sir Arthur Rymill: But supposing a person does not borrow money?

The Hon. J. C. BURDETT: In that case he does not get that taken into account. The purpose of this amendment is to provide that, where costs are incurred, they are to be treated as costs when calculating the profit margin that can be obtained when the land is sold. It certainly is the purpose of the amendment that the man who does not borrow any money gets his 7 per cent, or such other rate of interest as is prescribed, included.

The Hon. M. B. Cameron: He may be a little man.

The Hon. J. C. BURDETT: He gets the 7 per cent. The purpose of this amendment is to include as a cost of acquiring and holding the land any interest that was actually paid, so that, when we come to apply some other rate of interest for the purpose of allowing a profit margin on the cost, the interest actually paid is taken into account.

The Hon. Sir ARTHUR RYMILL: I thank the honourable member for that explanation. What it means is that this amendment depends for its operation on a later amendment. In other words, if this amendment goes through in isolation, the owner of the land will get less than he would get under the clause as drafted. If this amendment is substituted for subparagraph (iv), which provides for interest on the aggregate of the amounts referred to, a later amendment would have to be carried; otherwise, we would defeat what we are trying to do—give the owner of the land a fair capital appreciation on his land in line with inflation.

The Hon. C. M. HILL: We must look at the amendment and at the same time look at the new proposal: they are part of one total proposition.

The Hon. R. C. DeGARIS: There is only one flaw that I can see. A person may borrow money at an interest rate of 10 per cent a year, which is allowed as part of the cost of the block. However, a person who uses cash does not receive similar consideration in connection with the cost of money used. I understand what the Hon. Mr. Burdett is trying to do; it is logical and just. An interest rate of 7 per cent a year is less than the current long-term bond rate. In one case an interest rate is allowed on the cost of the land when it comes to resale, but in the other case the cost of the money used is not taken into account. There is no question that the Hon. Mr. Burdett's amendments are fairer than is the provision in the Bill. I believe that the Hon. Sir Arthur Rymill's guess is correct: the Government arrived at 7 per cent a year by adding 1 per cent to the then current long-term bond rate. Perhaps we should forget about the question of an interest allowance on the purchase price; perhaps we should lift the compound interest allowable on resale to the long-term bond rate plus 2½ per cent or maybe 3 per cent, to take into account the question of interest that may or may not be payable on money used.

The Hon. M. B. CAMERON: I refer to the idea that people who borrow money should receive a benefit on the sale of a block, but people who do not borrow money should not receive such a benefit. The Hon. Mr. Burdett seems to assume that the small man will borrow money, but that is not necessarily so. The small man may pay cash, and in that case he will not get the additional amount. If the amendment is carried, a person buying a block of land will automatically borrow money so that he can get the benefit.

The Hon. A. F. Kneebone: It would be good for the finance companies.

The Hon. M. B. CAMERON: Yes. I intend to vote against the amendment, but I support the concept of increasing the amount that people can obtain during this period, but not necessarily leaving it at a fixed amount. Perhaps interest rates and the rate of inflation will come down. It is better to tie the matter to the long-term bond rate.

The Hon. F. J. POTTER: I, too, support the idea that perhaps a much higher rate of interest should be allowed.

The Hon. M. B. Cameron: Not higher, but fairer.

The Hon. F. J. POTTER: There is a real disability in this amendment: the more money one borrows, the higher the permitted final selling price.

The Hon. C. M. HILL: I take the contrary view. Let us look at the situation of the little man. He may be newly married when he purchases a block of land. Most people in that situation borrow money on the land from finance companies. If for any genuine reason that person

has to sell the block of land, it is all very well to talk about the totality of the price, but that person is faced with the hard fact that he has spent money and paid interest. He is not getting up to any trickery: he was forced to borrow money and pay interest to purchase the land and he ought to be given an opportunity at law to get back the money spent in interest payments when he sells the land.

The Government evidently believes that it will be fair if the person is forced to sell on the basis of 7 per cent per annum; and the Government evidently also believes that it will be fair if he loses his interest and, therefore, loses on the whole transaction. If that is a fair go, I will eat my hat. The Hon. Mr. Burdett has foreseen the argument that one would normally expect the Government to advance. It usually says, "What about the fellow who concocts a scheme with his brother-in-law whereby one is a mortgagee and the other a mortgagor? A person could borrow money from a friend at a very high interest rate, simply to take advantage of the legislation and have the interest recouped."

Under the amendment, the interest that he could recoup cannot exceed 10 per cent, so that would put the stopper on that kind of conniving, if it came about. That aspect should appeal to the Government. If that little man went to a finance company today he would have to pay between 13 per cent and 15 per cent interest; so, under the amendment, he would still stand to lose.

The Hon. A. F. Kneebone: Plus compound interest at the ruling rate, plus 1 per cent.

The Hon. C. M. HILL: That is on the question of his being allowed some profit.

The Hon. A. F. Kneebone: That's the interest rate.

