LEGISLATIVE COUNCIL

Wednesday, November 14, 1973

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

QUESTIONS

MURRAY RIVER

The Hon. J. C. BURDETT: Has the Minister of Agriculture received from the Minister of Marine a reply to the question I asked on November 6 regarding his considering, as a matter of urgency, issuing a warning against operating boats at speed and water skiing on the Murray River in its present condition?

The Hon. T. M. CASEY: I have not received a reply from my colleague. However, now that the honourable member has raised the matter, I will take it up with my colleague and see what can be done to expedite a reply.

RUST IN WHEAT

The Hon. G. J. GILFILLAN: Has the Minister of Agriculture a reply to the question I asked on November 6 regarding whether rust resistant wheat varieties could be made available as seed next year?

The Hon. T. M CASEY: The Director of Agriculture reports that no registered seed is available for any of the current resistant varieties. It has been the department's policy to multiply seed of recommended varieties only. Although no special provision has been made for the segregation of seed, growers are being fully informed of the resistant variety situation through the mass media, and the Wheat Board has indicated that it will issue permits for the private sale of seed of any of these resistant varieties. Although accurate figures of the area sown to these varieties in 1973 are not available, it is estimated that 2 000 ha to 4 000 ha has been sown to each of Eagle and Timgalen, and there is a small acreage of Gatcher and Gamut.

Agriculture Department trials throughout the State have shown that Eagle has yielded to recommended hard wheat varieties, Gabo, Glaive and Raven, in non-rust seasons. Gatcher was only slightly lower yielding (about 5 per cent), but Timgalen and Gamut had given yields 10 per cent to 15 per cent lower than recommended hard varieties in rust-free seasons. There is, unfortunately, no f.a.q. or soft variety available that is now resistant to stem rust in South Australia. Two new hard wheat varieties from New South Wales, Kite, with a high degree of stem rust resistance, and Condor, with some resistance, were being extensively tested this year. Subject to satisfactory results, one or both could be added to the list of recommended or approved varieties for 1975. Steps are being taken within the department and also at Roseworthy Agricultural College for seed multiplication of these new varieties in 1974.

CANCER CURES

The Hon. C. M. HILL: Has the Minister of Health a reply to my question about a report of a possible cure for cancer?

The Hon. D. H. L. BANFIELD: The report in question concerned a cure of lung carcinoma treated by intravenous Methotroxate in which, at subsequent autopsy two years later, no carcinoma was found. There are three possible explanations: (1) the diagnosis was incorrect; (2) spontaneous cure occurred: (3) treatment was responsible for cure. From the report, the first possibility appears the least likely, leaving the other two. Methotroxate is a wellknown drug which has been used in South Australia for a number of years and, although Dr. Bean was perfectly justified in publishing this case because of its rarity, it should not be represented as a breakthrough in the control of cancer.

WATER STORAGES

The Hon. M. B DAWKINS: Has the Chief Secretary a reply to the question I asked recently about water storages, particularly the projected new storage on the North Para River?

The Hon. A. F. KNEEBONE: My colleague has furnished the following reply:

The North Para reservoir is at present being studied as a possible source of water. The study will take some considerable time and until the investigation is complete the size of a proposed reservoir cannot be determined.

WHEAT SALES

The Hon. A. M. WHYTE: Has the Minister of Agriculture a reply to a question I asked regarding cancellation of sales of wheat to Chile?

The Hon. T. M. CASEY: I have made inquiries for the honourable member regarding negotiations for sales of wheat to Chile, and I am advised that last year the Chilean order could not be met by the Australian Wheat Board for the simple reason that it did not have sufficient wheat, and that was why the so-called "contract" was cancelled. Nevertheless, I believe that further negotiations are at present going on between the board and the Chilean authorities.

The Hon. G. J. GILFILLAN: Has the Minister of Agriculture a reply to my recent question about the Prime Minister's visit to China?

The Hon. T. M. CASEY: I am assured that both the Prime Minister and the Minister for Trade maintain close collaboration with commodity marketing authorities in relation to negotiations at Ministerial level with oversea interests for the sale of Australian primary products, and that commitments are not entered into by either the Prime Minister or the Minister for Trade which the marketing boards are not aware of and could not fulfil. The Prime Minister has made it quite clear that negotiations at Ministerial level are conducted with a view to securing longer-term markets for primary products; they are not concerned with prices, which are negotiated by the relevant statutory bodies on a commercial basis.

TRAFFIC LIGHTS

The Hon. G. J. GILFILLAN: Has the Minister of Health a reply to a question asked of the Minister of Transport by the Hon. Sir Arthur Rymill regarding traffic lights in emergencies, such as those involving Fire Brigade appliances?

The Hon D. H. L. BANFIELD: My colleague reports as follows:

The Fire Brigade has several preferred routes in the city area and in the event of an emergency is able to override the traffic signal sequence along the route to enable a green signal to be displayed to the unit with the side road traffic held by a red signal. This system has been in operation since 1965 and was introduced following extensive consideration of other methods, such as flashing the red signals. This latter method proved to be unsatisfactory, as motorists were confused by the flashing red signal. Some stopped and some proceeded through the signals, and on many occasions the fire units were confronted with queues of stationary vehicles on each approach to the intersection. The introduction of a flashing red signal could create some confusion to Victorian motorists where this type of signal is used to replace the "stop" sign. The flashing red means "stop", and normal right of way applies. With increasing interstate travel, this could create

some danger to the Fire Brigade vehicles. The present scheme has the advantage of clearing the intersection in the direction in which the units are travelling, so minimizing the time required to reach the fire. The signal operation at the intersection of King William Street and Currie Street and Grenfell Street was checked with the Adelaide City Council, which advised that there were no reported faults on October 4. The Fire Brigade also advised that the signals were operating correctly at the time it proceeded through this intersection shortly after 2 p.m. and traffic was delayed for only two minutes.

FENCING MATERIAL

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

Leave granted.

The Hon. R. A. GEDDES: It appears that there is a delay of over six months in the primary producer being able to obtain fencing material like cyclone wire, etc. It was announced by Broken Hill Proprietary Company Limited that it is unable to increase its steel output because of various factors. Can the Minister say whether consideration can be given at the Commonwealth level to a form of rationing, similar to what occurred during the Second World War, being implemented so that each State can get a fair allocation of fencing material coming from the mills? Also, can the distributors in each State be asked to allocate supplies on a quota basis so that there will be a fair distribution of the fencing material available within the State?

The Hon. T. M. CASEY: I am prepared to look at the honourable member's proposition and, if necessary, I shall take it up with the Commonwealth authorities to see what can be done.

BARLEY SALES TO JAPAN

The Hon. B. A. CHATTERTON: I believe a delegation from the Australian Barley Board recently completed a highly successful trip to Japan. Can the Minister of Agriculture supply the details of any contracts made there?

The Hon. T. M. CASEY: I am pleased indeed to confirm the outstanding success of the Barley Board's mission to Japan, which was completed last month. The negotiations resulted in a firm commitment for the sale to Japan of almost 300 000 tonnes of barley from South Australia's coming harvest. This will be the largest quantity of barley ever supplied by the board to Japan, except for shipments in 1956-57. I understand that price negotiations are still continuing but that the total value is expected to be well in excess of $25 000 000 (Australian). Shipments will probably begin in December and will continue through the following 10 months.

I am informed that the mission also conducted trade talks with Taiwan, which in recent years has taken substantial quantities of our barley. The results of the mission to Japan are a notable achievement, and I take this opportunity to commend the Chairman and members of his delegation for the conduct of the negotiations. Japan is, of course, a most valuable market where a growing inquiry for barley for human consumption is complemented by a strong demand for this grain for stock feed. I might add that excellent harvest prospects in South Australia and Victoria this year have enabled the board also to effect extensive sales to the United Kingdom and the Continent, as well as making provision for the needs of the important Asian market.

PARLIAMENT HOUSE

The PRESIDENT: I have to report to the Council that, following a question from the Hon. Sir Arthur Rymill on October 18 regarding air-conditioning in this Chamber, I have received the following report from the Minister of Works:

With reference to the question asked by the Hon. Sir Arthur Rymill on October 18, 1973, concerning air-conditioning in the Legislative Council Chamber, I advise that the existing air-conditioning system will be replaced with a new system as part of the renovations which are in progress at Parliament House. The new plant will not, however, be operative for heating and ventilation before mid-1974 and for cooling before October, 1974. As an interim measure it is proposed to improve the existing cooling system to serve the Legislative Council Chamber by increasing the chilling capacity of the system. This work will be completed before the Parliamentary sittings commence early in 1974.

UNDERGROUND WATERS PRESERVATION ACT REGULATIONS

Order of the Day, Private Business, No. 1: The Hon. R. C. DeGaris to move:

That the regulations under the Underground Waters Preservation Act, 1969-1970, made on June 14, 1973, and laid on the table of this Council on June 19, 1973, be disallowed.

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

That this Order of the Day be discharged.

Order of the Day discharged.

CRIMINAL LAW (SEXUAL OFFENCES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 7. Page 1615.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I give support to the general approach that this Bill makes to the question of sexual offences in the criminal law. Having said that, I also indicate that I do not give unqualified support to the total Bill. In his second reading explanation the Hon. Mr. Chatterton said:

The effect of the present position is that a minority of otherwise law-abiding citizens are declared criminals and are unable to make to society the useful contributions that they would otherwise be able to offer. The state of the law at present is iniquitous and entirely unsatisfactory.

That is strong, heady stuff but, on examination, I suggest that it is rather inaccurate and quite unconvincing. I would pose the question: what part of the existing law makes otherwise law-abiding citizens declared criminals? On examination, the phrase is not factual. The Bill is supposed to bring rationality to the existing criminal code on sexual behaviour; yet to me it creates just as many anomalies as exist at present, if anomalies do exist at present.

