

LEGISLATIVE COUNCIL

Thursday, August 14, 1975

The PRESIDENT (Hon. F. J. Potter) took the Chair at 2.15 p.m. and read prayers.

PETITIONS: SUCCESSION DUTIES

The Hon. JESSIE COOPER presented a petition signed by 296 residents of South Australia stating that the burden of succession duties on a surviving spouse, particularly a widow, had become, with inflation, far too heavy to bear and ought, in all fairness and justice, to be removed. The petitioners prayed that the Council would pass an amendment to the Succession Duties Act to abolish succession duties on that part of an estate passing to a surviving spouse.

The Hon. JESSIE COOPER presented a similar petition signed by 179 residents of South Australia stating that the burden of succession duties on a surviving spouse had become, with inflation, far too heavy to bear, and praying that the Legislative Council would press for the overall reduction in the rates, increases in rebates for surviving spouses, children, and rural rebates, and rebates relating to the matrimonial home.

Petitions received and read.

QUESTIONS**CAR-RAIL SERVICE**

The Hon. C. M. HILL: I seek leave to make a statement before asking a question of the Minister of Lands, representing the Minister of Transport.

Leave granted.

The Hon. C. M. HILL: About 12 months ago I asked a question in the Council regarding the possibility of a car-rail service being provided between Adelaide and Melbourne similar to those between Melbourne and Sydney and elsewhere in Australia. This system means, of course, that motorists can travel to other States as rail passengers and also have their vehicles transported by rail for use at their destination. On September 18, 1974, in reply to a question from me the Minister stated:

The Minister of Transport reports that negotiations for a motor-rail service between Adelaide and Melbourne have reached an advanced stage, and the provision of suitable equipment is now being examined.

What progress has been made with these plans, and can a date be given for the introduction of such a service?

The Hon. T. M. CASEY: I shall refer the honourable member's question to my colleague in another place and bring down a reply.

ABALONE DIVERS

The Hon. R. A. GEDDES: I wish to direct a question to the Minister of Fisheries and seek leave to make a short statement before doing so.

Leave granted.

The Hon. R. A. GEDDES: An undated circular letter has been received by abalone fishermen, signed by Mr. A. M. Olsen, stating that abalone fishermen must have a complete medical examination certificate, together with their application for renewal of licence, in the hands of the Fisheries Department by August 31. I am told that this form was received by some of these fishermen as recently as Tuesday, August 12. First, will the Minister grant a reasonable extension after August 31 for the return of the medical certificate due to the lateness of receiving these circulars in some cases? The type of

X-ray examination required may not be available in any area except Adelaide. Secondly, as the type of medical examination required conforms to the Standards Association No. CZ18, what authority has the Fisheries Department to request such a detailed medical report?

The Hon. B. A. CHATTERTON: The question of medical reports regarding abalone divers is something that has been of grave concern for some time. I do not think the divers themselves, until recently, realised the hazards involved in continual diving, and this is why we have been talking with them on this matter. We insist that this medical examination must take place before licences are renewed, and I think this is justified to protect the divers, even if they are not always aware that this protection is necessary. I think ample medical evidence has been available over the past few years to show that medical problems associated with diving, particularly in relation to bone marrow and such things, are much more serious than was earlier considered. I have been talking to the abalone divers and, although they did not raise with me the problem of getting the medical certificates in sufficient time, I shall certainly look into the question. If it proves to be a problem we shall certainly try to make suitable arrangements.

SALE OF DINGOES

The Hon. ANNE LEVY: I wish to direct a question to the Minister of Lands. Last week an advertisement appeared in one of our newspapers offering dingoes for sale. I am under the impression that the sale of these animals in South Australia is illegal. Will the Minister please clarify the situation? Is it possible to sell dingoes in this State, and what is the position with other pest animals such as foxes and, more particularly, rabbits?

