LEGISLATIVE COUNCIL

Tuesday, October 1, 1974

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

PETITIONS: LOCAL GOVERNMENT

The Hon. R. C. DeGARIS presented a petition from 185 residents of the District Council of Robertstown expressing dissatisfaction with the first and second reports of the Royal Commission into Local Government Areas and praying that the Legislative Council would reject any legislation to implement the recommendations of the Royal Commission in respect of the Robertstown district.

The Hon. R. C. DeGARIS presented a petition from 894 residents of the District Council of East Torrens expressing dissatisfaction with the first report of the Royal Commission into Local Government Areas and praying that the Legislative Council would reject any legislation to implement the recommendations of the Royal Commission in respect of the East Torrens district.

Petitions received and read.

QUESTIONS

EXPLORATION LICENCES

The Hon. R. C. DeGARIS: Has the Minister of Agriculture, representing the Minister of Environment and Conservation, a reply to the question I asked on September 19 about exploration licences?

The Hon. T. M. CASEY: The Minister of Development and Mines reports:

The class A localities in which mining activities may take place in the State or national interest are specified in the Flinders Range Planning Area Development Plan and were defined in agreement with the State Planning Authority. These localities contain significant known deposits and, on the basis of our present state of knowledge, embrace areas of significant potential for further discovery and development. The grant of exploration licences in these localities is in accord with the concept of existing land usage which is recognised in all planning development schemes. In the case of the recent grant of exploration licences referred to, the areas in question had been the subject of exploration tenements continuously for five years. Special conditions are applied to the grant of such licences after due consideration of objections and consultation with the Environment and Conservation Department.

The Mines Department has access to these and other areas to enable geological investigations to take place as part of its normal function in resource assessment on a State-wide basis. Limitations of Government finance and personnel preclude the possibility of the department being able to undertake the investigations necessary to fully test these areas. However, provision is made for the department, in consultation with the State Planning Authority, to conduct such surveys and investigations as are necessary on behalf of the Government or other interested parties in localities within zone A areas which are not part of those presently defined as having high mineral potential but which may become important to the State at a future time. It is envisaged that the need for this type of arrangement will rarely arise. The discovery and definition of valuable limestone/dolomite deposits in the Brachina area on the western face of the Heysen Range may be cited as an example of scientific evaluation of a mineral resource undertaken by the Mines Department in a class A area. Properly controlled mining of these important deposits, in association with industrial development of the iron triangle, seems inevitable in due course in the State interest. Any such operations would be planned in close consultation with the State Planning Authority to ensure appropriate safeguards to the adjacent areas.

PASSPORTS

The Hon. C. R. STORY: I ask leave to make a short statement with a view to asking a question of the Chief Secretary.

Leave granted.

The Hon. C. R. STORY: On page 3 of yesterday's *Advertiser* a report, headed "State Men to Lose Foreign Immunity", states:

State Government Ministers and officials are to lose their diplomatic passports and the special privileges which go with them. A large number of State Government representatives at present hold the red diplomatic passport which entitles them to full diplomatic immunity when travelling overseas. In future, only the Premiers and the heads of their departments, when travelling with their Premiers, will carry such passports. All other Government representatives will have to be content with the lesser green official passport—

as will other Ministers. Will the Chief Secretary say what is the Government's view of this new edict and what action the Government intends to take to ensure that State Ministers and heads of departments are kept on an equal standing with Commonwealth Ministers, as has been the case in the past?

The Hon. A. F. KNEEBONE: In reply to the honourable member's question regarding my view of the matter, I must say that I am not (and I do not think any other Minister is, either) pleased about it. In reply to his other question regarding what the Government intends to do in this respect, I have not yet discussed the matter with the Premier. However, I will do so, and bring down a reply as soon as it is available.

TRADE PRACTICES

The Hon. B. A. CHATTERTON: I seek leave to explain a question I wish to ask the Chief Secretary, representing the Attorney-General.

Leave granted.

The Hon. B. A. CHATTERTON: I refer to the following quotation from a Licensing Court decision which appeared in the August, 1974, issue of the *Hotel Gazette*:

Beer sold and disposed of pursuant to the licence (other than beer brewed by the licensees) shall not be sold at a price less than the minimum retail price for the zone in which the premises are situate as may be fixed from time to time by the Liquor Industry Council.

Will the Chief Secretary ascertain whether this type of decision by the Licensing Court conflicts with the Trade Practices Bill, which is, I believe, to be proclaimed this week?

The Hon. A. F. KNEEBONE: As this question involves a legal matter, I will have to ask the Attorney-General for a reply to it.

MONITORING SYSTEM

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

Leave granted.

The Hon. M. B. CAMERON: My question relates to the publicity surrounding the Government's move to monitor all radio programmes and, in fact, the media generally in South Australia. As I understand it, the Government is to have people monitoring all radio and television broadcasts 24 hours a day, which will lead to many monitorings late at night. It also seems that the Government is to give Ministers of the Crown a star rating. I am not sure whether this relates also to back-benchers, but I suppose they will be included. Under the system of open Government, I imagine that the Government intends to tell the public how the service is going. Will the Chief Secretary

say when the results of the system will be published, and in what way Parliament will be informed of the star ratings given to Ministers and back-benchers; in other words, when will the public be informed of the results of the expenditure of its funds?

The Hon. A. F. KNEEBONE: Regarding the star rating of various Cabinet members, I am sure that I will keep my star rating to myself, as I think most other Ministers would. Indeed, I do not think the star ratings of the various Ministers in relation to their television and radio performances would be of any interest to the people generally.

The Hon. C. M. Hill: Except that they're paying for it.

The Hon. A. F. KNEEBONE: The cost involved is not great, and the general public can make its own assessment of how well a Minister is going. The honourable member said that programmes would be monitored 24 hours a day. However, this is to be an automatic procedure, and it will not be necessary for people to work with the equipment 24 hours a day.

The Hon. R. C. DeGARIS: I seek leave to make a brief statement prior to directing a question to the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: I notice that the Government employee in charge of the monitoring centre has made, on radio, comments referring to the ratings, in his opinion, of the public image and efficiency of members of Parliament. This, to me and to many other members, goes beyond what is reasonable. We are dealing here with an employee, paid from the taxpayers' funds. My question to the Chief Secretary, as Leader of the Government in this Council, is this: does the Government intend taking any disciplinary action against the person in charge of the Government monitoring centre following these comments on a public medium?

The Hon. A. F. KNEEBONE: No.

The Hon. M. B. CAMERON: In view of the Chief Secretary's reply to my request about the publication of ratings of Government Ministers by a Government employee and his reply to the Hon. Mr. DeGaris that no action will be taken against that employee involved in the listing of ratings on certain individuals, will the Chief Secretary take action to ensure, especially as he has already refused to provide information about Ministerial ratings compiled by the employee in question, that no future comments of this kind will be made about members of the Opposition?

The Hon. A. F. KNEEBONE: I am not aware that the employee concerned made any such comments.

The Hon. M. B. Cameron: He certainly did.

The Hon. A. F. KNEEBONE: As I understand it, the ratings were to be of Government Ministers and people speaking on behalf of the Government.

The Hon. M. B. Cameron: The report is on your desk—it's probably been monitored.

The Hon. A. F. KNEEBONE: I will look at the whole matter and give consideration to the matters raised.

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to directing a question to the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: As the Chief Secretary probably understands, I am particularly disturbed and concerned at the public statements that have been made on the radio and in the press by the person in charge of the monitoring unit newly established by the Government. If the Government intends to continue using this monitoring unit and the person in charge of it to promote the image of members of Parliament who are not members of the Liberal Party, does the Government intend to provide a similar unit for the Opposition?

The Hon. A. F. KNEEBONE: I have already said in answer to a similar question by another honourable member today that the matters that have been raised will be investigated and I will bring down a reply.

HOSPITAL FINANCE

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

Leave granted.

The Hon. C. M. HILL: A report in today's *Advertiser* gives details of the Prime Minister's proposals to allocate funds to the States for hospital and health purposes. The report states that the Commonwealth Government has offered to build and operate major general hospitals in Sydney, Melbourne and Brisbane. Further, the report states that an extra $650 000 000 has been offered over the next five years to upgrade State hospital systems throughout Australia; for this current year an extra $28 000 000 is to be made available for State hospital systems. First, does the Minister know what South Australia's portion of the current year's $28 000 000 will be; secondly, is he satisfied that, by comparison with the other States, South Australia's portion is just and fair; and, thirdly, in view of the Commonwealth Government's proposals for new hospitals in Sydney, Melbourne and Brisbane, does the Minister believe that assistance to South Australia overall is in reasonable proportion to the assistance to be given to the other States?

The Hon. D. H. L. BANFIELD: We expect that we will get $2 800 000 this year out of the $28 000 000 allocated for the current year. In fact, officers will be coming from Canberra next week to discuss the question with my officers, and I hope that in about four weeks we will be able to announce where the $2 800 000 will be spent in the current year. We also believe that, of the $650 000 000 that will be spent over the next five years, we will receive about one-tenth. I believe that we are being treated equally as well as are the other States with regard to the allocation of the money. There is a number of projects for which assistance is necessary, and we believe that we will receive our fair share of the amount allocated over the next five years.

MURRAY RIVER FLOODING

The Hon. J. C. BURDETT: I seek leave to make a brief explanation before asking a question of the Minister of Health, representing the Minister of Transport.

Leave granted.

The Hon. J. C. BURDETT: During the expected flooding of the lower reaches of the Murray River, it is almost certain that the two ferries at Mannum will go out of operation. I understand that the district council is planning to hire a licensed passenger carrying boat to ply across the river in the area where the ferries normally ply. This boat will provide a valuable service, particularly to employed persons who live on the opposite bank to Mannum. These persons will be able to drive their cars to the boat, proceed across the river, and then go to their place of employment, for example, the Horwood Bagshaw factory. When the men get across the river they

will be able to walk or obtain transport to their place of employment. I understand that, while the ferries are out of operation, the Highways Department, under the contract, will not have to pay the ferry operators. During the 1956 flood, when a similar service was operated, the department reimbursed the council for the hire of the boat and for the wages of the operator. I understand that the council paid for the fuel and other incidental expenses. Will the department, for the period when the Mannum ferries are out of service and when their place is taken by a boat, reimburse the council for the hire of the boat and for the wages of the operator, or any other kind of reimbursement; if so, what?

The Hon. D. H. L. BANFIELD: I shall refer the honourable member's questions to my colleague and bring down a reply.

The Hon. J. C. BURDETT: Has the Minister of Agriculture a reply from his colleague to the question I asked on September 24 concerning Murray River flooding?

The Hon. T. M. CASEY: My colleague, the Minister of Works, informs me that, following their inspections and investigations along the Murray River, the Flood Liaison Committee submitted a report to the Minister of Works on the flood protection measures considered necessary by the Local Government authorities. The committee inspected the Swan Reach, Bow Hill and Purnong areas on Wednesday, September 18, and reported on the stores at both Bow Hill and Purnong. In line with the policy that is being adopted regarding the extent of flood aid to local government authorities, the Minister of Works approved of protection works at Bow Hill but under the conditions pertaining to other sections of the River did not approve of aid at Purnong. The store at Bow Hill can continue to give a service to the community during the flood period, but this cannot apply at Purnong, as all access roads would be flooded.

SMITHFIELD TRAFFIC

The Hon. C. W. CREEDON: Has the Minister of Health a reply from the Minister of Transport to the question I asked two weeks ago in relation to a traffic problem at Smithfield?