Since the acceptance by Parliament of an amendment to the Act as a result of the introduction of a Bill last year by the Hon. Mr. Hill, I have not been approached by anyone who has complained about the law in this area, that the law has been overbearing, or that officers of the law have been overbearing in relation to this matter. On the other hand, I have been contacted by people who have spoken on behalf of homosexuals and who agreed with the view expressed somewhat bluntly by my colleague, the Hon. Mr. Whyte but, nevertheless, who gave some approval to his statement that there are at present many so-called activists who are making a considerable amount of noise publicly but who really know little of the total problems of homosexuality. Even before the amending Bill was passed last year, I do not believe that

the Hon. Mr. Chatterton could have substantiated the wide statement he made in his second reading explanation. I am sure, from the information that has come to me, that it cannot be substantiated, following the recent changes made to the criminal law. Let me examine the second statement made by the Hon. Mr. Chatterton in his second reading explanation. He said:

If one accepts the view that some people are fundamentally and unalterably homosexual, the present position is the equivalent of declaring black skin or blue eyes illegal.

I slightly vary that statement and include the word "kleptomaniac" instead of "homosexual" and read it again. It would then read:

If one accepts the view that some people are fundamentally and unalterably kleptomaniac, the present position is the equivalent of declaring black skin or blue eyes illegal.

One could go on with variations on a theme in this way. One can see that this broad statement hardly stands up to examination as a logical explanation of the changes made by the Bill. I come down to the point where I believe that a change in the present law is not warranted, and my opposition to the Bill stems from the changes it makes in sections 68a to 72 of the principal Act, which changes I do not support. The Hon. Mr. Burdett, in his approach to the Bill, drew the line at a different position from where I would draw it. Although I respect his view, I believe that where he draws the line is further back in the total approach to this problem. His approach is that it is impossible to relate to homosexual matters in the same way as one relates to ordinary sexual offences. In this approach he may well be right, but I do not accept that approach absolutely: I draw the line at the actual act of buggery. This act, apart from all other considerations, should be maintained as an offence. The approach made during the passage of the Bill introduced by the Hon. Mr. Hill is satisfactory. The act of buggery was maintained as an offence there, but a defence mechanism was provided—an approach used in so much other legislation that we have to consider. Indeed, there is a Bill before the Chamber that was debated yesterday where this same approach is used.

Where to draw the line and still maintain a rational approach is the main bone of contention as regards this Bill. Of course, the Bill still maintains buggery as an offence in relation to animals; in other words, it still maintains the offence of beastiality. The originator of this Bill had the same problem of where to draw the line: he drew it in relation to the question of beastiality, but I take it one step further back and draw the line at a different place from the originator and also in a different place from that suggested by the Hon. Mr. Burdett.

After examining the Bill I find it difficult to amend because it begins with a philosophy that is evident throughout the Bill. This point was well taken by the Hon. Mr. Burdett when he debated it. If the Bill passes the second reading I will seek to amend it along the lines I have indicated. The Bill touches other minor matters as well as the major question, and these minor matters will need to be closely examined; however, I do not intend at this stage to deal with them but will examine the Bill more closely in the Committee stage if it passes the second reading.

The definition of "rape" has already been mentioned, and I believe that it should be changed. Part II of the Bill (and I have not yet examined it completely) contains anomalies that need to be examined. Clause 37 seeks to amend the Police Offences Act. If one examines that Act one sees that section 25 deals with the question of any female person who:

(*a*) in any public place or within the view or hearing of any person in a public place accosts or solicits any person for the purpose of prostitution; or

(*b*) loiters in any public place for the purpose of prostitution,

shall be guilty of an offence.

Section 26 deals with any male person who:

(*a*) knowingly lives wholly or in part on the earnings of prostitution; or

(*b*) in any public place solicits for any immoral purpose,

shall be guilty of an offence.

The amending clause in this Bill seeks to remove the word "female" from section 25 and also to remove subsection (2) (*b*) of section 26. Section 27 of the Act deals with brothels, which is defined as any premises:

(*a*) to which people of opposite sexes resort for the purposes of prostitution; or

(*b*) occupied by any woman or women for the purposes of prostitution;

There appear to be other matters involved in this Bill as well, and if the general concept is to be followed they will have to be examined. I will wait until the Committee stages, of course, before dealing with any amendments.

The Hon. R. A. GEDDES secured the adjournment of the debate.

LAND AND BUSINESS AGENTS BILL

Adjourned debate on second reading.

(Continued from November 13. Page 1709.)

The Hon. A. M. WHYTE (Northern): The controversy surrounding land agents and land brokers is highlighted by the various comments that are made regarding the necessity to introduce this legislation. Although I have not heard much from country agents or brokers regarding it, the position in the city is indeed different. If there is any truth in some of the stories that one hears concerning agents and brokers, it is time that legislation like this was introduced. I have no reason to doubt that some of these stories are true. Indeed, I could, without being able to substantiate them, refer to acts of trickery that have netted huge profits for various land agents. In principle, therefore, I have no objection to most of the Bill.

However, I believe the Bill is loaded towards the legal profession, as is much of our legislation today. I am not sure that a fair percentage of the legal profession can be held above suspicion, either. Probably no greater a percentage of legal men is free of trickery than, say, farmers, land agents, or other sections of the community. Despite this, there seems to be an unnecessary loading in the Bill towards the solicitor, in whose direction much of the brokerage will be channelled.

It is interesting to note that the South Australian legislation was, until recently, acclaimed as the best of its type in Australia. Indeed, the other States assigned persons to study our land brokerage and land sales system, with the idea of implementing similar legislation. I was therefore surprised to see our whole concept thrown overboard and an entirely new scheme regarding these sales placed before us. However, as I have said previously, if it is true (and I am inclined to believe that it is) that land agents have been able to manipulate sales to suit themselves, we must have this type of legislation on our Statute Book.

In commenting on the need to channel so much of this type of legislation to the legal profession, I should like, to substantiate what I have said regarding the percentage of legal practitioners who are above criticism, to refer to

the following statement attributed to Sir Robert Mark, Britain's Metropolitan Police Commissioner:

Experienced and respected detectives could identify lawyers in criminal practice who were more harmful than the clients they represented.

Although Sir Robert said much more than that, I refer to that portion of his statement only, because it seems unnecessary for so much of our business to be put through solicitors and various legal channels. Perhaps the only bone of contention of great consequence to me is that, where there are no lawyers in a country district, and brokerage cannot therefore be handled there, the community of that district will be placed at a disadvantage. I cannot see why it would not be advisable to permit land brokers operating in the country to do the brokerage work for another agent. In most country centres there are at least two agents with a broker's licence. Although it might be fair to say that a land agent should not handle the brokerage for his own transaction, it would be in order, and indeed would serve the community better, if he was permitted to handle the brokerage of an opposition agent. In Committee I will test honourable members' feeling on an amendment that I will move along those lines. My next question relates to clause 90 (1) (*a*), which provides as follows:

particulars of all mortgages, charges and prescribed encumbrances affecting the land or business subject to the sale.

Paragraph (*b*) provides as follows:

particulars of all mortgages, charges and prescribed encumbrances that are not to be discharged or satisfied on or before the date of settlement.

Paragraph (*a*) therefore provides that all mortgages, charges and prescribed encumbrances must be made public regardless of whether they have been discharged. There seems to be no necessity for such particulars to be made public when they have been discharged. Paragraph (*b*) protects the purchaser, and it seems unnecessary that disclosures other than those necessary to protect the purchaser should be made. Clause 91 provides:

A person who desires to sell a small business shall, before a contract or agreement for the sale of the business is signed, or a deposit in connection with the sale is paid (whichever is the earlier), give to the intending purchaser a statement in the prescribed form . . .

One could ask what will be on the prescribed form. If honourable members had some information regarding the details required on the form, it would greatly assist them. Having made these remarks and indicated my intention in Committee to move an amendment, I support the Bill.

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

COMMERCIAL MOTOR VEHICLES (HOURS OF DRIVING) BILL

Adjourned debate on second reading.

(Continued from November 13. Page 1710.)

The Hon. C. M. HILL (Central No. 2): This is the first of two Bills before the Council dealing with controls over commercial motor vehicles. I support the measure for the purpose of getting it into Committee, where I believe close scrutiny of some clauses will be necessary. I join with the Minister and with the Hon. Mr. Whyte in expressing appreciation of the committee that sat on this measure and investigated aspects of hours of driving and log-books, the two issues we are now considering.

Especially do I express appreciation to Mr. Flint, who was the Chairman of that committee. I have always held a very high opinion of Mr. Flint as an extremely well qualified and competent senior officer of the Highways Department who has played an important and influential part in transport and highways planning in this State over many years.

I commend the Minister for the approach he adopted in appointing a representative committee to look first at this whole question and to take evidence from people directly interested. In my view, that is the only way in which changes of this kind should be initiated, and I hope that, on any future occasion when the present Government is faced with the need to amend legislation affecting various interests throughout the length and breadth of the State, it will adopt a similar approach. This applies to legislation introduced not only by the Minister of Transport but also by other Ministers. It is beyond doubt the best possible way of investigating the introduction of any changes that may be needed.

The Bill deals with only two main issues, the first being hours of driving. As the Minister has said, this issue has been considered from time to time over a great number of years. I think he mentioned 1961 as the first occasion when discussion took place at Ministerial level. Personally, I have never been in favour of introducing legislation covering hours of driving, because I support the philosophy that Governments should give individuals maximum opportunity to display their abilities and their talents without controls, if that is at all possible.

As I do not like controls in any way unless they are really necessary, I have not previously taken an active part in introducing or supporting the introduction of legislation dealing with hours of driving. While I acknowledge that such legislation applies in other States, I do not accept the thesis that, because that is the case, it should be adopted here in the cause of uniformity.