The Hon. T. M. CASEY: I saw the advertisement offering dingoes for sale and it caused me great concern. Honourable members will recall that last year legislation was passed through this Parliament in the form of the Vertebrate Pests Bill, clearly stipulating that dingoes, foxes and rabbits were classified as vermin and that in no circumstances whatever could they be sold or offered for sale. Rabbits may be kept in an enclosure. I think the measurement is about 4 square metres, and only one such enclosure can be kept on a property. I think honourable members realise the advantages of this measure in that we must maintain a tremendous number of kilometres of dog-proof fencing extending from the Great Australian Bight to the New South Wales border. It is most important that we keep vermin out as much as possible. I assure the honourable member that steps have already been taken to inform the person who advertised dingoes for sale of the passing of the Vertebrate Pests Act. I sincerely hope that we do not have a recurrence of the situation.

TAXATION

The Hon. ANNE LEVY: Six weeks ago the Prime Minister announced that the extra tax payable by the wine industry resulting from the new stock valuations would be limited to not more than 15 per cent of taxable income. Can the Minister of Agriculture say whether the South Australian Government is satisfied with this concession, or are negotiations continuing with the Australian Government on this matter?

The Hon. B. A. CHATTERTON: The South Australian Government is not satisfied with this concession, particularly in connection with the way in which it applies to private companies in the wine industry. Since the original announcement, we have strenuously opposed the repeal of section 31a, which changed the method of valuing stocks

in the wine industry. The situation that is causing us most concern is the liquidity problem of private wine companies, which are forced under the taxation law to distribute half of their income after tax in the form of dividends. At present this leaves them only 27½ per cent of their taxable income after they have paid their normal tax and their dividends. Out of this 27½ per cent comes the 15 per cent that the honourable member mentioned as the maximum amount in connection with the deferred tax scheme. If one takes out the 15 per cent of deferred tax, it leaves them 12½ per cent to finance effectively the company itself, its investment, and the stocks themselves, which are increasing in cost. This is what we do not consider to be sufficient, and we are making strenuous representations to the Federal Government to try to get further concessions in this area.

The Hon. R. C. DeGARIS: Will the Minister also make the same approaches to the State Treasurer to relieve the tremendous burden at present existing on other members of the rural community as the result of the decline in prices? I particularly have in mind succession duties. This is causing just as big a problem to another rural sector as the wine tax is to wine firms.

The Hon. B. A. CHATTERTON: I will certainly refer the honourable member's question to the Treasurer, who I think is taking steps in that area at present.

MARIHUANA

The Hon. J. A. CARNIE: I seek leave to make a brief explanation before asking a question of the Minister of Health.

Leave granted.

The Hon. J. A. CARNIE: It has been reported this week that the Commonwealth Government is considering instituting new drug laws that will override the existing State laws. Marihuana is particularly mentioned in connection with the new laws, which are designed to water down the present State penalties for using marihuana. The new laws substitute an almost nominal fine for using marihuana; it is reported that it will be \$100 or \$150. Has the Minister had any contact with the Commonwealth Minister on this matter and, if he has not, does he intend to object on behalf of this State and inform the Commonwealth Minister that South Australia is quite capable of handling its own drug laws?

The Hon. D. H. L. BANFIELD: The position is that this announcement was made some time ago by the Australian Government. We believe that because there is a national advisory committee on drugs and, as there are regular conferences of Ministers of Health, this should be a matter for discussion at those levels before the introduction of such legislation by the Australian Government. I have not yet received a reply regarding this matter but the position is that we are capable of making our own laws. If the Australian Government goes ahead with this matter, any legislation that it passes would override State legislation.

MEDIBANK

The Hon. ANNE LEVY: I seek leave to make a short statement prior to asking a question of the Minister of Health.

Leave granted.

The Hon. ANNE LEVY: I have had passed on to me a document issued by the General Practitioners' Society of Australia, and printed in South Australia. I believe that some general practitioners are handing out this document

to their patients. It is headed "Medibank in Clear Terms" and I shall quote a few sentences from it purporting to be from a doctor to a patient:

I will continue to encourage you to pay either myself or my receptionist at the time of service and you will notice that any account I send out will not have any item numbers on it. Item numbers will only be put on receipts. . . . This is to prevent accounts being sent direct to Medibank who may then elect to pay me directly. . . . I don't wish to be paid by the Government.