The Hon. D. H. L. BANFIELD: My colleague states:

This problem is currently being discussed between the Highways Department and the District Council of Munno Para. It is understood that the shopkeepers support the view that angle parking should not be permitted, but this would be difficult to enforce without construction of a properly kerbed parking bay for parallel parking. Kerbing could only be installed after dealing with a serious drainage problem. The responsibility for provision of on-street parking areas, kerbing, and drainage is primarily that of the council, and application has been made for inclusion of the works in a programme of minor traffic engineering and road safety works to be submitted to the Australian Government seeking funds from that source. It is not known whether funds will be forthcoming for such works. If parking can be controlled as desired and kept clear of the through traffic lanes, no special hazard is expected arising from the speed zoning.

COOPER CREEK

The Hon. A. M. WHYTE: Has the Minister of Health a reply from the Minister of Transport to the question I asked on September 17 regarding inadequacy of the propulsion of the barge crossing the Cooper Creek?

The Hon. D. H. L. BANFIELD: My colleague states:

The Cooper Creek ferry was constructed by the Engineering and Water Supply Department in or prior to 1963. It was transferred to the Highways Department in January, 1967, and since that time has been modified. The original weight was about 13 tonnes, but the modifications have increased this to about 18 tonnes. The ferry is propelled by two side-mounted 6 horse-power outboard motors which are reversible to allow two-way operation. Three 4 h.p. motors are held in reserve, and one of these reserve motors was recently used due to mechanical failure of one of the larger units. No 1½ h.p. motor is used. The power supplied to operate the ferry is adequate for average weather conditions but, due to the size and nature of the ferry, its stability would be jeopardised if operated in windy conditions. Increased motor power would not overcome this problem. The safety of the ferry, its operators, and the travelling public is of paramount importance.

STURT HIGHWAY

The Hon. M. B. DAWKINS: Has the Minister representing the Minister of Transport a reply to my question of September 18 with reference to the Sturt Highway and the possibility of renaming a portion of that highway?

The Hon. D. H. L. BANFIELD: My colleague states that preliminary planning of improvements to the Sturt Highway between Gawler and Nuriootpa via Lyndoch and Tanunda has been completed and discussed with the councils involved. These improvements have a low priority, in view of the road's function as a local feeder and tourist route, and consequently detailed design and construction are not included in the current programme. The suggested change of name has merit, but the road through Lyndoch and Tanunda is legally defined as the Sturt Highway in the main roads schedule, and any consideration of any alteration to the definition has been deferred until it can be incorporated in an overall system of road classification consistent with Australian Government requirements. These requirements are expected to be clarified soon during the administration of the new Road Grants Act.

CITRUS JUICE

The Hon. C. R. STORY: Has the Minister of Agriculture a reply to a question I asked on September 17 about citrus juice?

The Hon. T. M. CASEY: My investigations into this matter confirm the figure of 9 092 000 litres quoted by the honourable member as the quantity of citrus juice imported into Australia. Figures obtained from the Australian Citrus Growers Federation indicate that 8 708 000 litres of citrus juice was imported during the 12 months ended June 30, 1974, and that this quantity consisted of 6 580 696 litres of orange juice, 2 043 091 litres of grapefruit juice, and 84 394 litres of lemon juice. An import duty of 18·75c a single strength gallon of citrus juice was imposed. Other costs such as freight and storage were also involved. At the instigation of the Australian Citrus Growers Federation and in co-operation with the processors, the Australian Government is assisting to set up a voluntary juice panel to regulate the flow of imported citrus juice into Australia to meet any shortfall in the demand for citrus juice. I understand the Australian Citrus Growers Federation recently received from the Department of Customs and Excise a letter that stated, *inter alia*:

The Minister for Customs and Excise has accepted the view that the importation of citrus juice without duty would be detrimental to the Australian citrus industry and has therefore decided not to approve by-law admission.

HALLETT COVE

The Hon. C. R. STORY: On behalf of my colleague, the Hon. Mr. Hill, I ask whether the Minister of Agriculture has a reply to a question that he asked on September 19 about Hallett Cove.

The Hon. T. M. CASEY: My colleague, the Minister of Environment and Conservation, states that the Government has purchased the site of scientific interest and a buffer zone

to a total area of 46·9 hectares at a cost of $368 000. Roads across that area are being closed, fences erected, and car parks constructed. This work is continuing. It is considered that the action now being taken, and the protection afforded under the provisions of the Coast Protection Act will ensure that the areas of significance at Hallett Cove will be satisfactorily preserved.

WHEAT SALES

The Hon. R. A. GEDDES: Has the Minister of Agriculture a reply to my question of September 18 about the future of sales of Australian wheat?

The Hon. T. M. CASEY: The latest report from the Bureau of Agricultural Economics indicates that 1974-75 will be another exceptional year for the wheat industry in Australia. I am informed that the export market is expected to remain buoyant and prices likely to remain high. The bureau also predicts that a fall in world supplies is expected to continue this season, despite efforts to increase world wheat production. This prediction is supported by the large volume of sales already negotiated for the 1974-75 Australian wheat crop, the population growth, the continuing tight supply for other grains, and the desire of importers to replenish their reduced stocks. Excellent conditions that have prevailed in South Australia this year promise one of the State's best production years. However, seasonal conditions for the remainder of the season, the disease rust and plague locusts will be the determining factors in the finish to the season.

FISH DEATHS

The Hon. R. C. DeGARIS: Has the Minister of Agriculture a reply to my question of September 12 about fish deaths in the Murray River?

The Hon. T. M. CASEY: My colleague, the Minister of Fisheries, has informed me that large numbers of dead fish of more than one species—bony bream, Murray cod, callop and European carp—have been washed ashore in the Lower Murray River area by being flushed to sea by the floodwaters pouring out of the Murray River entrance and coming ashore at Encounter Bay. The various fish species generally suffer stress from the changed environment, and damage to delicate gill structures forms a ready site for infection by aquatic pathogens such as those of fungal or bacterial origin. It is customary to check the field diagnoses of disasters of this magnitude; hence, officers of the Fisheries and Museum Departments are undertaking further intensive investigations.

POTATO MARKETING ACT AMENDMENT BILL

The Hon. T. M. CASEY (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Potato Marketing Act, 1948-1973. Read a first time.

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

That this Bill be now read a second time.

This short Bill, which arises from a recommendation of the South Australian Potato Board established under the principal Act, the Potato Marketing Act, 1948, as amended, provides for the licensing of potato packers. The packing of potatoes has, since the principal Act was first enacted, developed into a specialised and quite large-scale industry. In the board's view, regulation of this industry is necessary for uniformity and orderliness of marketing. In substance and in form the proposed amendments follow closely amendments passed by the Council in 1964 which, among other things, provided for the licensing of potato washers.

I now deal with the Bill in detail. Clauses 1 and 2 are formal. Clause 3 amends section 3 of the principal Act, the definition section, and inserts a definition of "potato packer", which is, it is suggested, self-explanatory. Clause 4 inserts new section 19b in the principal Act, which provides for the licensing of potato packers. As has been indicated in form and expression, it follows the provisions of section 19a of the principal Act, which relates to potato washers. Clause 5 makes certain consequential amendments to section 20 of the principal Act, which sets out the power of the board to make orders relating to prices and charges, and so on.

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

BOATING BILL

The Hon. T. M. CASEY (Minister of Agriculture) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and ordered to be printed.

SWINE COMPENSATION ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

It is introduced as a consequence of the present very healthy situation of the Swine Compensation Fund established under the principal Act, the Swine Compensation Act, 1936, as amended. The healthy state of the fund is evidenced by its accumulation of substantial reserves. After considering alternatives, and after consultation with the industry, it has been decided:

(*a*) to provide for a more flexible method of determining the amount of stamp duty to be paid under the principal Act but, at the same time, providing for a maximum amount of duty to be payable, the effect of which should enable the income of the fund to be more readily adjusted;

(*b*) to increase the grant from the fund for the Pig Industry Research Unit, conducted by the Agriculture Department at Northfield, from a maximum of $10 000 a year to a maximum of $25 000 a year; and

(*c*) to enable surplus of revenue over expenditure to be applied for the benefit of the industry generally.

These proposals have received the approval of representative sections of the industry. To consider the Bill in some detail, clauses 1 and 2 are formal. Clause 3 makes some drafting amendments to the interpretation section of the principal Act to bring that section up to date. Clause 4 amends section 12 of the principal Act, which provides for the establishment of the Swine Compensation Fund, and the amendments provide:

(*a*) that bulk payments of duty to the Minister in lieu of payments by means of duty stamps will be credited to the fund; although in the past such payments have been dealt with in this way, it has been thought prudent to make this clear;

(*b*) for the recasting of the provisions of this section that provide for payments out of the fund; briefly, the following payments may be made:

(i) for the cost of administration of the prinicipal Act;

(ii) for compensation under the principal Act;

(iii) by way of grants to the Pig Industry Research Unit which have by this amendment been increased by a maximum of $15 000 a year;

(iv) to assist the industry generally.

Apart from the increase of the grant to the research unit referred to above, the most significant alteration made here is to enable annual surplus amounts to be applied for the benefit of the industry. The Government intends that, in the disbursement of these amounts, it will pay close attention to the views of the industry expressed through an informal committee intended to be established.

Clause 5, by amending section 14 of the principal Act, merely provides that, in future, stamp duties will be fixed by regulation, subject, of course, to the limitation that they will not exceed the present rates. In fact, the maximum payment in respect of any one pig or carcass is, by this provision, reduced from 35c to 21c. As indicated, the provision of a flexible arrangement of this nature will enable the revenue accruing to the fund to be reduced, if this becomes necessary.

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

APPROPRIATION BILL (No. 2)

Adjourned debate on second reading.

(Continued from September 26. Page 1162.)

The Hon. C. R. STORY (Midland): I rise not so much to discuss the individual items in the Financial Statement but rather to examine the State's general financial situation. When moving the second reading of the Bill in another place, the Treasurer said:

In doing so I present the Government's Revenue Budget proposals for 1974-75 which forecast aggregate receipts of $762 645 000, aggregate payments of $774 645 000 and, accordingly, an estimated deficit of $12 000 000.

That is normal. While I have been a member of Parliament, the procedure adopted has been for the Treasurer to give a full statement to Parliament. In the Playford era the statement contained all the matters pertaining to the State Budget, including any necessary taxation variations and everything to do with the State's finances for the coming year. If it was necessary to change that Budget, the change was made in the form of a supplementary Budget; that practice was followed over a long period, and a check of *Hansard* will prove it. In other Parliaments, such as the Commonwealth Parliament, the same procedure is adopted: a mini Budget is introduced if the situation alters considerably from that forecast in the original Budget. This procedure is proper. I very much regret that there are no members of the press taking any notice of what is happening in this Council at present, because I believe that the public should know what is actually happening as regards the financial management of this State at present.

The Hon. C. M. Hill: There are no members of the press in the gallery at all.