I have always been reluctant to accept this control as it applies to commercial motor vehicles and to the drivers of those vehicles. However, I am willing to admit that road safety must be borne in mind more and more as time passes. I do not know whether inquests into accidents and fatalities involving commercial vehicles in the past few years have revealed that the cause of such accidents has been the tiredness of the driver.

Although I admit that some findings may have been brought down but not made public, I have neither seen nor heard of cases where the tiredness of drivers has been the cause of accidents; indeed, I have always held a high opinion of hauliers and road transport owners and operators in this State.

From time to time they are criticized by motorists and others, but my personal experience has been that they are responsible South Australians who have conducted their affairs in relation to road transport in a most responsible way. With such a group of responsible operators, and with the lack of evidence of a need to introduce this legislation, my view that there has not been a need to proceed in this way is further supported. I repeat (I do not want to be misunderstood) that I accept that the aspect of road safety is nevertheless becoming more important all the time.

Another reason why hours of driving legislation has not been introduced here and why the matter should be given most serious consideration is the practical aspect of the geography of the city of Adelaide. Drivers of heavy vehicles coming from the Eastern States (for example, through the Adelaide Hills) may hurry and therefore drive at speeds greater than normal to arrive at their destination in metropolitan Adelaide within the time required to avoid the necessity for a rest period.

That situation could possibly cause the driver to drive faster through the Adelaide Hills, a very dangerous area indeed for reckless drivers. Drivers coming in from the

north find an area of metropolitan growth extending to Gawler and, if the law causes drivers to tend to drive faster than they should in order to reach their depots within the prescribed time before a rest period, a dangerous situation can arise.

This point was raised yesterday by the Hon. Mr. Whyte, and there is much merit in his suggestion that perhaps this law should not apply within a radius of 25 miles (40·2 km) from the centre of the city. In that case, even though drivers did tend to speed unduly or recklessly to comply with the provisions of the Act before a rest period, such speeding would be on roads that are much safer than are those in the Adelaide Hills.

The Hon. D. H. L. Banfield: Many accidents happen on the open road.

The Hon. C. M. HILL: I agree that accidents do take place on the open road.

The Hon. T. M. Casey: They can take place anywhere, can't they?

The Hon. C. M. HILL: Yes, but I am speaking of the proportion of accidents, and the degree of risk of accidents within a 25-mile (40·2 km) radius would be far greater in the Adelaide Hills than the degree of risk, especially to pedestrians from the residential areas, in the north of the city.

The Hon. T. M. Casey: Are you talking about the percentage of accidents in relation to the volume of traffic?

The Hon. C. M. HILL: I am talking of the area to the north of the city; we are talking about pedestrian as well as vehicular traffic. The main dangers of accidents in the Hills are to the drivers themselves and not to other vehicles or persons. However, this merely stresses the point that, Adelaide being placed as it is close to the Adelaide Hills with a vast spread of residential growth to the north, elements of this kind must be borne in mind if we are to be practical in introducing legislation covering hours of driving.

Surely we must look at the practicability of the situation rather than rush in blindly and theoretically and accept the same hours and rest periods as are required in other States. I shall be interested to see whether the Hon. Mr. Whyte proceeds with his proposal in the Committee stage. I understand that particularly in New South Wales the officers who police this control take a commonsense view and seldom do the police stop vehicles when they are within a distance of about 40 miles (64·37 km) of the city of Sydney. It appears that the same principle is accepted there, although no doubt it is not written into the law.

The second issue deals with log-books. Here again, I would never take the initiative in regard to the introduction of log-books. I know how people in the industry in the past have been greatly opposed to them, mainly because of the obstruction caused to owners and drivers by the inspection and general policing of log-books. I was interested to see that, in introducing the Bill, when dealing with log-books, the Minister said:

The legislation basically functions through drivers being required to keep a prescribed log-book relating to the periods spent by them in driving and resting from driving.

Elsewhere the Minister said:

One of the principal uses of the log-books and records is, of course, to enable the policing authorities to detect with reasonable facility any breaches of the restrictions on the hours of driving and, obviously, the production of such records is essential.

From my experience, I have found that the greatest resistance to the need for log-books has come from those people who pay road maintenance tax. I ask the Minister whether, if log-books are introduced here, the whole matter of road maintenance tax will be tied up with them. We gained the impression from the Minister's speech (in fact, he said it factually) that their principal use will be to deal with hours of driving, but I believe they will also be used, where heavier vehicles are concerned, to police the road maintenance tax.

That point has not been mentioned previously, but I think it should be mentioned and considered because it is a controversial and live issue and, in all fairness, if those log-books were to be used for that purpose, that point should have been made clear in the Minister's statement. I notice, too, with interest that the form of the log-book will be prescribed. That will, of course, give this Council a further opportunity to look at the general form of the log-book, because it will have to come down by way of regulation.

The Hon. D. H. L. Banfield: That will be uniform throughout Australia.

The Hon. C. M. HILL: Yes; the Minister said it would be uniform and I suppose in regard to national transport companies there is a good argument for that. However, I stress that, just because something is accepted in other States, it does not necessarily mean that South Australia should blindly accept it or follow the same procedure. It may well be that it is the best and most acceptable form of log-book. At least, we shall have the opportunity to look at it again when it is brought down by regulation.

Generally, I think that the Hon. Mr. Whyte had a strong point when he talked yesterday of the penalties in the Bill seeming to be harsh. A strong case can be made out for deleting imprisonment as a penalty under this Bill. However, that is another matter that can be looked into later. I know that the primary producers are making strong representations on some clauses of the Bill. From what I have heard, those representations seem to be reasonable. I am sure they will receive sympathetic consideration.

The Hon. D. H. L. Banfield: They want to be a law unto themselves.

The Hon. C. M. HILL: No; they have never wanted to be a law unto themselves. They want only a fair go, and in their circumstances I think they are entitled to a fair go in matters of this kind.

I query clause 7 (2), which seems to be involved with much red tape where drivers and owners must keep records for up to three motnhs. In the provision dealing with the road maintenance tax, forms with comparable information are retained, and I am told by those involved in this matter that there would be an unnecessary duplication if they were forced by this law to keep a separate set of records for a further three months.

Generally, my main point on log-books is that we must try to ensure that the drivers are treated fairly, that the inspections and all the other policing that will be closely allied to the log-book concept is fairly applied, and that a minimum of obstruction to the drivers on the roads occurs. That is the general concept that we must look for and aim at when this Bill reaches the Committee stage. As I said earlier, so that it can do that, I support the second reading.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

SOUTH AUSTRALIAN MUSEUM BILL

Adjourned debate on second reading.

(Continued from November 8. Page 1676.)

The Hon. JESSIE COOPER (Central No. 2): It must be a matter of pride to all South Australians that a natural history museum was established in South Australia at a very early stage in the history of the State. The Natural History Society of South Australia was formed on December 13, 1838. At a meeting of gentlemen held in the courthouse of Adelaide, His Excellency Lieut.-Col. George Gawler was elected President. The object of the society was the cultivation of the science of natural history in all its branches, and more especially the natural history of South Australia. The Government of the day passed the South Australian Institute Act on June 18, 1856, so we see that within 22 years much had been accomplished. The preamble to that Act states that it is expedient to establish and incorporate a public institution to be called the South Australian Institute, to comprise a public library and museum. History repeats itself: in the following year a short amending Bill was passed during the same session of Parliament to clear up some defects in the original Act.

There was also a tremendous brouhaha about the site of the museum. In the first instance it was to be sited where we now are, on the corner of North Terrace and King William Street, called the City Bridge Road. It was surprising how many people protested at this. I thought today how one never knows what one's actions will result in. If those protests had not been made, the museum might have been built here and, judging by the noise of renovations that is evident today, I wish it had been built here. We could easily have been sitting peacefully and quietly in what is now known as the old Legislative Council building. In 1878 Professor Ralph Tate, the famous scientist who had been appointed to the Elder Chair of Science at the University of Adelaide, made the following comment about the status of the museum:

We have not only to consider the wants of the gazing public but also to provide for the requirements of the special student and to afford materials for the savant in promoting original research, which functions ought not to be sacrificed for the benefit of mere sightseers.

I have gained this information from a book entitled *The First Hundred Years of the South Australian Museum*, 1856-1956 by Herbert M. Hale, who was Director of the museum after starting as an assistant to Mr. Waite, the Director in 1914. All sorts of famous names come to one's mind when one studies the history of the museum. It is strange how many of these names continue in connection with the present conduct of the museum—for example, Stirling, Waite, Wood-Jones, Mawson, and Cleland, whose daughter is now a member of the board.

This Bill, which seeks to provide for the administration of the museum and to repeal the Museum Act, 1939, sets out more extensively the responsibilities and functions of the Board of the South Australian Museum. Whereas under the old Act the board was empowered to receive, collect, buy, sell, exchange, display, and generally care for items of natural and historical interest, the new Bill more precisely specifies the museum's activities in the realm of education and dissemination of information. I point out, however, that from the earliest times in its history it was conceived that the museum should do all those things and, indeed, it has been doing them. In 1937, two years before the old Act came into force, Dr. A. Grenfell-Price, who was later knighted, produced a report of an inquiry commissioned by the South Australian Government into the system of management of libraries maintained or assisted by the State. In that report there is the following paragraph relating to the future of the museum and the Art Gallery:

It is not within my instructions to make recommendations as regards the Museum and Art Gallery, but the Government may be interested in the evidence which came to the inquiry unavoidably, owing to the close relations between the public libraries and the museums and art galleries in several States. The interstate opinion is in general that the Museum and Art Gallery would be best managed by small boards of people expert in these interests. Each institution would be administered by its professional director with a very small clerical staff. Strong local representations have been made to this inquiry that the Government should request the University to manage the Museum, if not both institutions. In this case, if the University were willing to undertake the task, it would doubtless appoint boards of interested and expert people, as it does in the case of the Observatory, and ask for a special line on the Budget to cover the expenses of running and management. Some witnesses, both interstate and local, consider, however, that the University is not the proper body to manage institutions which primarily exist for public exhibitions and for education, and that, in the case of the Museum, undue emphasis might be laid upon research.