The document goes on to imply that, if the Government pays the doctor, he will be a public servant and will have to do as the Government directs. Based on similar logic I suppose that, before July 1, doctors were servants of the health funds, which sent cheques made out to doctors, and presumably doctors then had to do as the health funds directed them. However, I was not aware that this occurred. Can the Minister indicate what effect such a notice as I have quoted will have on patients who receive it? Does the Minister approve of the ethics behind such a document?

The Hon. D. H. L. BANFIELD: The effect the document will have on patients is exactly the effect that doctors want: that is, it will cause frustration so that the patient will blame Medibank and will not blame the doctor for any problems encountered. The fact remains that before Medibank can pay a patient the amount that is due to him it must have the item number for the service performed. There must be an item number on the account rendered and, if the doctor sends an account to a patient without such a number on it and the patient forwards that account to Medibank, Medibank will reject the claim. The patient will then have to go back to the doctor and say that before any payment can be made he must have an item number to submit with the account to Medibank. The heading "Medibank in Clear Terms" on that document does not really express accurately the situation in this matter. The adoption of this attitude will cause hardship to patients, who will have to write to or go directly to Medibank expecting the immediate return of a cheque. Patients might make some other arrangements in relation to the Medibank refund, but instead the account will come back from Medibank to the patient, who will then have to make another visit to the doctor in order to obtain the item number for Medibank before he can obtain any refund. This document is purely a dirty tactic on the part of the doctors involved to upset the public in relation to Medibank. As far as other people who do not accept the decision of the people are concerned, Medibank was introduced as a result of two elections and a joint sitting of both Houses in Canberra, and Medibank is now operating; but, in spite of that, some general practitioners have not accepted the position and are doing everything they can to obstruct the proper working of Medibank.

The doctors complain that it would mean an overuse of their time; yet doing this means that the patient has to return to the surgery or write in to the surgery for a number for the relevant item. So it is purely a tactic designed by the general practitioner to cause frustration among the patients. Of course, it will not succeed, because the people have already decided they want Medibank, and it will not be long before the doctors find they have to wait that much longer for their money than they might if they accepted the position and stopped sending out circulars.

HILLS FACE ZONE

The Hon. C. M. HILL: I wish to ask a question of the Minister of Lands, representing the Minister for the Environment, identical to the one I asked on June 12 of this year. That was a few days before the end of the

last Parliament and there was no opportunity for a reply to be given in this Council. Also, I seek an up-to-date reply to the question, which is as follows:

On March 25 and March 26 the Planning and Development Act Amendment Bill passed through its Committee stage in this Chamber. At that time some discussions were held with the Minister of Environment and Conservation concerning the question of the accumulation of funds for the purpose of the acquisition of land by the Government in the hills face zone as a means by which the whole problem of that zone might be solved in the long term. The Minister gave an undertaking to me, and that undertaking was confirmed by the present Minister of Lands, that application would be made to the Commonwealth Government for funds for the purpose of purchasing land in the hills face zone. Can the Minister say whether such an application to the Commonwealth authorities has been made and whether a reply has been received; if it has, what was the Commonwealth Government's attitude to this question?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleagues in another place and bring down a reply.

OLD LEGISLATIVE COUNCIL BUILDING

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. M. B. DAWKINS: My question is directed to the Chief Secretary as Leader of the Government in this Council. For some time there has been a plan to renovate the building known as the Old Legislative Council Building, between here and the railway station, and for some time, in the interim, the Railways Institute has occupied that old building. It would appear that one of two things should be done: the building should be either renovated or demolished. Personally, I would hope it would be renovated as a historic building. Can the Chief Secretary ascertain when the Government expects the Railways Institute to be able to vacate the building, and, when that occurs, is it still the Government's intention to renovate the building, and for what purpose?