The Hon. C. M. HILL: Yes, on all his outgoings. The further amendment in the general group of amendments would permit him to obtain a 10 per cent profit. If the bond rate were 9 per cent, he would get 10 per cent; in other words, 1 per cent more than the ruling rate, compared to the 7 per cent in the Bill. The purchaser of land who is, for some genuine reason, forced to sell the land ought to be able to recoup at least some of the interest he has been forced to pay because of his financial circumstances.

The Hon. M. B. Cameron: He's not buying it for resale.

The Hon. C. M. HILL: I did not say that he was. There are circumstances in which genuine people buy land with the object of building on it but who, for genuine reasons, ultimately do not build. They put their asset on the market, and perhaps they have to sell their motor vehicle, because they have to find money for a deposit on a house. Where the case is genuine, they ought to be able to receive back at least some of the money they have expended.

The Hon. Sir ARTHUR RYMILL: The real matter causing all this trouble and what the Bill should be dealing with is inflation. Those of us who are old enough to remember the situation with regard to the value of land before the Second Warld War will recall that it hardly ever varied because we were in a static economy. The real value of land does not vary; it is the money symbols that one transacts in relation to the sale of land that vary. Were it not for inflation there would not be any difficulty about land prices increasing. As I should like the opportunity of having a further look at this matter, this might be a convenient time for the Chief Secretary to report progress, unless the Chief Secretary wants the matter dealt with urgently.

The Hon. A. F. KNEEBONE: Although there is a degree of urgency with this Bill, I am prepared to agree to the honourable member's request.

Progress reported; Committee to sit again.

LAND AND BUSINESS AGENTS BILL

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

COMPANIES ACT AMENDMENT BILL

In Committee.

(Continued from November 1. Page 1548.)

Clause 3—"Registration of auditors and liquidators."

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

In new subsection (18) after "shall" to insert ", when acting in the exercise of his powers or the performance of his duties,".

I thank the Minister for his kindness in reporting progress, as this gave me the opportunity to study more closely his replies to me. I find myself in somewhat of a quandary. First, the Minister is correct in saying that other States (I have checked only in regard to New South Wales; therefore, I assume that the Minister's information is correct with regard to Queensland and Victoria) have adopted the same wording as exists in this Bill. A strong case could be made for maintaining as far as possible uniformity in companies legislation. Nevertheless, one must wonder whether a detailed examination was made of the clause by those State Parliaments that have passed this provision. I still prefer the wording in the 1962 Act. Counsel has told me that, irrespective of the wording, the Audit Acts of the Commonwealth and South Australia (not the Companies Acts) detail the powers of Auditors-General.

I tried to check the Audit Act, which has a bearing on this matter, and I found that it was difficult because of the large number of amendments that had been made to it and the fact that it has not been reprinted for some time. In replying, the Minister said that the Yorke Peninsula Barley Producers Limited and the Australian Wine Research Institute had appointed the Auditor-General as auditor, but that practice should not be encouraged by Statute. I believe that some restrictions should be placed on Auditors-General being used by private companies in which no Government money is involved. This practice should not be encouraged, and I am sure the Auditor-General would agree with my contention. Many reasons exist for this practice to be discontinued. Under the 1962 Act the Auditor-General could act, if appointed to audit any company, under the powers of the Audit Act, which opens another range of discussion. The Auditor-General must have power to act as a company auditor, for example, if his services are to be used to investigate a suspected fraud.

I am sure the Auditor-General, in South Australia or in any other State, does not wish to be used for purposes other than the normal functions of his office. I know the Auditor-General in South Australia audits the books of the Queen Victoria Maternity Hospital, which is a private organization but which draws Government money for its building programme, and he also acts as auditor for statutory authorities, such as the Barley Board, which originally used private auditors and then agreed to use officers of the Auditor-General.

The Hon. T. M. Casey: The Egg Board is another statutory authority.

The Hon. R. C. DeGARIS: Yes. I do not object to officers of the Auditor-General being used to audit a

statutory authority or to investigate suspected fraud. However, Cellulose Australia Limited, in which the Government held shares for many years (it was the intervention of the Government that enabled the company to remain viable in the South-East), should not use officers of the Auditor-General. I realize now that this Bill is wider than I first thought. Under the old Act the Auditor-General could be used as an auditor by a private company if he was appointed and if the Government allowed him to operate. I firmly believe that this is a wrong principle and should be narrowed to the original wording. The amendment will not place any restriction on the Auditor-General's acting, if appointed by a company, as auditor.

The Government should examine the Audit Act to place restrictions on the appointment of the Auditor-General to audit private companies. Perhaps we could later look at the Audit Act and outline the duties of the Auditor-General. This is a complex matter, and uniformity enters into it. I suggest it should be brought to the attention of the other States, as they may well return to the wording I have used in my amendment.

The Hon. T. M. CASEY: The Leader's amendment is not nation rocking, and I accept it.

Amendment carried; clause as amended passed.

Remaining clauses (4 to 8) and title passed.

Bill reported with an amendment. Committee's report adopted.

ELECTORAL ACT AMENDMENT BILL (COMMISSIONER)

Adjourned debate on second reading.

(Continued from October 25. Page 1441.)