So, there was no doubt that in 1937 the museum was regarded as an institute of learning. In his second reading explanation the Minister said:

In addition to fulfilling its traditional scientific purposes, the museum today has a highly important educational responsibility, and the board's functions include the collection and display of material of educational, as well as of historical and scientific value. The old Act dwelt rather specifically on the care and control of the collections and not upon museum functions of curation, research and education.

I ask: what on earth does that mean? It sets the care against curation. Any small boy beginning his study of Latin can confirm this. The Minister's explanation continues:

While all of these roles have been pursued actively since the Second World War and the former long before that, the museum has moved into the twentieth century, so to speak, only relatively recently, to become a lively, dynamic place of serious scholarship, arresting displays and powerful education thrust.

Apart from regarding that as an insult to all the people who have worked toward the ends I have referred to, I am amazed at the verbiage. If I had turned in prose like that when I was taking my degree in English language and literature, the professor would have rightly called it a purple passage or, if it had reached the hands of one of our lecturers, he would have dealt with it in a much less gentlemanly fashion and termed it bilge or even drivel. In any case, the Bill makes great play of the role, supposedly newly thought of, of the museum as a place of education and dissemination of knowledge. Whether or not it was particularly necessary to specify these matters, the Bill does so.

The Bill also provides that the Museum Board will be closely associated with the Environment and Conservation Department instead of the Education Department. Much, too, was made of this matter in the Minister's second reading explanation, but I doubt whether the Museum Board has been given more intensive rights under this Bill than it possessed formerly. It certainly has lost some of its administrative rights and, to my mind, it faces the danger of becoming merely an advisory board. I draw honourable members' attention to subsections (1) and (2) of section 15 of the old 1939 Act, as follows:

(1) There shall be a department in the Public Service called "the Museum Department".

(2) The Director shall be the permanent head of the department.

However, under the Bill before us we find a complete reversal of this situation.

The Hon. T. M. Casey: We're in the twentieth century now.

The Hon. JESSIE COOPER: Clause 14 of the Bill provides:

(1) There shall be a Director of the museum and such other officers as the Governor may think fit to appoint for the administration of this Act.
(2) The Director and other officers shall be appointed and hold office subject to, and in accordance with, the Public Service Act, 1967-1972.
(3) The Director and other officers appointed under this Act shall be officers of the Environment and Conservation Department.

You will notice, Mr President, that the head of the museum will no longer be the head of a Government department. Moreover, the museum is no longer described as a department in its own right or, indeed, as a department. Reference to it as a separate department has disappeared. The Director and his staff will be part of the Environment and Conservation Department and, therefore, subject to a degree to the Director of that department. The Minister has said that we have moved into the twentieth century, but he should be consistent in this matter. In my view the Bill is a backward step. We have in recent months during this twentieth century had a spate of Government action that has made various institutes of learning autonmous bodies. However, in the case of the museum, the exact opposite is the case: we are going back to the eighteenth century. The museum is, in itself, an institute of learning that has provided background study material for a wide range of research, and is geared for research in its own sphere. I find it strange that the Government should be planning to take away from the board part of its autonomy and place it within the sphere of the Minister and the Environment and Conservation Department.

I make these points because I fear that, under the new Act when it comes into operation, the board might well be in danger of losing more than it gains. Again, I draw attention to the fact that, whereas in this Bill (as in the old Act), the board is defined as a body corporate with all the rights and responsibilities set out in that statement, section 17 of the old Act provides:

(1) The board shall receive and apply all moneys voted by Parliament for the purposes of the museum.
(2) This section shall not apply to moneys voted by Parliament for the salaries or wages of the officers and servants appointed for the purpose of carrying this Act into effect.

In the Bill now before us, this provision has been deleted. Does this mean that finance voted by Parliament will be handled by the Environment and Conservation Department, whether it has simply been found unnecessary to reproduce this provision, or whether the board will continue to have sole rights of disposal of moneys voted by Parliament? I would like the Minister to clarify this point. In his second reading explanation, the Minister said:

The independence of the board from the Public Service and the board's freedom to disburse funds as it sees fit for the advancement of the museum are retained from the old Act.

Is it, indeed? I believe there is some doubt about this assertion. Or is it another variation on the old proposition that this body can do what it likes as long as it does what it is told?

I turn now to the functions of the board. Under the old Act, the duties to be undertaken by the board are specified in section 16, which provides:

(1) The board shall undertake—
  (*a*) the care and control of the museum and of all lands and premises placed under the care and control of the board.
  (*b*) the care and control of all exhibits and other personal property acquired for the purposes of the museum.
(2) The board may:
  (*a*) receive, take, or purchase any exhibit or personal property;
  (*b*) sell or exchange any such exhibit or personal property or any exhibit or personal property under the care or control of the board.

There is no reference to Ministerial interference or directives. However, under this Bill we find under the heading "Functions of the board" a more extensive statement of the functions pointed out by the Minister without apparently notable changes in the final effect, plus (and it is a very big plus) clause 13 (1) (*g*), which provides:

To perform any other functions of scientific, educational or historical significance that may be assigned to the board by the Minister.

This may well be the key that will allow the carefully prepared programme and intentions of the Museum Board to be completely swamped by demands from the Ministerial department for alternative activities that could absorb the moneys voted by Parliament and all the time of the museum and its staff, thus completely shattering the work of highly scientific and academic value that could otherwise be accomplished.

It would appear that the Minister, subject presumably to the advice of the Director of the Environment and Conservation Department (who will now become a member of the board), can issue any directive as to the function of a highly skilled body of scientists and academics. The dangers inherent in this situation will be clear to all honourable members. We have, for example, in the museum, one of the world's most valuable collections of material relating to the social life of Aborigines and articles of great value in anthropological research. One could well imagine these items being, in a flush of Government enthusiasm for, say, tourism, removed from the State's great centre of university study, namely, Adelaide, and sent to the Patawalonga, Monarto, Marree or some other alleged centre of Aboriginal culture. In case honourable members do not realize the importance of this, I quote Sir Douglas Mawson as follows:

Notwithstanding a perennial lack of adequate accommodation the South Australian Museum now possesses large and important collections—in some cases unrivalled collections. I might mention, for example, that the Australian ethnological material, particularly from South Australia and the Northern Territory, is probably the largest and most representative in existence today;

The most recent *South Australian Year Book* states in no uncertain terms that the collection of Australian anthropological material is of world renown, whilst the collections of New Guinea anthropological objects, insects and South Australian animals are excellent.

There is another matter in dealing with the functions provided for in the new Bill, which are set out in section 13 (*c*):

To carry out, or promote, research into matters of archaeological, anthropological, biological, geological and historical interest in this State;

This surely must be a mistake, because it cannot be the aim of this Bill to restrict all of these matters to South Australia. What about the work in the Northern Territory

and in various other places near to us? This clause will have to be amended.

The final major matter I would draw honourable members' attention to is the matter of the Government's making regulations. Section 22 of the principal Act states:

The Governor, on the recommendation of the board, may make regulations for all or any of the following purposes:—

i. For the conduct of the business and proceedings of the board:
ii. For the management of the affairs of the museum:
iii. For the admission and the exclusion or expulsion of the public or any individual to and from the museum or any part thereof:
iv. For specifying the conditions and restrictions upon and subject to which the public may be allowed to examine exhibits:
v. For the effectual use of the exhibits for the purposes of public education and enjoyment:
vi. For fixing penalties for any breach of any regulation not exceeding the sum of twenty pounds for any one offence:
vii. Generally for carrying into effect the objects of this Act or any of such objects.

In the Bill before us we find that together with the loss of its status as a public department the Museum Board has apparently lost control of making recommendations for regulations under the Act. This regulation making power is set out in clause 20 (1), which states:

The Governor may make such regulations as are contemplated by this Act, or as he deems necessary or expedient for the purposes of this Act.

Subclause (2) lists the same matters as are listed in the principal Act. What does this mean? It means, in effect, that the board's right to make regulations for the control and good working of the museum has passed to the Minister and the Government. One therefore wonders what future is contemplated by the Minister for the museum.

I cannot see that this Bill gives the Museum Board any more rights or freedom of action than it had before. Indeed, I see that the board has lost its standing as a public department and has lost some of its power of self-determination. Despite the reasons given by the Minister in his second reading speech I do not believe that students, the public or the board itself has gained one thing from the presentation of this Bill.

The Hon. R. A. GEDDES secured the adjournment of the debate.

MOTOR FUEL DISTRIBUTION BILL

Adjourned debate on second reading.

(Continued from November 13. Page 1712.)

The Hon. M. B. DAWKINS (Midland): I rise to speak to this Bill without any great enthusiasm for it. The Chief Secretary stated that the appointed day, which is set out in the Bill, may never be set down and the Bill may never be brought into being as an Act if the parties involved in the rationalization of service stations continue their voluntary arrangements to reduce the number of service stations by about 10 per cent. Therefore, I believe the Bill is premature. If an emergency arose where the petrol people would not co-operate in any way, then it might be necessary to have legislation of this type. I draw honourable members' attention to an answer I received from the Premier regarding the closing of a country petrol outlet. The Chief Secretary, when supplying the Premier's reply, stated:

The matter of the closure of the petrol outlet in Keyneton was taken up with the oil company concerned and, as a result, closure will not now take place. The company had not appreciated that an acceptable alternative outlet was not available. The oil companies met on October 10, 1973, and arranged that, in future, country closures will not be made unless there is an acceptable alternative site for the convenience of motorists. Where there are few outlets in a country area, then the companies supplying the alternative outlets will be notified of the intention to close in case other companies are considering taking similar action in that town. The honourable member may also be interested to know that the number of retail petrol outlets has fallen from 2 046 at December 31, 1972, to 1 989 outlets as at September 30, 1973. Of these 66 closures, 19 were company owned metropolitan sites.