The Hon. C. R. STORY: As far as I can see, there are no members of the press there at present. This is nothing new. Although three or four days ago the Chief Secretary brought into this Council a supplementary statement from the Treasurer, not one line has been reported that would enable the public to know that very great changes have been made in the Budget of this State from what was announced by the Treasurer on August 29. It would appear to me that the press secretaries, whom the Government is paying very well, have either been muzzled or been told not to give a press hand-out on this matter. This highlights the danger of this kind of reporting; it has happened before, and it was predicted that it would happen. It was predicted that newspaper reporters would not go to Ministers' offices, as they did in the past, and get information from the Ministers, who in my experience always agreed to meet the press and provide as much information as they could. Now, the press has got lazy. It does not go to the Ministers' offices; rather, it relies on press releases from the Ministers' press secretaries. Consequently, in this instance no-one is going to cry "stinking fish". If a Minister does not like the information he has available, he will not have a press release issued; this has happened in regard to the expanded second reading explanation delivered in this place but never delivered in another place. As a result of the changed procedures, not one line of the extremely good and well researched speeches made by the Leader and the Hon. Mr. Hill has been recorded in the newspapers of this State, and I doubt whether those speeches have been mentioned by the other media.

The Hon. T. M. Casey: Do you think they will report your speech today?

The Hon. C. R. STORY: I know that they will not report it, but I will take great pleasure in taking to the news media the portion of *Hansard* containing my criticism of the media for the way in which they are handling their job. I shall send the media a bound copy of the portion of *Hansard* containing my remarks. The media will then have the benefit of what I have said. I reiterate that I firmly believe what I have said about hand-outs and about the press not doing its job in the normal way. Members of the press will need to read my remarks, because they were not present to hear my remarks.

The Hon. J. C. Burdett: Do you think you will get a star rating?

The Hon. C. R. STORY: I do not know. I think my star is on the wane. I turn now to the taxation increases with which we are faced. It is a great pity that the people do not know what is ahead of them. I said earlier that the normal practice over a long period was to tell the public at the time of the Budget what taxes would be imposed. In his statement the Treasurer has claimed that the Government has now become so efficient that it is able to tell the public earlier what additional taxes need to be imposed. It seems from the supplementary speech that it is also incumbent on the Government to make a third grab from the public, which will not know anything about it.

There is no doubt in my mind that this is a very cunning ruse by the Treasurer. If the Government announced in one hit all the amounts it intended to levy, the people would be absolutely up in arms. However, because the Government dribbles out a little every month, no-one feels it quite as much. This procedure is very much the same as the procedure with flogging. At one time flogging was carried out continuously up to 100 lashes, but now a more civilised method is used (if one can use the term "civilised" in connection with flogging). Now, a period has to be allowed between each stroke of the whip; the prisoner is inspected to see whether he will survive more strokes. The Government follows a related method when it extracts money from the public. It gives the people a little taste of it and, if they do not react too badly, it gives them another taste. Then, if the Government sees that they are still pulsating and that industry still has its head above water, it extracts more taxes. This is not good financial policy.

I come now to the nub of what I want to say. In his forecasts for 1974-75, the Treasurer has outlined what has happened since May, 1973, and he has dealt with meetings with the Commonwealth Government, Premiers' Conferences, etc. He then stated:

A firm announcement was made about increases in payroll tax, the price of water, liquor tax and hospital fees, and new levies in respect of gas sales and the profits of the Savings Bank.

That was the first bite, and it came as a result of his requiring an extra $20 000 000 to run the State. He expected that those measures would bring in about $12 000 000 this year. He then stated:

Final consideration of other measures was deferred pending conferences about a possible consumer or franchise tax and possible specific purpose grants by the Australian Government, which would relieve the State's Revenue Budget.

Now this is the part in which we are very interested:

I then forwarded a special submission to the Prime Minister on the matter of additional specific purpose grants towards committed expenditure in areas of high priority in the Australian Government's programmes. A little over a fortnight ago, a further Premiers' Conference was held, primarily to discuss ways in which the States could co-operate with the Australian Government in countering inflationary pressures.

He continued:

I am confident that one way or another, either as part of a general allocation to all States or by way of additional specific purpose grants as requested in my special submission, South Australia will secure an additional $5 000 000 to $6 000 000. That would probably enable us to avoid new measures such as a consumption or retail sales tax.

Let us look at that. The submission was made concerning expenditure in areas of high priority in the Australian Government's programmes. It must be remembered that the Treasurer interrupted a world tour to return to South Australia and other parts of Australia to advocate the re-election of the Whitlam Government, now called the Australian Government.

The Hon. A. M. Whyte: Why do they call it that?

The Hon. C. R. STORY: Frankly, I do not know. However, it probably makes that Government more important than the State Governments; secondly, as the State Governments will be abolished as soon as possible, there will be then only one Government and it will more realistically be called the Australian Government, because there will be no States and therefore no Commonwealth. It is simply padding for what is to happen.

The mention of areas of high priority in the Australian Government's programmes conjures up the thought that we are not to be given a straight-out grant. We will have to ask for things, and the Commonwealth Government thinks that this is good for us. It is just another indication of the intrusion by the Commonwealth Government, not only into local government (into which it has already put its sticky fingers) but, with the Grants Commission, into the way in which this State will be run. That is becoming more and more apparent, and the only people to blame are the Treasurer and his Government, because they have condoned and connived with the Commonwealth Government in this policy. It is useless to come back to mother, weeping, after being beaten by your husband, because she warned you that he was not the right man to marry!

I come now to the second point. Once again, the Treasurer has placed his trust in the Commonwealth Government. If my memory is correct, those are rather famous words. I think it was Wolsey who said, "Place not your trust in princes" when he was facing the block, because he had given everything to the king, who turned on him. Our Treasurer finds himself in exactly the same position. He has been scrubbed completely, as he was in relation to the $10 000 000. He thought he might have got $5 000 000 or $6 000 000, but he has got nothing and he is in a most embarrassing position. This is not the first time the Prime Minister has let our Treasurer down, nor was it the first time he had let down the Minister of Agriculture.

We have been told constantly that matters have been taken up at Premier and Prime Minister level, and that that is the proper approach from State to Commonwealth. We saw the great performance before the 1972 election when everyone in the wine industry was written to by the Treasurer, who invited them to give funds to return a Labor Government in Canberra so that they would get a better deal. Within the first fortnight of the "better deal" they were to have been given, one impost was removed only to be replaced by a heavier and harsher one. As I have said recently, the Commonwealth Government has the instincts of an alcoholic: it cannot leave the booze alone! It has been at it from the time it took office until the present time, and the State Government is emulating the Commonwealth, because it cannot stop. They continue with liquor taxes, and it is most interesting to see the small prism in which the Treasurer appears to view these things. I will deal with that matter later in relation to decentralisation, but before I get on to that subject I shall say a little more about the promises the Prime Minister has made to the Treasurer and the way in which he has let the Treasurer down.

On the day before the last meeting of Agricultural Council we were told in this Chamber by the then Leader of the Government in this Council, the Minister of Agriculture, that the Treasurer had taken up with the Prime Minister the matter of wine and brandy excise and that the position appeared hopeful. The result was that everyone in the trade thought that was so and that the position would not be aggravated. I believe the Treasurer has been sincere and that he has done a good job in trying to alleviate the position, but the Prime Minister scrubbed him off, as he did in relation to the $6 000 000, and the Prime Minister will continue to scrub him off in various other ways, because the Prime Minister has not got his mind fully on running the country. Someone else breathes down his neck and sits at his elbow on every detail of financial matters, while he tells the Africans how to run their affairs and gives another country money (that has come from our taxpayers) to organise a rebellion.

The Hon. R. C. DeGaris: How much did the Commonwealth give to the Honduras relief fund? Not very much, I suppose.

The Hon. C. R. STORY: I do not know, but I should not think it would have been very much—probably nothing like the amount that will be given to the insurgents in South Africa. I come now to the rather interesting situation in relation to Governor's Warrants. Not many years ago the sum that the Government could spend without reference to Parliament was $200 000, and it could be spent for any purpose that came within the area of Government financing, the Government having only to report the spending and the method of spending to Parliament at the appropriate time. Inflation has caught up with us and our Budget has become larger, and Parliament has granted the Government the right to have an automatic system whereby the Government can spend 1 per cent of the total Budget, which this year is about $7 700 000, without reference to Parliament. In other words, the Government does not have to introduce a supplementary Budget to do that.

The Government, not satisfied with that, is now departing from that procedure and seeking to go further by encompassing within its Estimates, without having to seek Parliament's approval, another category, known as prescribed institutions, but it has not told us what those prescribed institutions are; it has not said how much money

will be involved or how the system will work. I know how it could work. If the prescribed institutions are all those to which the Government grants or lends money (and by reference to the Auditor-General's Report it can be seen that there are many such organisations), and if one had the time to tally out the amounts involved, I am sure the total figure would be alarming.

No matter what the figure is, it will be added to the $7 700 000 that the Government is already allowed to play with. If the total is increased to, say, $10 000 000, the Government will then be able to use that sum for any purpose it thinks fit, and all that it has to do is report its action to Parliament. Previously, Supplementary Estimates were put before Parliament for this purpose, and additional taxation measures were presented to Parliament in a mini Budget, which Parliament could debate so that, if it did not agree with it, it could vote against the measure. However, that is not the position under this system of financing on which this Government has embarked, under which it can act without any further reference to Parliament until the end of the financial period. I do not believe that is proper, and I do not believe that is what should be normal Parliamentary procedure. Government financing has always provided for the use of excess warrants, which can be used within departments to reallocate funds from one line to another line. Under that system, the Government has daily control of the situation, because lines cannot be tampered with until the excess warrant has been given and countersigned by the Treasurer. By this means, everything is accounted for in the lines presented to Parliament on the next occasion, at which time any variations can be noted and investigated. This current system is nothing other than the application of Rafferty's rules, and it has to stop.

The Government has to face up to giving a proper account to Parliament, and the people of South Australia, about what it is doing with its money, and to say particularly why it needs to impose additional taxes, because there are obviously certain projects on which funds are spent but which are not money-earning in any way and which will not improve the position of people in the street. These expenditures will not get more housing for those unfortunate people who must now pay $20 or $30 for three rooms, if they can afford to pay this sum, or who must face similar hardships. Certainly, this is not the way the people misguidely thought a Labor Government would act. Anyone who remembers the situation applying during the time of the Playford Government will know what assistance it provided in respect of housing for the working people of this State. I am certain that many people are envious when comparing their current situation with that previously applying, especially as it is remembered that South Australia was the envy of the other States at that time.

It is interesting to see how the press has referred to and handled this situation since it came about. On June 21, 1974, under the headline "Premier hoists taxes, fees", the *Advertiser* contained a report, written by political reporter Ian Steele, as follows:

The Premier (Mr. Dunstan) yesterday announced a $17 800 000 first instalment on increased State taxes for South Australia.

The Hon. A. F. Kneebone: They have gone now.

The Hon. C. R. STORY: True, but I got my point over. The report continues:

Pay-roll and liquor tax, stamp duties and hospital fees all will rise. There will be a 5 per cent levy on gas sales, a 5 per cent increase in the State Bank contribution to revenue and a new demand on the Savings Bank to contribute 50 per cent of its net profit to the Treasury. Mr. Dunstan handed the news to the media yesterday with apologies and laid the blame on the Whitlam Administration.

That is a nice way to do business! If the newspapers choose to publish this information, the public will know something about it. At least, if such matters were put before Parliament, they would be reported in *Hansard*, and there are still a few people who read *Hansard* and who, by word of mouth, might get the news passed around. The next report to which I refer is contained in the *News* of August 21, under the headline "Our State Budget may not be a gloomy one", and the report by Rex Jory states:

The Budget, to be brought down by the Premier and Treasurer, Mr. Dustan, is unlikely to contain any new rises in State taxes or charges. The Budget will be a mild financial document containing little to interest the average working man in his battle with inflation. Its only sting will be to confirm some of the revenue-raising measures already outlined by the State Government.