The Hon. D. H. L. BANFIELD: I will seek a report for the honourable member.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from August 13. Page 200.)

The Hon. M. B. DAWKINS: I wish to support the Address in Reply to His Excellency the Governor in response to His Excellency's Speech and, in so doing, wish to express my appreciation of the work His Excellency is doing in South Australia. He has followed the example of his predecessors in working very hard in maintaining the office of the representative of the Queen in this State. I am sure all honourable members appreciate the work that His Excellency does. I take the opportunity, at the same time, to reaffirm my loyalty to Her Majesty the Queen.

Mr. President, I should like to congratulate you on the assumption of your high office and wish you a successful term, and also congratulate the new members in both this place and in another place who have come into Parliament. I hope they make a valuable contribution to the work of governing this State and help to provide proper guidelines for the government of South Australia. I wish new members, both here and in the other place, a successful term of office.

I must refer to the passing of two gentlemen whom I held in the highest esteem. The Hon. Sir Norman Jude was Minister of Local Government, Minister of Roads and Minister of Railways when I came into this Council, and he held those portfolios for something like 12 years. A man who was respected by all honourable members, Sir Norman was indeed a successful and hard-working Minister, and we all mourn his passing. I express my condolences to Lady Jude and her family.

I also refer to the Hon. Leslie Harold Densley who, at the time I came into this Council, was Leader of the Liberal Party in this Chamber and sat in the seat that the Hon. Mr. DeGaris now occupies. However, he was almost immediately elevated to the position that you, Sir, now hold, and he held the position of President for five years, until just prior to his retirement. He was a kindly gentleman who tried to assist all honourable members and who, in particular, was careful to assist new members who were trying to find their feet. I personally express my appreciation of the welcome and help that I received from the Hon. Mr. Densley. Once again, I record the esteem in which I held that honourable gentleman, my regret at his passing, and my condolences to his family.

I hope that honourable members will bear with me while I refer at some length to some of the honourable gentlemen who have left this Parliament. The Hon. Sir Lyell McEwin, the Hon. Sir Arthur Rymill, and the Hon. Victor George Springett, whose seat I now have the honour to occupy and who was known to his friends as David, all made a signal contribution to the work of this Chamber. Sir Lyell was a member for many years—indeed, over 40 years; Sir Arthur for nearly 20 years; and the Hon. Mr. Springett for a lesser term. They all made a considerable and valuable contribution to the work of this Council, and I wish to record my appreciation for the work they did.

I ask honourable members still to bear with me while I refer to two gentlemen with whom I was closely associated during the whole of my Parliamentary career but who were defeated at the last election. I refer to my friend and colleague the Hon. Mr. Story, who served this Parliament for approximately 20 years and who, I believe did a particularly valuable job as Minister of Agriculture, for some time as Leader of the Liberal Party in this Chamber, and also as Whip. The Hon. Mr. Story was my immediate colleague in Midland District when I entered this place, and no-one could have been more helpful or guided a new member better than he did then. I wish I could be as helpful to other new members as the Hon. Mr. Story was to me when I entered this place. I record my appreciation of his work here, of his great ability, and also of his political knowledge and wisdom.

Many honourable members have come into this place over the years, but not all gain the amount of political knowledge and wisdom that the Hon. Mr. Story acquired during his term in this Parliament. I personally regret very much his departure from the scene. I feel sure that, regardless of politics, this Council will suffer because his wise counsel is no longer with us.

I must also mention my friend and colleague, the Hon. Gordon Gilfillan, to whom the Hon. Mr. DeGaris has already referred in some detail. However, I should like to add to what the Hon. Mr. DeGaris said. Gordon Gilfillan was elected to this Council on the same day as I was elected. On the same day later in the year, Gordon Gilfillan moved the motion for the adoption of the Address in Reply to His Excellency the Governor's Speech, and I was able to second that motion.