A day or two ago the Hon. Mr. Hill said that he understood that the number of petrol outlets in South Australia was about 2 100 and that a reduction of 10 per cent was required. At that stage I interjected and said that about one-third of that reduction had already been achieved. I was working on the figure of 66 closures, as stated in the Premier's reply, but when I came to examine it more closely I calculated that 2 046 minus 1 989 leaves 57, not 66, which means that not quite one-third of the estimated desirable closures has taken place. That the oil companies were prepared to meet and consider the matter to deal with this problem in the way instanced by the Premier is an indication that there is no real need for legislation of this type at present.

I believe that the suggested reduction of about 200 petrol outlets is desirable, but that should not be done at the expense of small country storekeepers, such as the person to whom I have just been referring. Not only do the small one-brand pumps in many instances make the difference between a viable or uneconomic operation by country service stations (where they sell not only petrol but other things as well) but also in many instances they are the only public petrol outlets in the district. In other words, if a person lived in the country and was not in a position to buy petrol in bulk and store it in rural storage tanks, he would not be able to buy it at all within a reasonable distance of where he lived if these country pumps were closed.

For that reason I am sure that the Premier, at my request, took this matter up with the meeting of the oil companies to which I referred. I believe that if this can be done, insofar as this particular problem is concerned, then there is no reason why the desired reduction of 10 per cent cannot be pursued in South Australia without legislation. I agree that many of these outlets should be reduced in areas where the oil companies have regarded it as desirable, both in the city and the country, to establish six to eight outlets in one place. There is certainly room for this reduction. However, I think the legislation is premature. I have already referred to the problem regarding the viability of the local seller and the availability to the general public in country areas. However, when one examines the Bill, one sees that the Hon. Mr. Geddes referred to the very wide powers contained therein. I do not intend to go through all the matters to which he referred, although I agree with a paragraph of the Minister's second reading explanation, which backs up my contention that there is really no need for this legislation, that it is premature, and that the desired result could be obtained by co-operation rather than by legislation. That paragraph is as follows:

In the past, attempts have been made by the companies involved to come together voluntarily in a scheme which will alleviate this situation—

the situation is, of course, the one to which I have just referred: an over-supply of petrol outlets—

and the Government would be less than fair if it did not acknowledge that certain arrangements entered into pursuant to such a voluntary scheme have gone a long way towards

overcoming some of the more undesirable features of the present situation.

I give credit to the Government for making that statement. The instance to which I have referred, that is, requesting the oil companies to get together and confer, is further evidence that this matter can be resolved by co-operation and consultation rather than by legislation. Although I do not wish to go over the ground covered by the Hon. Mr. Geddes yesterday, I agree with him concerning the oppressive legislation of this Bill, and I will give two examples. Clause 17 (1) (*a*), which contains some severe verbiage and which refers to summonses, provides as follows:

In the exercise of its powers and the performance of its functions under this Act the board may—

(*a*) by summons signed on behalf of the board by a member of the board or, at the direction of the board, by the Secretary, require the attendance before the board of any person.

Paragraph (*c*) provides:

inspect any books, papers or documents produced before it, and retain them for such reasonable period as it thinks fit, and make copies of any of them, or of any of their contents.

What is a reasonable period? There is no indication of this in the clause. The clause contains a number of other paragraphs and, if these people who are to be questioned are not willing to conform in every way to what is required of them, they will be guilty of an offence and liable to a penalty not exceeding $500. Only yesterday, the Hon. Mr. Whyte referred to the excessive maximum penalty provided under other legislation. Although I realize that this is a maximum penalty, and that the Minister will tell me this, I believe that a maximum fine under this Bill of $500 is also excessive and, indeed, could well be halved.

Clause 25, to which I take some exception, concerns the powers of an inspector. This also underlines what my colleague said yesterday regarding these extreme provisions. Clause 25 (1) (*a*) provides as follows:

An inspector may at any time, with such assistants as he considers necessary, without any warrant other than this section—

(*a*) enter any premises for the purposes of ascertaining whether or not the provisions of the Act are being complied with.

I refer specifically to the words "any premises". If one looks at the definition of "premises" in the interpretation clause, one sees that it is indeed wide. This power of supervision, without any warrant, is too wide altogether. Paragraph (*c*) provides:

for that purpose, require the production of any book or document relating to any activity being carried on or in those premises and may inspect and take copies of any such book or document.

I do not know whether we want to set up something which has some shades of Hitler in this State, but these types of clause are, to my mind, outstanding examples of the oppressive legislation to which my colleague referred yesterday.

I do not wish to delay the Council any further at this stage, except to indicate that the Bill is premature and unnecessary at present. If some emergency made legislation such as this necessary, the Council would promptly pass it in the same way as it passed the Liquid Fuel (Rationing) Bill recently. I believe that negotiations show every sign of being successful and that progress has been satisfactory so far. Why, therefore, should we toss in legislation of this type if it is not necessary, unless the Government has an overpowering desire to control, regulate and interfere with private ownership? I cannot support the Bill.

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

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 13. Page 1703.)

The Hon. R. A. GEDDES (Northern): Reluctantly, I support the Bill. I really wonder why I should have to support a Bill of this nature, the excuse for the introduction of which is that the suite of offices now occupied by the Public Trustee Department in the Reserve Bank building is required for the expansion of other Government departments. The most satisfactory means of solving the present accommodation problem is, apparently, for the Public Trustee to acquire land upon which he can erect his own office accommodation. However, if one has offices, one has them, and one has a lease on them; in other words, one has some form of ownership or tenure. If other Government departments want these offices, why should they oust the Public Trustee Department? What excuse can there be for the Public Trustee Department to have to move, and then go to the absolute extravagance (forgetting today's inflationary spiral) of having a building of its own constructed, especially when it is already satisfactorily housed in a suite of offices on an upper floor of the Reserve Bank building? This is bringing into the open the ridiculousness of the Public Service. The Public Trustee Department has a suite, it wants to move, but rather than say, "We will lease another suite of offices somewhere in the city" the Public Trustee is asking, through this Bill, for permission to buy land and to build. This type of administration and this type of legislation are ridiculous and ludicrous.

Furthermore, the Bill empowers the Public Trustee to apply moneys from the common fund for this purpose. That is a fund set up under the Administration and Probate Act, 1919-1973, and has to its credit, as at the end of the 1972-73 financial year, $34 162 000. It appears to me that the Treasurer has found another piggy bank in which he can find useful money for building another colossus. I am positive it will not be some humble office with a few floors; it will be some extravaganza of sky-scraping proportions, with one suite for the Public Trustee and the rest for lease to other departments, I suppose, or to the public, so that the Government can say, "Look what we have done for the benefit of the State." I am appalled by the whole principle.

The Hon. G. J. Gilfillan: Will any new building require the oversight of the Public Works Committee?

The Hon. R. A. GEDDES: That is a question I shall ask the Minister to answer when he closes the debate. The Bill says that the Public Trustee may, with the consent of the Minister, acquire land and erect a building, provide plant and fixtures, and lease or grant rights of occupation in relation to any part of any land or building acquired or built.

The Hon. M. B. Dawkins: They would not do it for less than $300 000, would they?

The Hon. R. A. GEDDES: I think if the Public Trustee were to move to one of the suburbs of the metropolitan area, in some of the lovely surroundings, and to acquire, say, on Greenhill Road a simple residence sufficient for his needs—

The Hon. J. C. Burdett: Perhaps he could move to Monarto.

The Hon. R. A. GEDDES: What a thought! He should be the first to go. What a great advantage it would be to the solicitors and lawyers, every time they wished to get advice from the Public Trustee, to be able to take the bus and proceed to Monarto to discuss their problems!

The Hon. T. M. Casey: It would be a lovely drive, wouldn't it?

The Hon. R. A. GEDDES: It would be a delightful drive in the springtime, most enjoyable. Going to Monarto would be an equivalent waste of time to going to X floor of the department's own property, somewhere in the metropolitan area, built from the funds of deceased estates. In his reply, I should like the Minister to answer a question on clause 3, which provides that the Public Trustee Department is an instrumentality of the Crown, amending section 76 of the principal Act, which was drawn up in 1919. Section 76 provides:

The Public Trustee shall be subject to the general control and supervision of the Governor, and shall, before entering upon the duties of his office, and also from time to time, whenever required by the Governor so to do, give security to the satisfaction of the Governor for the collection and due payment of and accounting for all real and personal property which comes to his hands, or becomes vested in him by virtue of his office.

That was written in 1919; in 1973 the public, the world, and the law are advised that the Public Trustee Department is an instrumentality of the Crown. Can the Minister say why this is necessary? The Act has been amended many times since 1919, the last time as recently as 1972, but now we have this peculiar amendment.

In conclusion, and with respect, I ask the Chief Secretary whether the services of the Parliamentary Counsel can be made available to us now that the volume of legislation is increasing. I would not have asked this question had I been able to find the answer for myself, but I have not been able to do that this afternoon, and I ask whether some help could be given now that business is increasing. There is no point in rejecting this legislation. I simply voice my objection to it, and I support the second reading.