They were fairly good! True, it may not have been a gloomy Budget, but I do not agree with that reference to the working man, because I believe that he will feel the effects of it much more than in relation to the few taxes referred to by Mr. Dunstan on August 26. The next report to which I refer is under the large banner headline "No new tax increases for South Australia in a tame Budget". This report, by Ian Steele, states:

The Premier (Mr. Dunstan) introduced a Budget free of taxation increases yesterday. It was a tame document forecasting expenditure of $774 600 000 and a reducible $12 000 000 deficit.

He would have to be kidding! As we continue, we will see just what that $12 000 000 reducible deficit is and what it really means. That report was in the *Advertiser* of August 30, 1974. On August 29 the *News* carried a banner headline (and the Chief Secretary could tell me how many points in print size this is; it is a very large one). The article states:

Budget gamble. No new taxes if we get the $6 000 000. South Australians have a good chance of not being hit by any more increases in State taxes or charges in 1974-75. This was the good news the Premier, Mr. Dunstan, made official when he presented the State Budget to Parliament today. There will be a record expenditure of more than $774 000 000 and a deficit of $12 000 000.

That is another of Rex Jory's contributions. On September 17, there was another large headline—"South Australia $19 000 000 in the red in two months".

The Hon. A. M. Whyte: Is that a reducible one, too?

The Hon. C. R. STORY: This will be an increasable one. The article states:

The Premier, Mr. Dunstan, today hinted South Australians could face further State tax increases in the face of a disastrous start to the current financial year. Mr. Dunstan announced that South Australia recorded a deficit of nearly $19 000 000 in July and August—or $12 000 000 more than had been expected.

That is good; we shall really be getting down to the nitty-gritty in about the tenth month! The article continues:

"I cannot rule out the possibility of further tax increases for South Australians", he said. The big deficit had been brought about by an unexpected shortfall in State receipts of $4 000 000 and an excess of payments above normal pattern of about $8 000 000. The deficit—of $18 940 000—compares with a deficit of only $4 930 000 for the same two months last year.

The article goes on to say how this happened. I do not think any explanation is required about how it happened. We have simply been caught up in the whirlpool that is dragging down the whole of the Australian economy; this process had its genesis in the Commonwealth Government's policies, particularly in regard to the industries we have

set up with very little help from Mr. Dunstan and his Government, because those industries were well and truly established long before he came on the political scene as the Treasurer of this State.

Then there is the position with regard to one of his main tax-gathering efforts—stamp duties. Of course, revenue from that item must be down because, the moment we start getting a recession in any form, people with money invested in a company whose shares have dropped by anything up to 65 per cent of their value as at the first day of this year will not be rushing in to sell their shares unless they are absolutely forced to do so. Also, they will not go into real estate, which at the moment is inflated out of all recognition; they will not borrow money at 9 per cent, 10 per cent, 15 per cent, or anything up to 20 per cent, to transact business in real estate. Consequently, the mortgages, the actual sales, the transfers and the conveyances will also necessarily be down, and it does not take a college education to work that out. Nor will it take a Bachelor of Economics to work it out; it is fundamental.

I like the bit about the "Budget gamble". It is all right for hire-purchase companies, for people who speculate on racehorses and for people who do not care very much whether or not they can meet their commitments at the end of the month to gamble, but in my opinion it is a crime for a Government to gamble as this Government has, knowing full well that we are living in a highly inflationary situation. Who were the first people to talk of this inflationary situation? It was not the Government—it was one or two eminent people in the finance world who drew the Commonwealth Treasurer's attention to the fact that the nation's economy was not as it should be. What was the retort?

Just before the last Commonwealth elections, the Commonwealth Treasurer said that those people were scaremongers. When the Leader of the Commonwealth Opposition started the campaign on inflation and spoke about it, it was called "absolute nonsense". That was said by our own Treasurer, by the Commonweatlh Treasurer, and by the Party that supports him. But it was a fact, and the Treasurer of this State prepared his Budget in the full knowledge of the financial situation of this country. He gambled on the Commonwealth Government's giving him $6 000 000, but that did not eventuate. Consequently, as well as the crippling taxes that were imposed prior to this Budget, we are to get another serve of taxes, which will be equally severe. The Treasurer is going into an unknown field in State tax collection: he is going into the consumer area—no doubt into the petrol tax area.

The Hon. A. M. Whyte: Do you think he will have a go at a supertax?

The Hon. C. R. STORY: He will have a go at any tax. The interesting thing about it is that these measures are being imposed, according to the Treasurer's statement, because of the emergency facing us. We have not yet experienced the emergency; the tip of the iceberg has just emerged. We have a lot more of it to see yet. However, if we are being taxed at the rate we are in this Budget, within two months of its being brought down, with the new taxes being imposed, what will it be like when the thumbscrew is really applied? People in the outside world who cannot meet their commitments are declared insolvent, and the few sticks of what they have left are sold for the benefit of their creditors; but that is not so in Government finances. The Government goes on turning the thumbscrew until it brings down all its industries and its people to the level of paucity. That, I believe, is what will happen if the people of South Australia allow the Government to go on in the unbridled way in which it has been acting in the last 12 months, in the full knowledge that the economy over the whole country is sick. The Treasurer, when addressing a group of people only a few days ago, set out a sort of formula (I suppose one could call it a panacea). In the *News* of September 30, 1974, Mr. Rex Jory reported as follows:

The Premier, Mr. Dunstan, today urged the Federal Government to adopt a three-point plan to safeguard South Australia from some effects of the national economy. In a major speech, he called on Mr. Whitlam to provide a sufficient level of tariff protection for the State's most vulnerable industries; provide compensatory subsidies or support to industry already located or locating outside the major population centres; and provide State Governments with money to reduce the added costs of industry in the fringe areas.

And the Premier promised to follow his call through with an approach to the Federal Government. Mr. Dunstan said one of these courses or "a judicious mix" of them was necessary to prevent South Australia suffering disproportionate effects in time of national stress.

The Treasurer was giving his oration to the Italian Chamber of Commerce in South Australia. I only hope that its members did not speak much English! I repeat one of the three points made by the Treasurer:

Provide compensatory subsidies or support to industry already located or locating outside the major population centres.

Anyone would think, if he did not know, that this was something new that would save South Australia. However, this scheme was in full operation under the Playford Government but was wiped out by the present Government. One could easily see this if one referred to one or two examples. Whyalla would never have got off the ground if the then State Government had not provided a main and water for the town at a cheap rate. This formed part of the indenture with Broken Hill Proprietary Company Limited. Electricity was also provided for the town at a lower rate.

The whole of the Playford Government's policy was to subsidise electricity costs in country areas in order to keep the charges as low as possible, thereby encouraging secondary industries to establish there. This happened not only at Whyalla but also in other parts of the State. That Government also provided, through the Housing Trust, housing that was urgently needed. There is, therefore, nothing mystical about the first point of the Dunstan Government's plan.

The Treasurer also said that the Commonwealth Government should provide a sufficient level of tariff protection for the State's most vulnerable industries. However, this country had a tariff set-up that had been tried over many years. Indeed, some of my colleagues have tried for many years to have tariff barriers pulled down, or at least lowered. However, in the framework and structure that have grown up over the years, the tariff barriers were compensated, to a large extent, by import licensing in relation to various industries. But what did the present Commonwealth Government do? It was not in office for any time at all before it removed tariffs. If that Government had studied the list in the dark, it could not have picked a worse group of industries from which to remove tariffs.

Surely, some Commonwealth Government Ministers who have been touring the world, at the taxpayers' expense, must have gone to Singapore, Formosa, Japan or the Philippines and seen the capacity of the people in those countries to turn out, say, rayon, in every form: very gay, of good quality, and at a fraction of the cost of production in Australia. Had those Ministers used their eyes a little,

they could have seen the tremendous number of shoes that could be made with synthetic materials and, more recently, with nylons and plastics.

The first thing the Commonwealth Government did was to pull down the barrier and allow into Australia huge quantities of these materials, in competition with Australian goods. It did not take any action to ensure that these products were sold at reasonable prices. To my way of thinking, that was sheer hypocrisy on the part of the Commonwealth Government, which says that it wants to look after the little people.

The Hon. C. M. Hill: The Minister of Agriculture is listening!

The Hon. C. R. STORY: I always have his ear. I have referred to only two items, footwear and rayons. I cannot help referring to yet another matter again, because, for the Commonwealth Government to lower tariffs completely and allow imported brandy to flood the Australian market, and for that imported brandy to be sold at a price lower than the local product—

The Hon. R. C. DeGaris: Is there a tariff on sleeping pills?

The Hon. C. R. STORY: It is not needed: one has merely to listen to former Ministers of Agriculture and one is put to sleep; the present Minister is, anyway. The Government has removed all tariff barriers on the importation into Australia of brandy, and this has enabled that imported brandy to be sold more cheaply than is our own product. It did so without even checking to see whether the imported brandy was a grape brandy or whether it was made and stored under the conditions required by Australian law before the name "brandy" could be put on the label. That was completely irresponsible, but it is happening.

The Hon. T. M. Casey: It has happened for a long time.

The Hon. C. R. STORY: That is not true.

The Hon. T. M. Casey: Under a previous Liberal Government.

The Hon. C. R. STORY: There has always been protection in regard to goods produced in Australia. What the Minister is saying probably relates to the time when we lost our preferences under the Empire trade preference scheme. It might have been possible for some goods from France and Morocco to filter into the United Kingdom more cheaply than had previously been possible. In the same way some liquor was brought through the United Kingdom on switch deals into Australia, but that was very different from the present situation, where any amount of imported liquor can come into this country, provided the importer pays the normal duty, which is not sufficient to allow the Australian product to compete.

Let us consider the effect of the Government's policy. Let us take a typical Murray River town with a population of 7 000, of whom about 700 (10 per cent) are on the land producing the raw materials. The remainder of the population services those 700 settlers. Anything done by the Commonwealth Government to upset the marketing of the product and related products (such as canned fruit and dried fruit) puts that community in an untenable financial situation. As a result, people leave the town and go to the city. Then, the town does not need so many schoolteachers, bank managers, foundry workers and motor mechanics, and they go to the city, too. Eventually, either those workers have to be retrained for other jobs or they go on unemployment relief, because of the Government's tariff policy. The same kind of situation has occurred at Strathalbyn (where a shoe factory has been closed), at a Mount Barker tannery, at the largest cotton mill in Adelaide, in the motor industry and in the motor vehicle accessories industry.

The Treasurer's third point in his plan to safeguard South Australia is to call on the Prime Minister to provide State Governments with money to reduce the added costs of industry in the fringe areas. I presume that the Treasurer is referring to some form of subsidy. The Government is planning expansion at Monarto. I do not want to knock Monarto, because I do not know enough about it; indeed, I do not think anyone knows enough about it, and it is not our fault, because the Government has not made the information available.

The Hon. T. M. Casey: Mr. McLeay seems to know about it.

The Hon. C. R. STORY: He has an advantage, because the Commonwealth Government gathered together the information that the State Government had. The Commonwealth Government then gave that information to its experts, but the Government was not thrilled with what those experts thought. Further, the Commonwealth Government made the information available to the Commonwealth Parliament. That is how Mr. McLeay got hold of it. I believe that there should be a public inquiry into the feasibility of major projects. I should like the Government to table the report of the original consultants and also the report of the Flinders University professor regarding atmospheric conditions. Further, I should like to see the soil survey.