Since then, the Hon. Mr. Gilfillan and I have been close colleagues in this Council. I know that he made a valuable contribution to the work of the Council, particularly as Whip for both Parties for some time, as the Hon. Mr. DeGaris said. I know, too, that the Hon. Mr. Gilfillan and the Hon. Mr. Story had the respect and affection of honourable members of both Parties in this Council. I regret that they are no longer with us, and the same applies to the Hon. Bert Shard and the Hon. Frank Kneebone. I now refer to His Excellency's Speech, in paragraph 3 of which His Excellency made the following comments on behalf of the Government:

In my Government's view, the electorate has now endorsed the proposed transfer to the Australian Government—that should be "Commonwealth Government"—of responsibility for the operation of the non-metropolitan railways of this State.

His Excellency then went on to indicate that there is now a pressing need for Parliament to reconsider the Bill. Of course, that has now been done. However, I will not this afternoon dwell on whether the Government had a mandate for it, which I doubt, because that matter has already been discussed in some detail. I then noticed that in the next paragraph His Excellency stated:

My Government will, in furtherance of its policy of eliminating electoral inequalities and establishing the principle of one vote one value, introduce measures to alter the Constitution for electorates for the House of Assembly of equal numerical size.

Later, His Excellency added that elections for the House of Assembly and the Legislative Council should coincide. I have on a number of occasions in this Chamber inquired what "one vote one value" really means. I have indicated that I believe that only in a proper proportional representation system can we really achieve something that approximates one vote one value, if we are merely talking about a numerical value. If we are considering, as I believe it behoves all honourable members to consider, some equality in the terms of service to the elector, the situation is rather different. However, I do not wish to dwell on that situation now, as it has already been referred to. The Hon. Mr. Foster, at the declaration of the poll, referred to it, and I gather that the Labor Party may be happy with the result but perhaps not quite as happy as it would have liked to be, when its members talk so often about a numerically equal one vote one value. We find that the right-wing Parties at this election gained between them nearly 6½ quotas and were able to gain only five seats between them, while the Government Party, with a little more than 5½ quotas, was able to gain six seats. I congratulate the Chief Secretary on having the six seats and on having with him 10 members, but I do not think that even the Chief Secretary, who has in the past talked at considerable length about one vote one value, would be especially happy about that result.

The Hon. D. H. L. Banfield: I am happier than when it was 16 on your side and four on mine.

The Hon. M. B. DAWKINS: It is nowhere near one vote one value. I am quite sure the Chief Secretary is happier now, though. However, I do not think the Hon. Mr. Foster is happy, because he was rather apologetic about it at the declaration of the poll.

The Hon. N. K. Foster: Like hell he was.

The PRESIDENT: Order!

The Hon. N. K. Foster: Well, tell him not to be so damned provocative. I will deal with him on Tuesday.

The Hon. M. B. DAWKINS: The Hon. Mr. Foster will get his chance.

The Hon. N. K. Foster: And you will get your answer.

The Hon. M. B. DAWKINS: That is how I took it; the Hon. Mr. Foster was being a bit apologetic about the whole thing.

The Hon. C. M. Hill: I thought he was rather sensitive about it.

The Hon. D. H. L. Banfield: I can see who's sensitive.

The Hon. M. B. DAWKINS: The Labor Party members are sensitive. I am not sensitive about the result, although I am sorry about it. As the Chief Secretary well knows, right-wing Parties in South Australia at present are experiencing one of the cycles of politics that might be described as a Democratic Labor Party situation. The Chief Secretary knows all about that, because the Labor Party suffered from it for about 20 years, and it looks like suffering from it again at any old tick of the clock. We are in that situation. We are suffering, on the right-wing side of politics, from a D.L.P.-type situation. Referring to one vote one value, or whatever it can be called, I want to relate it to the House of Assembly. I said that I did not wish to dwell at length on the situation in the Council, but I made my point and Labor members did not like it.