The Hon. A. F. KNEEBONE (Chief Secretary): I am unable to answer off the cuff some of the questions asked by the Hon. Mr. Geddes but, rather than replying at this point, I suggest that we proceed into Committee and when the Parliamentary Counsel is available I shall provide the information the honourable member is seeking.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

ROAD TRAFFIC ACT AMENDMENT BILL (WEIGHTS)

Adjourned debate on second reading.

(Continued from November 13. Page 1703.)

The Hon. M. B. DAWKINS (Midland): In general terms, I support the Bill. I believe that by and large it is a good Bill but, nevertheless, some portions of it are not entirely satisfactory and could be improved in Committee. Although in many respects it is a good measure, it has some disadvantages for people in the transport industry as well as for primary producers. I pay a tribute to Mr. Tony Flint and his committee for their excellent report, a copy of which I have before me. I am sure that this committee went to great trouble to bring down its report. It is an excellent report in most respects. I also pay a tribute to the desire of Mr. Tony Flint to improve the legislation and at the same time to cater for all sections of the community. The exemption contained in clause 10 is, I believe, evidence of this fact, although to my mind it is not satisfactory in its present form. Nevertheless, it is an attempt to cater for the needs of various sections of the community. I compliment Mr. Flint and his committee on what they have done. I regret there was not more representation from primary industry on that committee, because the Bill affects primary industry considerably. Later, I shall attempt to show just how that is so.

In the first place, I believe that the recommendations on speed limits are generally satisfactory. The original arrangement was for a speed limit of 90 km/h (which is about 56 m.p.h.). That has now been reduced to 80 km/h (equivalent to 50 m.p.h.) in order to conform to the legislation of other States. While I am aware that 50 m.p.h. (80 km/h) is often exceeded by modern trucks today, I believe that overall it is a satisfactory speed limit because, as has been observed elsewhere, the road surfaces vary considerably and, whereas it may be quite safe on some good road surfaces for a truck to average even 60 m.p.h. (96 km/h) or 65 m.p.h. (104 km/h), on other road surfaces it may be dangerous not only for the load on the truck but to passing traffic. So, the final limit of 80 km/h is satisfactory.

About five years ago, when the Hon. Mr. Hill was Minister, I was interested to see tests conducted on speeds of trucks and their braking capabilities on Heaslip Road, Angle Vale. It is a matter of some regret that it has taken five years for this legislation to be brought down finally in its present form. I am aware that, when the Hon. Mr. Hill relinquished office, preparations were being made for the legislation to be introduced; later, legislation was introduced, but it was so tied up with other matters that it did not proceed. I am pleased to see that the Government has now come to grips with realistic speeds for modern transport, even though five years has elapsed since those tests.

With regard to braking, I believe the report of the Flint committee may be followed to some extent in the regulations provided for in clause 15. However, the provision of brakes for four-wheel trailers as well as adequate braking for trucks will be an improvement, provided the powers that be do not bring in regulations stipulating that trailers must have four-wheel brakes, because they can jack-knife and cause real problems. I believe the braking regulations should have due regard to the fact that it would be safer and more effective to provide for adequate brakes on trucks and for good two-wheel brakes on trailers than to have four-wheel brakes on trailers. A dog trailer, which has a turntable, can cause real problems if the brakes are suddenly applied to the front wheels, near where the turntable is situated.

I should like to mention the accident rates in South Australia for 1972 for various types of vehicle. I understand that for buses in that year the accident rate in South Australia was 18·6 per cent. For semi-trailers and articulated vehicles (which are different from what I have just been talking about—detached trailers) the accident rate was about 18 per cent. For cars the rate was about 13 per cent, and for panel vans and utilities it was even lower still, at 10·3 per cent. However, the point I emphasize is that in 1972 more than 41 000 motor trucks were registered, and the accident rate was only 5·5 per cent. It is also widely recognized that primary producers' trucks, which are usually too small to be really efficient and, in many cases, are old, their average age being about 12 years, are less involved in accidents, and it is estimated that the accident rate for vehicles of that kind in South

Australia is as low as 3 per cent. That point should be looked at when we consider the restrictions that this Bill will place on the use of primary producers' trucks in carting primary produce.

The average primary producer's truck is of the 5-ton (5·08 t) type and, when we look at the legislation in detail, we realize that the load capacity of this truck will be reduced by at least one-third if no specific exemption is applied in this Bill for that type of vehicle. At harvest time, this reduction will mean that the primary producer will have to travel many more times to the silo, and consequently there will be a backlog and bottlenecks will occur as a result of trucks having to go to the silo with, say, four or five tons (4·06 t or 5·08 t) on them instead of, say, six tons or seven tons (6·096 t or 7·112 t), as the case may be. When added up, this becomes a real problem at harvest time. In the Committee stage I shall ask the Committee to consider the peculiar situation in which farmers will be placed if this legislation is carried in its present form. Honourable members should give special consideration to the problems that will arise.

Clause 2 provides for the Act to come into operation on a date to be fixed, and the commencing date is expected to be July 1 of next year. Nevertheless, the limitations on the gross vehicle weight and the gross combination weight will not come into operation until January 1, 1975. So, if the worst comes to the worst, at least primary producers will have some breathing space for the coming harvest and probably for most of the next harvest before these provisions will apply.

I have already referred to clause 4, which creates an absolute speed limit of 80 km/h and, as I have said, I believe it is a reasonable provision, although the owners of some trucks may find it something of a problem in open spaces with clear, well-constructed roads, because they may be tempted to exceed that speed limit. However, having regard to the poor road surfaces in many parts of the State, I think it is a reasonable provision. Clauses 6 to 9 remove from the principal Act the specifications relating to braking and provide that these provisions will be included in regulations. In his second reading explanation, the Minister said:

> This is highly desirable in view of changes in vehicle manufacturing technology. It is expected that the regulations along the lines recommended by the committee will be drafted in readiness for the commencement of the new legislation.

I repeat the one comment I have already made, namely, I believe that, when the regulations are drafted, special attention should be given to ensure that, although adequte braking is provided, the brakes should not be on the front wheels of what is known as four-wheel dog trailers, otherwise they could jack-knife in a difficult situation. Clause 10 imposes limitations on gross vehicle weights and gross combination weights, which I have already said will obtain from January 1, 1975. The limitations will be determined by the Registrar of Motor Vehicles after he has taken the advice of an advisory committee.

I have already referred to the limitation with regard to farmers' trucks in particular. In the case of very large trucks, the fact that it is suggested that the operator of the vehicle will be allowed to operate his vehicle at a weight of up to 20 per cent more than the relevant weight may not be a great handicap to those who own very large vehicles, but it may be a very considerable handicap to people who own medium-size trucks such as the average farmer owns.

I believe that two things are necessary with regard to clause 10; first, the figure of 20 per cent above the relevant weight limit should be increased to 30 per cent, because of what I might call the safety first policy of the truck manufacturers with regard to nominating a gross vehicle weight or gross combination weight. I appreciate the power of exemption contained in new section 147 (6), which has been included as a result of primary producer representations. This provision will enable the board to grant exemptions where, for example, grain or timber is being hauled, over level country, and where there is no difficulty in the gross vehicle weight or gross combination weight being exceeded. I believe that the aim of this provision is good. However, I do not believe it is reasonable that primary producers, in particular, should have to go to the board every year cap in hand to get an exemption over a certain period to cart grain, timber, superphosphate, or fruit, as the case may be.

I believe an amendment is necessary to provide that individuals will not need to go to the board to get the exemption which is required and which is so necessary. I have said that, in other respects, the Bill is a very good one. However, another clause to which I draw honourable members' attention is clause 12, which provides for the weighing of motor vehicles. This clause will have to be examined very carefully. New subsection (2), which amends section 155 of the principal Act, provides:

> In order to determine the aggregate weight carried on the axles of a vehicle or vehicles, or on any two or more of those axles, it shall not be necessary to measure the weight carried on all of the relevant axles simultaneously, but the aggregate weight may be determined by aggregating measurements of weight taken separately in relation to the axles in question.

I do not intend to go into the reasons why an inaccurate result could be obtained by weighing axles independently and multiplying the result by the number of axles, but I believe that new subsection (2) is faulty. Probably one of the remedies would be to strike out "not", because I believe it should be necessary that the weight be measured on the relevant axles simultaneously.

The Hon. A. M. Whyte: An alteration may be necessary regarding some weighbridges, too.

The Hon. M. B. DAWKINS: That could be so. Honourable members have no doubt studied the Flint report. Regarding tandem axles (if that is the correct term), which consist of two rear axles close together, one can get an inaccurate result by weighing the two axles separately. I believe we will have to include another provision in the legislation to straighten out this matter. Other than the matters to which I have referred, I believe that the Bill is a good one and that it cleans up some matters which have been overdue for correction for some time. Once again, I draw honourable members' attention to clause 15, which relates to regulations, and the necessity for them to be studied carefully. With those comments, and the qualification that certain matters will have to be examined further in Committee, I support the Bill.

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

PYRAMID SALES BILL

Adjourned debate on second reading.

(Continued from November 13. Page 1705.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which is designed to prevent the operation of pyramid sellers in this State. No doubt all honourable members have a vague idea of what is meant by a pyramid selling scheme. It is a scheme that originated in the United States of America, the home of—

The Hon. A. J. Shard: The home of all things crooked!

The Hon. F. J. POTTER: It is certainly the home of private enterprise and of enterprising techniques involved in selling. The pyramid scheme of selling is analogous to the old idea of the chain letter.

The Hon. R. C. DeGaris: I don't think chain letters originated in the United States, though.

The Hon. F. J. POTTER: I do not know where they originated, but these schemes are not substantially different from that kind of ingenious idea. The ultimate purpose of these schemes, so the promoters say, is to sell goods. The peculiar thing about pyramid selling schemes is that not only are the participants in the schemes urged to sell goods but they are also urged to sell franchises, or the right to sell goods. This is particularly so in the early stages of a scheme, when the early participants, who usually seem to be the most successful (or say that they have derived a great benefit from the schemes) get in at the start, and they are not so much interested in selling goods as they are in trying to persuade other people to accept franchises to sell the goods. In urging other people to sell goods, the early participants are paid a commission by way of a kickback, as it is called in America.