The Hon. T. M. Casey: What about the report of the Frenchmen?

The Hon. C. R. STORY: We have never been told about it. Mr. McLeay has made a public statement.

The Hon. D. H. L. Banfield: You said that you did not know anything about it.

The Hon. C. R. STORY: I am glad to see that the Minister of Health is alive again. I do not know what report Mr. McLeay has seen. The daily press reported that he had made a statement that he had received information from a Commonwealth Minister regarding Monarto. From memory, this was a report brought down by two consultants whom the Commonwealth Government had employed to find out whether the South Australian Government was honest in its request for large sums, some of which have been provided.

The Hon. T. M. Casey: For Monarto?

The Hon. C. R. STORY: The Minister should look at the Budget. Some money has been provided.

The Hon. T. M. Casey: You said that the consultants were employed by the Commonwealth Government to look at Monarto and that this was the report that Mr. McLeay got.

The Hon. C. R. STORY: I said that they sifted through the information supplied by the State Government, but I might be incorrect. If the Commonwealth Government has given some information to a member of the Commonwealth Parliament, it is a jolly sight more than the State Government has given to members of the State Parliament. There should be an inquiry into every major project, involving millions of dollars, undertaken by the Government. The Government will act only under pressure. It is a great Government for backing off; it will back off at every opportunity. We saw an example today in relation to the Redcliff project. Many requests have been made in this Chamber for information about this project, but we have not been able to get it. Suddenly, sufficient pressure is brought to bear from the conservationists, the Government accedes to the request, and a public inquiry will be held.

A similar course of action should happen regarding Monarto. I do not know whether the soil survey is correct, but I have heard that the bedrock is close to the surface. That is just another illustration of what I mean. I have taken three points from the Treasurer's statement on how he was going to approach the Commonwealth Government to save the State. Those three points are not worth 20c. The situation has been in existence for many years. If the State can be saved by writing a letter to the Prime Minister and getting that sort of help, we have nothing to worry about, but that is not borne out by the facts. We have been taxed, we have been threatened with tax, and I believe that, when the Budget is before us next year, we will see a deficit not of $22 000 000 but of a considerably higher figure.

I do not believe the Government knows where it is going with its finances at present, and I make a final plea that we should not, in any circumstances, allow a situation to continue where we have five or six bites of the cherry during the year, pushing on taxes whenever the Treasurer likes, but that a Budget should be brought down with as close an estimate as possible to the actual position. We should not have Estimates that are inaccurate by millions of dollars after only two months of operation. We should have proper financial documents, not documents speculating on money that might be received from the Commonwealth. After all, the dog would have got the hare if it had not stopped; the same situation applies with a Budget of this kind. "Ifs and buts" should not enter into State finances.

If further financial measures are necessary, I make the plea that they should be given in the form of a mini Budget so that everyone will know about it, everyone will see, and members here can protest, at the worst rejecting the Government's proposals, and taking the consequences if they do. At least, Parliament should be given the opportunity to exercise its proper right and to act as the watchdog of the taxpayer.

The Hon. B. A. CHATTERTON (Midland): The Hon. Mr. DeGaris and the Hon. Mr. Hill both criticised the Government for excessive expenditure. One series of criticisms relating to the Budget was that the expenditure was ineffective. This is a problem that always confronts Governments, and this Government has faced these dangers and is taking the appropriate action. As we all know, an inquiry is taking place at the moment into the Public Service to see how it can be organised more effectively to provide adequate services for the people of South Australia. The other area in which the Government has already taken action is in the Agriculture Department where, last year, the Government commissioned a report by Sir Allan Callaghan, who was asked to look into the department to see how its activities could be more effectively organised to provide a service for the farmers of this State.

One of the most important recommendations of the Callaghan report is that the advice given by the Agriculture Department should be based on a whole-farm approach. That is extremely important because the tendency has been in the past few years (or probably over a longer period) to give more and more specialised advice. This has arisen from a lack of understanding of the problems facing the farmer and the sort of advice he needs. The specialised advice tends to be confined to the problems of the farmer merely in terms of physical problems such as plant breeding, fertiliser, weed control, and so on, whereas the actual problems facing him are more often on the financial side, relating to capital requirements and, most important, the integration of farm enterprises. The recommendation in the Callaghan report that future departmental advice should be based on a whole-farm approach will make the Agriculture Department much more effective.

The second important recommendation, coming from the whole-farm approach recommended, is that the organisation of the department should be based on regions. This is a follow-up from the whole-farm approach. There is no point in establishing regions unless the regional branches of the department are looking at the agriculture of the area as a whole and not merely as a series of isolated industries. We must be looking at the whole-farm system of wheat, sheep, and cattle, with everything integrated on a single farm and not merely as a series of industries.

The farmers of South Australia have faced a great change in the past five or 10 years. We have seen large numbers of cattle on farms that were traditionally wheat or sheep farms only. The decision to change from sheep to cattle is an example of what I mean by the whole-farm approach. It is not merely a question of the physical resources of the farm, the pastures and fences, and so on; it it a question of the capital the farmer has, of his skills in managing the capital, and even his own personal desires and inclinations. These factors make an effective impact on the decision making of the farmer, and all factors must be taken into account. There are, of course, difficulties with this report. It is not always completely clear, in a blueprint such as this, what should be done for the future. Here, I should like to quote one paragraph, which I think is extremely good. In the first section, paragraph 12 states:

> Evidence in favour of complete simultaneous regionalisation was such that is was considered it would be a mistake to go through the organisational difficulties encountered by both New South Wales and Victoria by attempting to graft regional development on to the existing structural organisation and allow it to evolve. The preservation of the existing departmental structure would be incompatible with both the need for other important changes and regionalisation.

That is extremely good, but it is not totally consistent with some recommendations appearing later in the report, where it seems that part of the existing organisation is to be maintained. For this reason the Government has thought it necessary to look further at the report to see how it can be implemented.

The second main area of criticism of this Budget was that Government expenditure was excessive overall. This type of criticism is a hangover from the Keynesian approach to the inflation problem. We are now realising that the Keynesian theory is ineffective as a means of controlling inflation.

The Hon. R. C. DeGaris: Are you saying you are using the Keynesian theory as part of your Party policy?

The Hon. B. A. CHATTERTON: I believe the whole Western world is realising that the Keynesian approach is no longer effective, and it is even questioning whether it was ever effective as a means of controlling inflation. The whole theory was based on the economic circumstances between the First World War and the Second World War and was designed to control the depression of that time. The Keynesian theory is full of expressions such as "investment multiplies" and "priming the pump". In other words, it was trying to get an economy out of a severe depression.

When the opposite of a severe depression occurs (that is, inflation), the Keynesian theory assumes that the same remedies should be applied in reverse. However, I believe the failure in modern society is its attempt to reduce

overall demand and to create unemployment. That is what the Keynesian theory implies. In fact, unemployment does not have the effect predicted by Keynes. We can trace this back to the lack of competition in the economy and the decrease in demand that results from the economic measures recommended by the Keynesian theory. Because of the lack of competition among major companies, this decrease in demand does not have the effect of reducing prices.

In a recent American report it was stated that 80 per cent of prices in that country were set through administrative decisions, and not by the forces of supply and demand. Therefore, when demand is reduced, it does not affect those prices, because they are fixed through administrative decision. Obviously the same sort of situation applies in respect of wages. Trade unions have been established so that there should not be competition between pools of those who are unemployed and those who are employed, and it is unrealistic to think that by creating a pool of unemployed people there will be a decrease in wage demands.

The evidence in the United Kingdom seems to show this, too. In that country the creation of unemployment has been used there on several occasions to try to create a lessening in wage demands, but there has not been any correlation between the level of employment and the level of wage demands. Within the Australian economy there have been at times various levels of unemployment in the different States, yet there has been no correlation between the level of unemployment and the level of wage demands in those States. Therefore, an economic theory based on trying to reduce demand and to reduce employment, as well as having an effect on prices and wages, will be, I believe, totally ineffective. I believe we must look outside such a budgetary approach and look directly at the cost-push nature of the current inflation.

The Hon. R. C. DeGaris: Do you believe the Government is doing that?

The Hon. B. A. CHATTERTON: Yes. I think that that is the approach being taken by the Australian Government.

The Hon. R. C. DeGaris: That is why inflation is falling, is it?

The Hon. B. A. CHATTERTON: Well, it is a long-term process. I do not believe it is something that can be tackled immediately and quickly. It is a new approach in Australia in respect of economic policy; in fact, it is different from traditional economic policy in most countries of the world. Moreover, this is the direction that many countries are now taking. Professor Galbraith, the noted American economist, has looked into this matter closely. He looks at inflation coming from what he calls a heartland of industry, where big unions and big business are capable of passing on any costs to the community. In the United States, especially in the motor vehicle industry, where automobile workers and larger manufacturers can agree about how industrial peace can be kept, the high costs of large wage demands can be easily passed on, and there is a flow-on effect to the rest of the community from these centres, which he calls the heartland of inflation. This applies especially to Governments. Professor Galbraith stated:

There is no equally easy way by which the teacher, the policeman, the public servant, the garbage collector can cohabit with his employer and then pass the cost on to the public. Instead we have unpalatable taxation or higher charges for services.

The Hon. C. R. Story: What country is this? I must go there some time.

The Hon. B. A. CHATTERTON: That was a quote from Professor Galbraith, and that is the policy we will have to develop. True, it is not a policy that can be arrived at quickly or easily, but I believe it explains the features behind the recent Budgets of the Australian Government and the State Government when it was considered that there was no point in trying to reduce demand severely in the economy, because of the adverse effects on employment which would result and because of the unproven capability of such methods in controlling inflation.

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

DAIRY INDUSTRY ACT AMENDMENT BILL

Returned from the House of Assembly with the following amendment:

No. 1, page 1, line 9 (clause 2)—After "proclamation" insert "not being a day that occurs before the first day of February, 1975".

Consideration in Committee:

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

That the House of Assembly's amendment be agreed to.

The date mentioned in the amendment is the day on which the dairy industry will be able to bring into production and on to the market the new dairy spread. It is not expected that it can be done before this date, which has been chosen to fit in with the industry's requirements. The Act will not be proclaimed until after this date.

The Hon. C. R. STORY: I do not know what this amendment means, and I do not know whether anyone else knows, either. It has been introduced at short notice and without adequate explanation, and I am not in the habit of dealing with matters when I do not know what they are about. I think I know what it means but I think I do not agree with it, so perhaps the Minister should arrange for us to have time to look at it.

The Hon. T. M. CASEY: Very well. I ask that progress be reported.

Progress reported; Committee to sit again.

DAIRY PRODUCE ACT AMENDMENT BILL

Returned from the House of Assembly with the following amendment:

No. 1, page 1, line 9 (clause 2)—After "proclamation" insert "not being a day that occurs before the first day of February, 1975".

Consideration in Committee:

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

That the House of Assembly's amendment be agreed to.

This is the same sort of amendment as was made in the Dairy Industry Act Amendment Bill. As honourable members want to look at the situation, I am happy to report progress.

Progress reported; Committee to sit again.

LOCAL GOVERNMENT ACT AMENDMENT BILL (MEETINGS)

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

EXPLOSIVES ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

EVIDENCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 26. Page 1155.)