The Hon. R. C. DeGARIS (Leader of the Opposition): As the Bill that caused a delay in the passage of this Bill was assented to by Her Majesty on October 24, we now have a principal Act that can be amended. This Bill makes the present electoral officer the Commissioner and places him in a similar position to the Auditor-General and other officers of the State. I am certain that that concept is supported by every member of this Chamber.

This provision has been suggested on many occasions since I have been in the Council. I may be corrected, but on one occasion I believe such an amendment was actually moved to a Bill, but it did not receive the Government's support. We on this side are always well ahead of most Governments, whatever their colour. The reason for the amendment to section 71 comes down to the agreement reached between the two Houses on the Constitution and Electoral Acts Amendment Bill passed in the previous session. One of the problems that arose following that agreement was that, although a person might be elected to this Chamber, circumstances could arise where, in such an election, he actually would lose his deposit. Every honourable member would agree that that would be a rather ridiculous provision in any electoral legislation. However, it arose from the use of 4 per cent as the figure on which a member would lose his deposit, and in the event of a double dissolution it would mean that about 3·5 per cent could elect a member to this Council, with the allocation of preferences, but at the same time that person would lose his deposit. Obviously, this would be a rather ludicrous position.

The amendment clears up this anomaly and, as we have the Chief Secretary's assurance that Her Majesty has assented to that Bill, we can now proceed to correct the anomaly which occurred following the passage through this Council of the Constitution and Electoral Acts Amendment Bill. In supporting the second reading, I congratulate the Hon. Gordon Gilfillan for drawing the attention of the Council to this matter. I think we have done the right thing in not proceeding with this Bill until it has been made known that Royal assent has been given to the previous Bill.

The Hon. C. M. HILL (Central No. 2): I, too, support the Bill, although I have one query on which I would like the assurance of the Minister when he replies to the debate. It concerns the position of Mr. Douglass who, as we know, is the State Returning Officer. The Bill changes the title of that office to that of Electoral Commissioner. I looked through the explanation of the Minister when he introduced the Bill and endeavoured to find out whether or not he had admitted that Mr. Douglass would carry on in this new role. I would wholeheartedly support his doing that; I have a great admiration for him, as a public servant and as one who holds this most important position. He has always appeared a most industrious officer, one who has been scrupulously fair, and one who has been most helpful to me (and, I know, to other Parliamentarians, irrespective of Party) when queries have been taken to him for help and advice. I should not like to see any change in that position with the creation of the new office, nor would I like to see Mr. Douglass passed over for the new position.

The Hon. R. C. DeGaris: He has done a very good job.

The Hon. C. M. HILL: He has.

The Hon. D. H. L. Banfield: We have no intention of overlooking him.

The Hon. C. M. HILL: I ask the Minister, in closing the debate, to say whether the Government intends to appoint Mr. Douglass to the new position of Electoral Commissioner provided in the Bill.

The Hon. M. B. DAWKINS (Midland): I should like to add a few words on this Bill. I support the comments of the Hon. Gordon Gilfillan in drawing the attention of the Council to the amendment of section 71, and to the fact that apparently the assent of Her Majesty had not been received. I endorse the comments of my colleagues regarding the change in the title from State Returning Officer to Electoral Commissioner. I think the Hon. Mr. DeGaris said this matter had been advocated in this Council, and I endorse that comment because I am sure many members have felt for some time that the Electoral Commissioner, as he will be known, should be in the same position as the Auditor-General and other prominent public servants in that he should be independent of what at some time could be undue influence. The Government, in bringing forward this Bill, will be implementing something which could well have been done some years ago and which has been advocated in this place before today.

The Hon. R. C. DeGaris: Was an amendment moved here at one stage, or not?

The Hon. M. B. DAWKINS: I am not sure whether an amendment was moved.

The Hon. A. J. Shard: I do not think so.

The Hon. M. B. DAWKINS: I think that we suggested such an amendment to the previous Labor Government and that it was not acceptable, but I am not sure. I also endorse the comments about Mr. Douglass, who has been the State Returning Officer. During the whole of my period in Parliament I have had dealings with him from time to time, seeking advice and assistance, and he has always been most helpful—regardless of politics, of course. He was the Returning Officer for Midland when I was first elected to this place, and from that association until the present day I have always had a high regard for

Mr. Douglass and for his integrity. I am glad to note the indication from the Minister of Health, given a moment ago, that apparently it is the intention of the Government to confirm Mr. Douglass in this appointment when the Bill becomes law. With those few words, I add my support to the Bill and express my gratification that the Government is putting the chief electoral officer in the State in a position in which he is (as he should be) completely independent.

The Hon. D. H. L. BANFIELD (Minister of Health): I thank honourable members for the attention they have given the Bill; I especially thank the Hon. Gordon Gilfillan for his contribution. The Government shares the confidence of the Opposition in Mr. Douglass, and it has no intention of overlooking him when the Electoral Commissioner is appointed.

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

ADJOURNMENT

At 5.47 p.m. the Council adjourned until Wednesday, November 7, at 2.15 p.m.