The pyramid, as it were, grows from these early stages where it concentrates on selling franchises rather than goods, so that the people finally called on to sell goods are the ones left with the largest quantity of the product to be disposed of. People are persuaded by promoters that they possess extraordinary powers to sell goods and that they have only to come to grips with themselves (in psychological terms) to be super salesmen. They are told in addition that the market potential is virtually unlimited, and this is where the innocent and gullible people succumb to the idea that there is unlimited ability on their part to sell goods if they will take a course of instruction in the way to sell the product.

However, when the crunch comes and the goods have to be disposed of, it is then discovered by the gullible person that the market is anything but unlimited. Despite numerous warnings in the press, in magazine articles and on television (I remember a documentary on television not so long ago about the evils of these schemes) it still seems that people in our community are attracted by the idea of a pyramid selling scheme. I suppose this attraction arises basically from some sort of inherent greed to find an easy way to make a small fortune. Nevertheless, it seems to be a problem that people are irresistibly attracted to this kind of scheme. There are people in the community who, in spite of their deficiencies, still believe that they possess this potential power to persuade other people to have confidence in a product. In spite of all the publicity that has been given to the evils of this kind of selling there are still people who go in for it.

About four months ago a young man told me that he had been persuaded to invest practically the whole of his savings in this kind of scheme, had borrowed about $3 000, and was in a depressed and dejected frame of mind when he discovered that he was unable to cope with selling the goods that had been supplied. I could do nothing for him except refer him to the Commissioner for Prices and Consumer Affairs. I understand that he received some sort of assistance with his problem. All honourable members would at some time or another have heard of problems, some of them very tragic, that have arisen because of these selling schemes. In a way, the schemes are of a predatory type and should be stopped. Of course, the question is, "How are they stopped?" These schemes are ingenious in many respects and are capable of fairly swift alteration from point to point and from time to time when it appears that a process may be invoked to stop certain aspects of the schemes.

This kind of selling scheme is a world-wide problem. Indeed, the Minister, when introducing the Bill, said that these schemes had caused big problems in the United States of America, Canada and the United Kingdom. The United States, of course, was the place in which this kind of scheme was pioneered. Legislative attempts have been made to deal with this difficult problem, and it is interesting to note that this Bill has been modelled on the United Kingdom's Fair Trading Act, which has only recently been brought into force. The magnitude of the problem and the difficulty involved in stopping all aspects of it have made this a difficult piece of legislation to draft and understand. Indeed, it is quite an exercise for honourable members to sit down and analyse the Bill. The problem will still be difficult to control, even with this legislation.

The essential features of the Bill, and the whole key to the solution of the problem, lie in the extensive definition of "consumer" and "pyramid selling scheme", the provisions in clause 7 (dealing with offences) and the extensive regulatory powers set out in clause 13. There is power to throw a wide net by means of regulatory control and to vary the regulations as the need arises. I hope that the Bill, which to some extent must be described as experimental legislation, will be successful. We must take on trust the ability of the legislation to deal with the enormous problem involved. I am willing to do this, because this is an attempt to give proper protection to those members of the public who may be persuaded to join one of these pyramid selling schemes.

The Hon. R. C. DeGaris: How would the public recognize the pyramid sellers amongst the various schemes that are operating today?

The Hon. F. J. POTTER: I do not know how one will actually recognize a pyramid seller. At present, the pyramid seller is going out into the market seeking people to participate in schemes; he is enlisting people as sellers of franchises and products, and particularly to become participants in schemes. How one can identify these people, I do not know.

Honourable members have heard of pyramid sellers, one of the most notorious being the Holiday Magic organization. It is difficult for the ordinary person to recognize them. However, the Bill tries to work against the actual pyramid scheme and the person promoting it. It outlines certain transactions and schemes, and enables people who get involved therein to seek the protection of the law by the return of goods and the recovery of money paid.

The Hon. R. C. DeGaris: Does it deal with goods only, or with other things as well?

The Hon. F. J. POTTER: As I understand the Bill, it deals primarily with goods. However, trading schemes and certain other services are referred to in the Bill. I am concerned mainly that, with the ingenious attempts being made to deal with this matter, legitimate people who are not really pyramid sellers will be caught as such. I refer particularly to the people engaged in the sale of products from door to door. Most of the companies involved in this practice are members of the Direct Selling Association of Australia, which is, I understand, associated with the Victorian Chamber of Manufactures and which is a reputable organization in relation to this type of business.

Representations have been made to me by members of that association, who fear that they will be caught and branded as pyramid sellers under the Act. They indeed

have a legitimate grievance. I notice that during the passage of the Bill through another place an attempt was made, by moving an amendment, to deal with the objections that were raised regarding members of the Direct Selling Association of Australia. These amendments, to the definition of "consumer" and to clause 7, made some concessions on the points being raised, in as much as they enabled the Minister from time to time to approve of certain prices or kinds of payments, so as not to make those transactions subject to clause 7. That seems to be one way, although perhaps it is not the most successful way, of dealing with the problem.

In Committee, I will examine this matter again. I need further time to examine the suggestion put to me earlier in comparison with the Bill as it was introduced into this Chamber, and to see whether a better method can be found of dealing with this problem. This is a fair problem, which we must examine and for which we must find a satisfactory answer, because I and other honourable members would not like to see legitimate operators being dragged into the net.

The Hon. R. C. DeGaris: My question was related to the fact that there are legitimate operations which do not sell goods but which could be involved in what would be pyramid selling.

The Hon. F. J. POTTER: "Services" is defined in the Bill to include rights or privileges and any intangible property. The definition of "supply" is as follows:

"Supply" in relation to—

(*a*) goods, includes the hiring or leasing of goods; and

(*b*) services, includes the supplying, making available, vesting, granting, or by any means passing title to such services,

and its derivitives and correlatives have a corresponding meaning.

The Hon. R. C. DeGaris: What about mind improvement courses and things of that nature?

The Hon. F. J. POTTER: I presume that they would be covered by the Bill. I know that these practices have been one of the aspects of a pyramid selling scheme. Persons usually start off by undertaking some form of instruction. Indeed, this is all that some organizations are selling.

The Hon. R. C. DeGaris: To improve your mind?

The Hon. F. J. POTTER: Yes.

The Hon. R. C. DeGaris: Do you think that is covered in the Bill?

The Hon. F. J. POTTER: I am not sure, but I will examine this matter later to see whether it is covered. This is a difficult Bill which is by no means easy to grasp. It needs to be read and read again, and even then it is not the easiest thing to analyse. I compliment perhaps not so much our Parliamentary Counsel (although I always give him due deference) but the United Kingdom Parliamentary Counsel who drew up this legislation, because obviously tremendous thought has been given to the definitions and a legislative plan to stamp out this evil in our community.

Other honourable members and I would like an opportunity further to examine the complete ramifications of this measure and to consider whether it will be necessary to move amendments to cover those people who are legitimate operators and who are on the list of firms and companies kept by the Direct Selling Association of Australia. I would not like to see the operations of these people hampered unduly, as they provide a service to the public. Indeed, they have always conducted themselves properly, without exerting pressure on people to participate in a pyramid selling scheme. The Bill has my support as a real endeavour to counteract the activities of these people who I think could fairly be described as criminals in our midst. In Committee I shall probably present some amendments for the consideration of honourable members.

The Hon. J. C. BURDETT secured the adjournment of the debate.

PAWNBROKERS ACT AMENDMENT BILL (LICENCES)

Adjourned debate on second reading.

(Continued from November 13. Page 1705.)

The Hon. V. G. SPRINGETT (Southern): Pawnbrokers in some guise or form have been present in the world for many years, and in some parts of the world the sign of the three brass balls has meant much to people who have needed to deal there. I can recall as a boy a certain pawnbroker's shop in the town where I lived, and it was well known that people queued up on Mondays to put their clothes in and on Saturdays to buy them out again. I was interested this morning, in speaking with a member of the staff of the Treasury, to hear that there are fewer than two dozen pawnbrokers nowadays, whereas a few years ago there was quite a large number. It is true that, over the years, improved economic and social standards have been responsible for the decrease in numbers.

I support the Bill, which contains no real difficulties. Under the present Act, licences must be renewed annually, and before a licence can be renewed the applicant must apply to the Local Court for a certificate that he is a fit and proper person to be issued with such a licence. Having gone so far in the circle, when he has obtained this certificate the applicant can take out a licence from the Treasury for one year only. I was interested to hear the Minister, in introducing the Bill, say:

This system appears to the Government to be expensive and time consuming and really quite unnecessary.

I pricked up my ears at hearing the Government say "expensive, time consuming, and quite unnecessary", and I congratulate the Government on reaching that conclusion. As a means of helping this situation, it is now intended that licences shall be renewed annually by direct application and that the certificate of fitness shall be required only for an applicant's first licence; thereafter, he simply renews his licence by applying to the Receiver of Revenue at the Treasury. The words are so nice that they roll off the lips: it will be less expensive, less time consuming, and really quite necessary.

To consider the Bill in some detail, clause 1 is formal and clause 2 sets out some of the details of the new procedure. They are quite clear and not difficult even for me to understand. The only certificate of the court will be that required for a new licence, and there is only one thing to be remembered: if a current licence is permitted to expire before the renewal is taken out it may be necessary for the licence holder to obtain a certificate from the court even though, had it not been for his forgetfulness, such a certificate would not have been necessary. Clause 3 repeals sections 39, 40, and 41 of the principal Act which deal with the methods of certification and issuing of licences, so obviously they will have to be struck out. Clause 4 makes a consequential amendment to section 42 of the principal Act by simply striking out the words "for the first time". Clause 5 repeals and re-enacts the fourth schedule and sets out the form in which licences will be issued. Again, that is quite clear. Clause 6 repeals and re-enacts the fifth schedule which sets out the way in which the applicant can get his licence. It is all quite

straightforward and I see no reason why the passage of the Bill should be further delayed.