The Hon. J. C. BURDETT (Southern): I support the second reading of this Bill, with considerable reservations. The Chief Secretary, in explaining the Bill, said it had the support of the Law Society. I do not consider that that was a correct statement as at Thursday of last week, when it was made. On August 3, 1971, the Attorney-General wrote to the President of the Law Society asking the view of the society on a Bill of this kind. On February 21, 1972, the President replied to the Attorney saying that such a Bill had the support of the society and the council of the society. On August 29, 1974, after the Bill had been introduced in another place, the President wrote to the Attorney stating that the Bill had been examined by a subcommittee of the Criminal Law Committee of the society, and that the subcommittee did not approve of the Bill so far as it related to jury trials.

The Attorney replied to the President on September 6, 1974, stating that his view would be considered. I am sure the Chief Secretary did not intend to mislead the Council but I suggest it was not true, in the light of that correspondence, to say last Thursday that the Bill had the support of the Law Society. I think that what happened was that the explanation of the Bill had been written some time previously and had, inadvertently, not been changed. However, it is a pity that this Council should be told that a Bill of this kind had the support of the Law Society, when in fact it had not. I say that particularly because this kind of Bill is especially in the sphere of what is commonly know as lawyers' law, which is the kind of law that is in the province of lawyers, and honourable members could be expected to pay special regard to the fact (if had been a fact) that the Bill had the support of the Law Society.

The point of the Bill, if passed, would be that in any case, whether civil or criminal, in South Australia in which the court thought that it was "necessary and expedient" (the words of the Bill), it could order that any witness outside the State in another State, or in some circumstances, subject to reciprocal arrangements being made overseas, instead of being brought to South Australia to appear before the court in question, could be examined on commission before a court in another State or overseas. He could be cross-examined there, if it was thought fit to do so, and the evidence remitted to the South Australian court and admitted as evidence in that court. There are also reciprocal proceedings so that a witness who had been ordered to be examined by a court in another State (or overseas where reciprocal arrangements existed) could be examined in South Australia and the evidence transmitted back to the court in another State or overseas.

The normal method of examination of witnesses in a court is *viva voce,* which means "with a living voice". The witness gives evidence in the presence of the court, before which his credibility is tested. Any court before which a witness gives evidence must decide whether he is a credible witness, that is, whether he is to be believed. The normal method is that the witness gives evidence before the court, where not only are his words heard and recorded but also his demeanour is examined and his behaviour can be observed. He can be cross-examined before that court, where his credibility is tested, the court being able to decide about his credibility on the basis of the way in which he behaves before it under cross-examination.

Recently, I heard it suggested that some psychologists had claimed that 80 per cent of human communication was other than oral; in other words, 80 per cent of our communication one with the other is not by word of mouth but by facial expression, demeanour, gesture, etc. Although I think that the figure of 80 per cent is much too high, it gives some weight to the method of examination usually and traditionally used over hundreds of years in the courts. It is not merely what the witness says but also the way in which he says it and the way in which he appears and behaves at the time of saying it. It is not a matter of logic or argument; that could be just as well or perhaps even better suggested in writing: it is a question of his evidence, and he must be judged on the truth or falsity of what he says, not on the logic of it.

Even in relation to major civil cases and cases at summary jurisdiction (that is, criminal proceedings before magistrates courts) I have some misgivings. However, I am willing to support the Bill with regard to civil cases and courts of summary jurisdiction, because such cases are heard by magistrates or judges who would be well aware of the danger of this kind of evidence given on commission and who would be able to treat it with the reserve with which it needs to be treated. I have grave misgivings about and I do not support the Bill as it relates to jury trials, but I am willing to support it in other respects. We have, as honourable members know, a system of justice in British countries of which we are rightly proud and which has not been materially changed for hundreds of years, because it has proved to be successful and a real protection to people charged with serious criminal offences. One of the two main aspects is that the jury of 12 ordinary men will be the sole judge of fact. They are under the control of a judge, who is the sole judge of the law, but they are the sole judges of fact and of whether they will or will not believe the witnesses before them.

The other main aspect about a jury trial is that the onus is on the prosecution to prove beyond all reasonable doubt every element of the charge against the accused. In the jury's mind there must be no reasonable doubt whatever. It seems to me that a jury, which is not trained to assess evidence, must have the advantage of seeing the witnesses who give evidence before it. The jury must not be called on to decide whether a person is guilty beyond all reasonable doubt unless it has seen and heard the witnesses, observed their demeanour, and seen and heard them under cross-examination. What particularly worries me is that, if the Bill is passed in its present form, what can be presented to a jury is an affidavit setting out the depositions that witnesses who have been examined on commission have made. The affidavit is a certificate of the court, and many juries would tend to give it more weight and credibility than it deserved. The juries will say, "There it is in black and white, so it must be right," whereas that is not necessarily so. They have not had the opportunity they would normally have of summing up the witness by having seen and heard him, observed his demeanour, and seen the way in which he behaved under cross-examination.

The jury trial system has been criticised, it being suggested that it affords an undue protection to the accused. It has also been suggested that our onus of proof system (of requiring the prosecution to establish every element of the charge beyond all reasonable doubt) affords an undue protection to the accused. However, I believe that these criticisms are unwarranted, and I think that our system is one of which we can be proud. If we are to change the system, let us do it openly and honestly and not under the guise of making things easier and more expedient.

I do not think anyone in this Council would call me a conservative. I am not opposed to change, provided that the thing to be changed can be shown to be wrong or that circumstances have changed sufficiently to make the change necessary. However, in my view, our system of jury trial and of requiring evidence in a criminal offence to be given *viva voce* is not bad but, on the contrary, is good, and should therefore not be changed.

Regarding whether or not circumstances have changed, I would say that 100 years ago, if a witness in a criminal trial happened to be overseas or in another State, it would have been harder to bring him back to South Australia than it would be to do so now. On the other hand, a higher percentage of the population is likely to be in other States or overseas now than would have been the case 100 years ago. However, I cannot conceive that circumstances have so changed that we need to change the law regarding the type of evidence to be given before juries.

I do not think we have to provide that, where a court considers it necessary or expedient (and those are the only safeguards in the Bill), evidence taken on commission before a court in another State or overseas should be able to be used before a jury in South Australia. I have placed on file an amendment that it designed to exclude the operation of the Bill in relation to jury trials. Our system has been substantially unchanged and, indeed, has been satisfactory for some hundreds of years.

I have said that we have the system of protecting a person accused of a serious crime by requiring that the onus of proof be placed on the Crown, and for us to apply this Bill to jury trials would involve a whittling away of that onus of proof. That has happened in recent years. Section 45a of the Evidence Act, which was passed in 1972, provides that a business record can be admitted in all cases, including criminal trials, without further proof. To some extent, that is a whittling away of the normal rule that one must give evidence, in person, before a court.

Some practitioners have told me that they consider that this provision has operated against the interests of accused persons. Despite our system of justice, which does try to give every protection to an accused person, it is well known that miscarriages of justice have occurred: that on rare occasions innocent persons have been found to be guilty. Although this is rare, it is disastrous for the persons to whom it has happened. I suggest that the safeguard in the Bill, that the evidence shall not be admitted unless the trial court considers that the use of this method is necessary and expedient, is not a sufficient safeguard in the case of a criminal jury trial. The test of whether it is necessary surely means that it is necessary for the Crown's case. It may well be necessary and expedient, but it may not be just, and that is the point about which I am concerned.

I have spoken to several members of the legal profession, some of whom were on the subcommittee of the Law Society's Criminal Law Committee which examined this Bill. I have not found any persons who support the Bill in relation to its application to jury trials. In other words, they all support the argument I have advanced: that evidence taken on commission in other States or overseas should not be admissible before juries.

Most of the members of the legal profession to whom I have spoken have been specialist criminal lawyers or, like myself, general practitioners who occasionally appear in the criminal courts. Naturally, I have not sought the opinions of proctors, specialist conveyancers, or company or commercial lawyers, as they would not be interested in the matter. It may be said, of course, that criminal lawyers may have a vested interest in the present system. However, they are the people who know the most about it.

The matters that these people have raised have been, first, the additional delay (and delays occur already) that could occur in the case of a criminal trial: the court would first have to be convened, and the judge would then have to decide to take evidence by commission. This would have to be transmitted to another State or overseas; arrangements would have to be made for the evidence to be taken, and for the witness to be examined and cross-examined if that was wanted; the evidence would then have to be transmitted back to the South Australian court; and the trial could proceed.

The next point that the practitioners to whom I have spoken have made is the one I have made: that the witness would not be seen by the jury, his demeanour could not be observed, and undue weight could be given to the document because it was there in black and white, and, to the layman, what appears in black and white is often given weight that it should not be given.

These practitioners raised a further matter: if the accused or his counsel wanted to object to the taking of evidence in this way in a certain case, they would have to disclose the nature of the defence in order to make their objection. This would be unfairly prejudicial to an accused person. This would not be fair, and, indeed, it is not the normal case that, before a case goes to court, the prosecution should be told of an accused person's defence. That should not happen until it arises in the course of a trial.

In the case of summary jurisdiction matters heard before magistrates, I am willing to accept that the magistrates should be able to treat this kind of evidence with the reserve with which it ought to be treated. I have said that I have spoken to several practitioners on the matter. Indeed, I have spoken also to an academic criminal lawyer, of whom one cannot find many in South Australia. He considered that the argument was fairly evenly balanced, although he accepted that the argument I have put to the Council had some weight. However, he considered that it could to some extent be overcome if the judge in every case warned the jury of the dangers of accepting evidence of this kind when they had not seen the witness involved, had not heard his cross-examination, and did not, therefore, know what his demeanour was. However, that is not written into the Bill, either.

The academic to whom I spoke pointed out that this kind of legislation was not without precedent. This aspect was referred to in the Minister's second reading explanation and, indeed, it is referred to in the twenty-first report of the Law Reform Committee, which was also referred to in the second reading explanation. However, he acknowledged that, just because this procedure was not without precedent, it did not necessarily mean it was just. On the other hand, he considered that the acceptance of this method was important in certain cases. He said that, particularly in the field of commercial fraud, when an accused person so often moved all over the place, it might be impossible in some cases to bring an accused to justice unless evidence could be taken in this way. However, he acknowledged that the argument was fairly finely balanced; that was the view of the academic lawyer. The view of the practising lawyers was that this method of taking evidence should not be used before juries.

I have thought about the question of uniformity between the States, but I do not think this really comes into it. If we were to pass this Bill with the amendments I have placed on file, we would have sufficient uniformity. Our

State would be empowered to take any evidence on commission requested by another State or another country with which reciprocal arrangements had been made; what use that State or country made of the evidence would be up to it. With the exception of jury trials, we could have evidence taken in another State. So, there are no worries about uniformity. The use that we in South Australia make of evidence taken elsewhere on commission is a domestic matter that is up to us, and we should exercise our own judgment about it. In his second reading explanation the Minister said that the proposal in the Bill was endorsed in the twenty-first report of the Law Reform Committee. I have perused the report, which endorses in general the idea of taking evidence on commission. At page 6, the report states:

It would, of course, be necessary to provide in the legislation for the definition of the issues or topics on which evidence is to be taken.