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

FLAMMABLE CLOTHING BILL

Adjourned debate on second reading.

(Continued from November 13. Page 1701.)

The Hon. V. G. SPRINGETT (Southern): I support this Bill for an Act relating to flammable clothing and for other purposes. No-one is more aware of the tragic plight of children, especially when they are severely burnt, than those who work in hospitals. I thought it might be worth mentioning this afternoon some facts ascertained today from the Adelaide Children's Hospital. In 1971, 121 children were admitted with burns and scalds; in 1972, 149 children were so admitted, and up to the present time in this year of 1973, 130 children have been admitted. Two-thirds of those children suffered scalds; in other words, burning with wet substances. One-third of them, in round figures, suffered dry burns. The mortality rate (by which I mean the death rate) from these burns is in the region of 2·2 per cent to 2·15 per cent. However, the morbidity rate (the aftermath and consequences of burning) is dreadful. When a little girl's legs, arms, neck, and feet are heavily burnt, she may not die but she will have to live with those horrible scars for the rest of her life, and be unhappy when she meets people socially.

This matter has attracted many questions in both Houses of Parliament over the years, and I am sure no-one will in any way be disturbed because this Bill has been introduced and is being debated. We must remember that all clothing and fabric will burn to some degree or other. That degree varies according to the rate of ignition and the amount of heat generated. Fabrics have different rates of burning and other characteristics, such as burning along the surface rather than burning deeply into the material. It is a wellknown medical fact that a deep-seated burn on the skin which is localized has a less immediate and ultimate damaging effect than a burn that is spread all over the skin and body of a child.

Domestic hazards that cause more burns than anything else are room heaters, boxes of matches, inadequate fireguards around the fire, and dragging saucepans from the tops of stoves, which pour their contents over the body. Unfortunately, that is an everyday occurrence. The State Ministers of Labour have been working on a plan for dealing with flammability of clothing since 1966. By 1968, many fabrics had been tested by the Standards Association Technical Committee, and agreement had been reached by them that it was no good rushing into proclaiming standards until the Standards Association, as a group, was aware of what should be aimed at. So far, this Bill relates only to children's nightwear.

The Hon. C. M. Hill: There are provisions in the Bill relating to persons other than children.

The Hon. V. G. SPRINGETT: The Bill itself applies to many materials, particularly those that have different degrees of flammability; but the only garment under consideration so far, as it applies to a person, is nightwear. That is the garment that was first tested, and I hope it will not be long before it is extended to other clothing. There are some adults, too, who get fairly severe burns on their bodies, particularly those people who for some reason or another are limited in their movements. Those people can be burnt just as readily and seriously as children of any age. Can the Minister say whether we are to have readily recognizable symbols and codes to prove to a buyer that the material he is purchasing is less flammable than most materials, or perhaps not flammable at all? This Bill, like all Bills, must be proclaimed to come in as an Act on a certain day. I see that the date mentioned is January 1, 1974. I do not think it could be proclaimed much earlier than that, since we are trying to get uniform legislation throughout the States. The Governor can also fix a day for proclamation dealing with other prescribed articles of clothing. I reiterate that I hope it will not be too long before many other articles of clothing than nightwear will be included in this legislation.

Clause 4 states that it is an offence to sell any clothing to which this measure applies unless it is properly marked. That is why I asked whether or not there would be a code of marking, because this clause rather suggests that there will not be. We do not know at present whether there is a code. Under clause 5, inspectors have power to enter any premises where any prescribed article of clothing is made or sold. They may enter premises for other reasons, too: they have the right to inspect "things" on such premises or place as the inspectors know relate to the manufacture or sale of these goods. They can also require a person to answer any questions they may ask; they may also seize and detain any prescribed article of clothing.

I make clear what I presume is the case, that an inspector has the right to approach an employee if he thinks it necessary. In that case, has an employer the right to stop such an interview? The next thing I point to is that, under clause 5 (3), if proceedings for an offence have not been commenced within one month after the articles were seized, they must be returned to the premises or place from which they were seized; otherwise, they shall be disposed of in the manner ordered by the court. In other words, if an individual is not dealt with legally within a month, he can have his goods restored to him.

Clause 5 contains a good point, that an interpreter shall be used, where necessary, to deal with the person who cannot speak English properly. In the rag trade, it is common for many employees not to be able to speak English, so the use of an interpreter is a good thing. Then it is provided that an inspector shall not be impeded in his work. Replies to questions must be truthfully given. Anyone obliged to reply to a question and who refuses to do so will be committing a criminal act. I am glad that we are taking this first big step towards protecting children and that we will be protecting a wider group of people in the future. I support the Bill.

The Hon. D. H. L. BANFIELD (Minister of Health): I thank the Hon. Mr. Springett for the attention he has given to the Bill. He asked whether symbols would be used. In my second reading explanation, I said:

> Ministers have asked their permanent heads to consider whether regulations should also be made in respect to other items of clothing and whether warnings can be conveyed by readily recognizable symbols as well as words.

Clause 10 (*b*) provides for regulations to be made in the prescribed manner and form in which prescribed articles of clothing shall be marked or labelled. The Government intends to introduce symbols by means of regulations.

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

HIGHWAYS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 13. Page 1701.)

The Hon. C. M. HILL (Central No. 2): This Bill simply converts, in several sections of the parent Act, the old currency to its equivalents in the new currency. One

clause corrects a grammatical error. Generally speaking, the Bill amends the principal Act so that, as the Minister has said, it may be consolidated at an early date. I have been through all the clauses and fully support them.

I am somewhat amused by clause 9, which amends section 39g of the principal Act by substituting for a reference to the South Australian Harbors Board (which no longer exists) a reference to the Minister of Marine in his corporate capacity. On checking section 39g, I find that it prohibits the Commissioner from obstructing access to or on railway lines serving any wharf at Port Adelaide during the construction of the Birkenhead bridge. As the bridge was completed 37 years ago, I thought the Minister would have deleted the clause altogether. However, that matter can no doubt be remedied at some future time.

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

SNOWY MOUNTAINS ENGINEERING CORPORATION (SOUTH AUSTRALIA) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 13. Page 1701.)

The Hon. G. J. GILFILLAN (Northern): I support the Bill, which is an amendment to the South Australian Act to bring it into line with recent amendments made to the Commonwealth Act, which is known as the Snowy Mountains Engineering Corporation Act. This body was formed for the purpose of keeping intact the specialist skills acquired by the Snowy Mountains Hydro-Electric Authority during the construction of the Snowy Mountains scheme. This concept, in 1970, was a very valuable one to South Australia. I believe that most honourable members have seen the Snowy Mountains scheme, which is recognized as being one of the engineering wonders of the world.

The authority was constituted with the intention of diverting waters from one side of the ranges to the other through a series of holding dams, tunnels and electricity-generating plants, and finally into the Murray system. As I recall, the authority was given this task as a commercial proposition to supply power to New South Wales and Victoria from its hydro-electric generating plant. The sale of this power was to be used to finance the whole operation. The water that passes through the mountains and finishes in the Murray River system has been an asset, in particular to South Australia, and also to New South Wales and Victoria, at no cost. It is a unique undertaking for an authority to meet such conditions by the sale of electricity.

The hydro-electric system is complementary to the more conventional systems of generating electricity in New South Wales and Victoria, and is most efficient. I understand also that it can be cut in or cut out at short notice to meet peak loads, by merely turning on the water to make the generators and turbines react immediately. The skills of this authority have been recognized throughout the world, but in the initial stages of the Snowy Mountains scheme the authority had to gain help and assistance from oversea people with specialized and expert knowledge.

The whole concept of the scheme had to be planned in rugged, heavily timbered and high-rainfall country, where a system of tunnels and dams had to be devised and where the water levels were most critical. In at least one instance water had to be made to flow in either one or the other direction at will through a tunnel, and this involved accurate surveying to ensure that the tunnels, started from either side of the mountain, met in the right place. It must be remembered, too, that one side of the mountain was not visible from the other side. Skills acquired by the authority during the construction of this scheme are valuable to Australia, and it would be a tragedy if such skills were lost.

In 1970, the Snowy Mountain Engineering Corporation was set up to enable the specialized skills gained to be made available not only to Australia but also to other countries that asked for specialized assistance. In the original Commonwealth Act of 1970, Ministerial approval was required for specific projects, and it restricted the corporation to specific acts. The Bill now before us is to bring the South Australian enabling Act into line with the Commonwealth Act. It is a simple Bill that merely deletes those clauses that relate to the powers that have to receive Ministerial authority and it enables him to give more of a blanket authority for work of a specified nature. This widens the authority of the corporation, but it is subject to Commonwealth Ministerial control.

I know that members on this side are wary of any intrusion into State powers, but there appears to be no reason under this Bill to fear such an intrusion. For the Commonwealth Act to have any real effect on State powers, additional provisions would have to be introduced. All honourable members are aware that the Commonwealth exercises power over State Governments simply because it makes finance available for projects that are approved for financial assistance. This Bill, which brings the State Act into line with that of the Commonwealth, is merely a machinery Bill, and contains fewer provisions than are contained in the Commonwealth Act, which was assented to on June 18. I support the Bill.

The Hon. J. C. BURDETT secured the adjournment of the debate.

ADJOURNMENT

At 5.23 p.m. the Council adjourned until Thursday, November 15, at 2.15 p.m.