In the report the question of using before juries evidence taken on commission was not referred to at all. I consider it is necessary, for the protection of people charged with criminal offences, for us, first, to retain our traditional system of giving the accused the benefit of the doubt and, secondly, to continue to provide that evidence be not called against him without his consent unless the witnesses are subjected to cross-examination in the presence of the jury and are available for their reactions to be observed. With those reservations, I support the second reading.

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

ART GALLERY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 26. Page 1155.)

The Hon. JESSIE COOPER (Central No. 2): Last week, when I heard the Minister give his explanation of this Bill, I listened in vain for a reasonable statement as to the necessity for the change, a change which will remove the control of the Art Gallery of South Australia from the Minister of Education, who has had it for almost 35 years, and place it in the hands of the Premier. I found that the only explanation was given in the first sentence of the Minister's second reading explanation, as follows:

Following an administrative reorganisation, it has been decided that Ministerial responsibility for the Art Gallery Act, 1939, as amended, should be borne by the Premier instead of by the Minister of Education.

That was all: there was no other explanation. Then, my first reaction was to treat this Bill with the same scant courtesy as the Government had treated Parliament and simply say that I would vote against the Bill. But, being a reasonable person and, I hope, a polite one, I looked further for the reason behind the proposed change. First, I read the history of the establishment of the Art Gallery of South Australia. I am sure all honourable members know this, but to put it briefly I will say that almost from the first years of the new colony great interest had been shown in matters of education and culture.

It was as early as 1854 that the Legislative Council appointed a Select Committee to consider and report on the propriety of introducing a Bill to establish a National Institute. As a result of the Select Committee's recommendations, the Bill was passed in 1856. In 1881 the National Gallery was founded as part of the South Australian Institute. In 1884 the South Australian Institute became the Public Library, the Museum, and the Art Gallery. The Art Gallery was opened by His Excellency the Governor on April 7, 1900. It cost $43 200, which should interest all who have spent their time in Parliament House during the time of its face-lift. This situation, with the South Australian Institute consisting of three sections, continued until the institute was dissolved by an Act assented to on December 14, 1939. The Bill had been introduced in the House of Assembly on October 26, 1939, by a distinguished man who was mentioned last week in this Council by the Hon. Sir Arthur Rymill—the then Hon. Shirley Jeffries (later Sir Shirley Jeffries). The Act states in the definition section:

"Minister" means the Minister of Education.

This is what we are being asked to strike out. The most recent edition of the *South Australian Year Book* makes the following statement about the purpose of the Art Gallery:

The collections are broad in scope and include a representative selection of Australian and European paintings and sculpture, a large collection of prints, drawings, silver, glass and ceramics, including an important section devoted to South-East Asia—

I believe that the section features Cambodian works of art—furniture, arms and armour and an important collection of coins and medals, and in addition the South Australian Historical Museum incorporates early South Australian relics and paintings.

Having studied the history, I then searched for any criticism of the Art Gallery of South Australia during the past five years, and I could find none except for the following statement by the Director, Mr. John Baily, published in the *Advertiser* last November:

The Art Gallery of South Australia is regarded by some as an ivory tower. We are setting out to play a more vital role for important sections of the art-interested community, especially artists.

I then looked at the Art Gallery of South Australia as part of the education scene and found that "ivory tower" was very far from the truth. The *South Australian Year Book* says:

The staff of professional and technical officers undertake the research and development, care and conservation of the collections and the preparation of exhibits for public education and enjoyment. Public inquiries for authentication of works of art and guidance in conservation are dealt with. The education services have been extended, a regular programme of film evenings, lectures and demonstrations is given and the travelling art exhibition, a fully equipped van with illuminated portable screens, accompanied by a driver and a lecturer, tours country centres during school term. In 1972, 69 centres were visited and the exhibition was viewed by 36 000 adults and children. A reproduction lending service is also conducted for the benefit of suburban and country schools and Government departments.

And you will remember, Sir, that the Hon. Mr. Potter does not think much of what we have here.

The Hon. R. C. DeGaris: You are referring to paintings, of course?

The Hon. JESSIE COOPER: Reproductions of paintings! Over the past five years, the attendance of schoolchildren has been steadily about 12 000 a year and double that figure in festival years. The increase in figures of children attending the travelling art exhibition throughout South Australia has been dramatic. In 1970, 15 000 attended, and about the same number in 1971. The figure for 1972, however, was 27 463. Again, there is a strong tie with the Education Department. There is a firmly established reproduction lending service, which is undoubtedly of great value in educating our young people in art appreciation, even if not in soothing the savage breasts of the people we interview in our interviewing room.

There is a separate section of the Art Gallery with its own accommodation known as the educational section of

the gallery. The section runs a newsletter, *Ages*, which is distributed to schools twice each term. It would seem that the success of the Art Gallery has been due in no small measure to the past few Ministers of Education. In May of this year, after the Premier's return from what was termed a fact-finding trip to France with the Director of the Art Gallery (Mr. Baily), it was announced that it was proposed to establish regional art centres, similar to those in France, in major country towns such as Mount Gambier, Port Lincoln and Whyalla. Surely, this is not the reason for a change in Ministerial responsibility; I should think the Minister of Education was unequivocally suitable to undertake such ventures. I think the reason lies elsewhere.

Art, and galleries for art, are things particularly susceptible to fads and fancies and temporary fashions. A national art collection is something which, if it is to be of long-term value and growing worth, needs policies of some stability. I suggest that being firmly embedded as a responsibility of the Minister of Education is likely to give long-term satisfaction more effectively than if the control of the Art Gallery becomes something to be switched to every new pseudo-artistic faddist who comes into high office and wishes to make it his hobby. One of the worst fates that may befall a gallery of this nature (and which I can assure honourable members has befallen a number of minor Australian galleries throughout our history) is that there should be great activity in one fashion or one fad that proves to be ephemeral; the damage it does is not.

If the Premier, however, sees in this proposed change the opening for more frequent trips to every country of the world (for after all, just as one can find a wattle tree blooming in Australia every month of the year, so one can find a major art exhibition occurring every month somewhere in the different cities of the world), then it would be more honest to say so. I believe the present arrangement has worked admirably. I shall be voting against any change unless I am given some golden reason not yet revealed to Parliament.

The Hon. Sir ARTHUR RYMILL secured the adjournment of the debate.

OCCUPATIONAL THERAPISTS BILL

Adjourned debate on second reading.

(Continued from September 26. Page 1157.)

The Hon. V. G. SPRINGETT (Southern): This Bill is a means of introducing a new Act to provide for the registration of occupation therapists. Originally, the first person to move in this direction in this Parliament was Mrs. Joyce Steele, when she was a member of the House of Assembly. She did this in 1972. In 1961 there were few occupational therapists in South Australia, but they formed themselves into a little group, an association. In 1964, Mrs. Steele was asked to convene a steering committee to bring the therapists together and help them start their own association. It started then, and it has hung together well since then. It has now reached the stage where the therapists want more than an unofficial grouping. The present course for occupational therapists is conducted by the South Australian Institute of Technology. It is a course of 3½ years taking in, at the moment, 15 students a year. The first group graduated in June of last year and, of the 15 who started the course, 13 finished it and 11 are working in South Australia.

Occupational therapy is an activity commonly prescribed and recommended for the amelioration and alleviation of physical and mental disorders or disabilities. This sort of activity is tailor-planned to the needs of individual patients and can be initiated, supervised, and controlled by occupational therapists. Patients who have suffered from afflictions such as strokes, leaving a person paralysed in one or more limbs, are very much dependent for their recovery upon the help given by (among other people) occupational therapists. Occupational therapy has not for years consisted only of patients knitting and counting beads, and so on; they do quite sophisticated movements carefully tailored for the good of the individual muscles that must be strengthened. Not only things such as strokes, but traumatic events such as motor vehicle accidents demand a tremendous amount of occupational therapy, among other things. Unfortunately, these conditions are all too frequent, especially in the age group that society can ill afford to lose. I refer to the age group from 18 years to 25 years.

The Bill, as it comes to the Council, is quite straightforward and is similar to Bills that have initiated the registration of other organisations, such as physiotherapists. Clauses 1 and 2 speak for themselves, while clauses 3 and 4 are self-explanatory. The Minister drew the attention of honourable members to the definition of "occupational therapist" in clause 3. Clause 5 prescribes the membership of the board, which is to consist of seven people, One, a legal practitioner, is to be the Chairman.

The Hon. R. C. DeGaris: A lawyer?

The Hon. V. G. SPRINGETT: As it is sometimes said that a medical man makes a bad Minister of Health and therefore the portfolio is given to a layman, perhaps a legal practitioner would make a better chairman of an occupational therapists board than a therapist would. Other board members will be either the Director-General of Medical Services or his nominee (so, in this case there will be a doctor), a medical practitioner nominated by the Minister, and an occupational therapist nominated by the Minister. Fifthly, there will be a person nominated by the Council of the South Australian Institute of Technology, and lastly, two shall be occupational therapists nominated by the Australian Association of Occupational Therapists, South Australian Division Incorporated, and approved of by the Minister. On first examination I believed that the board was too heavily comprised of persons nominated by the Minister. However, I am in favour of the Chairman being a legally qualified practitioner, and I believe it to be a good idea that another member of the board shall be the Director-General of Medical Services, or his nominee. Another member shall be a medical practitioner, presumably one associated with and involved in the occupational therapy field. The last three members are appointed, one by the council of the teaching school, and the other two by the occupational therapists' professional association.

Clause 6 provides that members of the board shall be appointed for not more than three years. Will the Minister say whether it is intended that appointments to the board be staggered, because I believe that the best interests of all are served on such a board by not all its members having to relinquish office at the same time, thereby allowing continuity in the board's work?

The Hon. R. C. DeGaris: I think the Minister will agree with that.

The Hon. V. G. SPRINGETT: I am sure he will. Clause 7 provides that a quorum will consist of three members of the board being present, and that each member has a vote, while the chairman has both a deliberative and a casting vote. It can be said that this

is both a good thing and a bad thing, but I do not think it makes much difference. I have spoken to people associated with similar boards, as well as to people involved in occupational therapy, and they agree with this. Clause 8 deals with the validity of acts of the board, and this provision is straightforward.

Clause 9 is important as it provides for the appointment of the Registrar and for registration of occupational therapists. However, I draw the attention of all honourable members to the fact that this clause has been drafted in such a way as to enable medical and paramedical registration boards to be centralised in one centre in the interests of economy. I accept that, because there is certainly no reason why the registrars of medical practitioners, nurses, physiotherapists, occupational therapists, and radiographers should not be housed under one roof. However, how far does this definition of paramedical services extend? A line must be drawn between paramedical groups and *quasi* medical groups. If we are not careful, unrecognised fringe organisations could be included on the same register as legally qualified doctors and nurses. Will the Minister say how far these areas are to extend? If this clause is accepted without confirmation of the borderline, we could be facing problems in the future.

The Hon. R. A. Geddes: This clause relates only to occupational therapists.

The Hon. V. G. SPRINGETT: It is phrased in such a way that the administration of the medical and paramedical areas could become centralised.

The Hon. R. A. Geddes: That may be stated in the second reading explanation, but it is not provided for in this Bill.

The Hon. V. G. SPRINGETT: It is for that reason that I seek further information on this matter. Clause 11 is most important as it deals with the entitlement to registration. Paragraph (*a*) of subclause (1) provides that he (presumably, it means "she", too) shall be of good character, and paragraph (*b*) provides that the applicant be competent in the use of the English language. All honourable members will agree that this is an important qualification. Paragraph (*c*) provides that the applicant holds one of the prescribed qualifications for registration, and these can obviously be from South Australia, from another State, or from an oversea country, as recognised by the board. As so often happened in therapeutic matters, a register of qualified dentists used not to be kept. As happened with dentists, the same applies under this Bill that, when registration comes in, people who have been practising for a long period, provided their names are entered on the register within a certain period, can continue to practise. This clause provides that, so long as a person has been in practice for at least 36 months in the last four years, he or she can apply to be included on the register as an occupational therapist. Although this service need not be continuous, it must have been within the past four years, and the applicants must apply within the first six months of this Bill's becoming law. I point out to the Minister that there is a spelling mistake in the second line of clause 11 (1) (*c*) (ii) and that "or" first occurring should read "for".

The Hon. D. H. L. Banfield: I think you are right.

The Hon. V. G. SPRINGETT: This subclause finishes with a reference to the prescribed fee being paid to the board. It seems that a prescribed fee applies in nearly every matter today. As is common with professional bodies, the register is an annual register, thereby giving people the chance to leave themselves off the register if they so desire, and it gives the authorities the chance to review the register once a year.

Clauses 13, 14, 15, 16 and 17 all deal with discipline and conduct. Clause 13 makes it possible for the Registrar, either of his own motion or at the direction of the board, to investigate any considerations necessary or expedient for the purpose of determining any application or other matter before the board. Clause 14 provides that the board may of its own initiative inquire into the conduct of any registered occupational therapist. It is stated that therapists may be censured by the board and that a fine of up to $200 may be imposed by the board or the therapist may be deregistered. This is in keeping with other professional bodies conducted under similar regulations.

Clause 15 concerns the procedure adopted in relation to an inquiry and provides that a person can call or give evidence, examine or cross-examine witnesses, and make submissions to the board. Clause 16 provides:

(1) For the purposes of an inquiry the board may . . . (*b*) by summons signed on behalf of the board by a member of the board, require the production of any books, papers or documents.

That is similar to what applies in other paramedical measures. I see nothing wrong with that. Clause 18 provides that a person who is called before the board and has an order made against him by the board shall have the right of appeal to the Supreme Court. It provides that the Supreme Court may:

(*a*) affirm, vary or quash the order appealed against, or substitute, or make in addition, any order that should have been made in the first instance.

Clause 20 provides that:

a person, who is not for the time being a registered occupational therapist, shall not (*a*) assume, either alone or in combination with any other words or letters, the name or title of "occupational therapist".

In other words, a person who is not trained as an occupational therapist cannot be guilty of malpractices or indicate that he holds the relevant qualifications. There was a case some years ago in Britain, where a man by the name of Smith put the letters "M.B." after his name. As a matter of fact, he displayed the name "Jack Smith, M.B.". He practised under that name for a long time, and people thought he was a Bachelor of Medicine. Clause 21 provides:

Proceedings for offences against this Act shall be disposed of summarily.

Clause 22 gives the necessary power to make regulations. I see no difference between this Bill, generally speaking, and the measures concerning similar paramedical bodies. That is why I support the Bill.

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

EVIDENCE (AFFIDAVITS) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 26. Page 1155.)

The Hon. F. J. POTTER (Central No. 2): This is a short, simple, and straightforward Bill. Its purpose is merely to provide for two additional categories of person before whom affidavits may be sworn. As honourable members know, affidavits can at present be sworn before justices of the peace, commissioners for taking affidavits, and proclaimed bank managers. With the approval, I understand, of the judges, by this Bill the categories are now being extended to include proclaimed postmasters and proclaimed police officers. This seems to me to be a reasonable addition to the classes of person who can take affidavits. I support the Bill.

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

BUILDERS LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 26. Page 1156.)

The Hon. C. M. HILL (Central No. 2): This Bill, as the Minister has explained, introduces two main changes to the Act. First, the Government is ensuring that those people holding a general builders licence or a restricted builders licence must be directly involved when building takes place. Apparently, there has been a court action as a result of which some doubt has arisen whether a person may or may not in future be able to erect a building by the subcontractor method without a licensed general builder being involved at all in the project. I support the Government's view that such a practice is contrary to the principle in the Act in that regard. That situation is being clarified in the Bill.

The second main change is that a further body (in this case, a tribunal) is being set up by the Bill. The new body is to be called the Builders Appellate and Disciplinary Tribunal. It will administer rights of appeal against decisions of the Builders Licensing Board and it will, therefore, do some of the work previously done by that board. The functions of that board, in other words, are to be divided so that it becomes an administrative body: it will grant licences and generally police the work of licensed builders.

I am concerned about the representation of those people who will constitute the new tribunal. In the Act, it is made perfectly clear whom the members of the Builders Licensing Board shall represent, and I think legislation in that form is proper and the best. In other words, on the Builders Licensing Board, the legislation states clearly that one shall be a legal practitioner, one shall be a member of the South Australian Chapter of the Royal Australian Institute of Architects, one shall be a member of the Institute of Chartered Accountants, and one shall be a member of the Institute of Engineers, Australia.

In each case, the appointment is made by the Governor after consultation with those various institutions; but, when the Government decided to set up this new tribunal by this Bill, it simply said:

> The Chairman of the tribunal shall be a person holding judicial office under the Local and District Criminal Courts Act, 1926-1974, appointed by the Governor as Chairman of the tribunal.

However, the other four persons shall be nominated members, that is to say, persons with a wide knowledge of and experience in the building industry appointed by the Governor on the Minister's nomination. That is a wide coverage indeed, as all honourable members would agree with me that there would be literally thousands of people who would have a wide knowledge of and experience in the building industry from whom to choose.

The Council does not really know in detail, therefore, the qualifications that the Government believes these nominees should have so that the best possible board can be established. The qualifications should be more specific than those set out in the Bill. The Bill also increases penalties and makes other formal amendments, many of which I believe have become necessary because of the practical working of the legislation.

I say that, in my view, this legislation should in the main relate to the house-building industry only. One cannot really see the need for organisations involved in the construction of large projects to have on their side the same consumer protection provisions that a small house builder needs. The promulgation of this provision and the establishment of the new committee (which, incidentally, becomes the third committee involved, because, as well as the two groups to which I have already referred, honourable members will recall that the advisory committee was also established under the provisions of the principal Act) will result in an increase in the number of committees and the commensurate amount of red tape and paper work that will have to be completed by such organisations, and this seems hardly necessary.

After all, large organisations employ experts to protect their interests in this regard. Professional men such as architects, quantity surveyors, building consultants and people of that kind are retained by large interests to give the same protection which I believe this legislation should be giving to the small house builder who cannot afford to have that same consultative help when he starts to build his own house.

That is one point that I make when we are reviewing this legislation generally. The second point is one that has been raised by the building industry ever since the legislation was first enacted: that a builder who is under investigation is prohibited from having any representation when being questioned or cross-examined by the board regarding his affairs. Some builders found themselves placed at a considerable disadvantage because they were not able to take with them a person such as a qualified engineer or a consultant who was expert in the area of building upon which the builder was being questioned by the board.

As all honourable members know, some builders were tradesmen years ago and, having proved themselves in that vocation, moved up into the field of the master builder. These people have found that under this kind of cross-examination by the board or its officers they have been placed at a disadvantage because they have not been able to have the aid of an expert adviser during that examination. In all fairness, this aspect should be examined.

The third point I make deals with clause 14, which provides, *inter alia,* that a complaint must be made within two years after the completion of building work. Many builders claim (and I think there is some justification for their claim) that two years is too long a period in this regard. Although one wants to be fair and to see both sides of this question, it is reasonable to assume that there must be some point of balance, and some fair and reasonable time in which a house owner, having moved into his house, must make a complaint to the board regarding the workmanship in his house. After that fair and reasonable time has expired, most certainly it would be unreasonable for complaints to be made. Many people claim that two years is too long a period to apply in this respect, and that a shorter period would be much fairer and more reasonable.

The final point I make relates to an issue that I raised in the Council last week: the matter of this State's consumer protection legislation generally. I claimed then that it was in many ways theoretical and drawn up by people who had little knowledge of the market place. We see the same thing occurring in this Bill and in the principal Act.

My point can be explained by referring to the individual who builds his own house and gets into trouble with his builder. Having lodged a complaint regarding the workmanship in his house, such a person in many cases finds that his builder has become bankrupt.

The only consolation that consumer has is the knowledge that the builder will lose his licence and that any people who might have dealt with that builder in future will not be caught as he was caught. However, he does not receive

any financial help. Many individuals of this kind, whom consumer protection ought to be helping, are, so to speak, left out in the cold.

As all honourable members will agree, many people in this category, having acquired their land, have managed to save only a sufficient deposit for their house, and have got no spare money. In a situation where a house is only half built, the workmanship is at fault, and it is obvious that the builder involved is in financial trouble, a complaint can be made to the board, as a result of which the builder becomes bankrupt. However, the person involved is left with the whole problem on his hands.

That situation can occur when we have before us legislation introduced by the present Government which is supposed to assist the consumer. There is no doubt that, if there is any consumer in this area of building that Parliament ought to be trying to help, it is the person to whom I have referred: I refer to the battler who may not have any money other than that necessary to buy his land and pay a deposit to his builder.

I believe that the principal Act should be further amended so that a fund can be established, to be called perhaps the home builders assistance fund, in which an amount can be accumulated under the supervision of the Builders Licensing Board. People in the category to which I have referred could receive from that fund financial aid and real protection, not the theoretical protection that they receive at present. The only protection given at present is in the form of the knowledge that no-one else in future will be caught by a specific builder.

People ought to receive assistance so that construction faults in a partly-built house will be made good, and the cost of finding another licensed builder should be met for them, so that the new builder can complete the job. When the job is finished, the person should not be put to any financial loss at all. If we had that system, we would have the right kind of consumer protection in the house building industry. I am not greatly concerned with big industrial building activity; people in that area can well look after themselves.

The Hon. M. B. Dawkins: This Bill should refer only to house building.

The Hon. C. M. HILL: Yes. The fidelity fund should relate to the house builder. Such a fund could be easily established if a small charge was made for each house completed by a builder. In 1973-74, 15 202 private dwellings were completed in South Australia. So, if the builder lodged with the Builders Licensing Board $5 for each house finished, about $76 000 would be set aside in one year for the fund I have suggested. The contribution could be varied by regulation. Obviously, if no great claims were made on the fund, there would be no need for a large amount to be collected. Certainly, the sum would not need to be any more than $5 a house.

I am sure that the builders would include such an amount in their costing and, of course, the consumers would pay it; I admit that freely. However, it would be a form of insurance, and certainly of assurance. Genuine people would be assured that, if they did all that the law expected of them, if they went to a licensed builder and if, through no fault of their own, they lost money and could not make good the work, they could apply to the board for financial assistance. In that case, funds would be there for that purpose.

That is the kind of consumer protection that is lacking in this Bill and in many other areas of consumer protection legislation. That matter should be considered at this stage. I am making inquiries into the systems applying elsewhere, and I should like further time to consider the matter. I therefore ask leave to conclude my remarks.

Leave granted; debate adjoined.

HOSPITALS AND MEDICAL CENTRES

Order of the Day, Government Business, No. 10.

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That this Order of the Day be discharged.

I shall be introducing another motion on this subject tomorrow.

Order of the Day discharged.

ADJOURNMENT

At 5.46 p.m. the Council adjourned until Wednesday, October 2, at 2.15 p.m.