Getting back to the other place, it is very interesting to see what people there had to say in the 1960's. I am referring to people on the Labor Party side of politics. Early in 1964, Sir Thomas Playford's Bill on this matter provided for 20 rural seats, reducing the number of rural seats in South Australia at that time from 26 to 20. In passing, it is worth noting that the situation now is that we have only 19 rural seats. The Labor Party in 1965 had a scheme to bring about what it called one vote one value in South Australia, involving 30 city seats and 26 country seats in the other place, and the quotas would have been from 11 500 for the city to 8 500 for the country. Also, that scheme gave the Electoral Commissioners power to set up two Assembly districts with quotas as low as they saw fit to institute for outback areas. The last provision corresponds to the position presently obtaining in Western Australia, where the quota in certain outback country areas is lower—

The Hon. F. T. Blevins: That is only because the Western Australian Upper House is as bad as this one.

The Hon. M. B. DAWKINS: If the Hon. Mr. Blevins will just wait and listen he may learn something, although I doubt very much if he can.

The Hon. D. H. L. Banfield: The Western Australian Upper House is worse than this one.

The Hon. M. B. DAWKINS: I will tell the Chief Secretary, the Hon. Mr. Blevins, if he keeps quiet (he has had his say and he will get another chance at some other time) and their colleagues what the Labor leaders at that time said about Sir Thomas Playford's plan to reduce country representation from 26 seats to 20. Their views were quite interesting and quite illuminating. On October 24, 1962, the Hon. Frank Walsh, then Leader of the Opposition, said:

The Bill—

which was the Bill to introduce the Electoral Commission—proposes to reduce the number of country representatives from 26 to 20. Why should country people be denied adequate representation in this Parliament?

That is the Hon. Mr. Walsh. He continued:

I challenge the Government—

that was the Playford Government—

to deny that country areas will be deprived of some representation. I could not find sufficient words within

the limits of Parliamentary language to describe my feelings on this aspect.

As I knew the Hon. Frank Walsh, I could quite imagine that situation. On the same day, Mr. Walsh also said, during the debate in Committee:

For instance, in the Frome District the member would have to travel 150 miles from Peterborough to reach the boundary of his district. The Government should supply him with a helicopter or some other fast means of transportation. I oppose the clause because, if it is difficult for a country member to adequately service his district now, it will be impossible if the country representation is reduced by six.

That is what the Hon. Frank Walsh said in 1962.

The Hon. D. H. L. Banfield: What did Sir Thomas Playford say in reply?

The Hon. M. B. DAWKINS: I do not know, but—

The Hon. D. H. L. Banfield: Ring him up.

The Hon. M. B. DAWKINS: We could do that with Sir Thomas but not, I am sorry to say, with the late Mr. Walsh. I invite the Chief Secretary to listen to what the Hon. Mr. Dunstan said, and I hope the Minister of Lands will return in a moment, because we will discuss what he said. On February 25, 1964, at page 2093 of *Hansard*, the Hon. Mr. Dunstan, speaking after the Electoral Commission had reported to Parliament, said:

We do not believe that the present number of members representing country districts—

and that was 26—

can be properly decreased because thereby it will make country representation less efficient.

What is the Hon. Mr. Dunstan going for now if he wishes to have House of Assembly districts of equal numerical size? He will be going for about 13 or 14 seats in the country instead of 26—only about half the number—and yet he said at that time that he did not believe that the then existing number of members representing country districts should be reduced. Today the Labor Party is talking about reducing that number to half the original representation. What do Labor members believe? Do they believe what was said then or what is being said now? I have no objection to a proper and reasonable increase in the number of members in city areas, because the present redistribution has got out of hand, as the previous one did, but I do object to a reduction in the number of country members. That number has been reduced already from 26 to 19. This is what the Hon. Mr. Dunstan and the Hon. Frank Walsh were talking about and violently opposing at that time. The Hon. Mr. Casey (my good friend the Minister of Lands, who was not then the Hon. Mr. Casey but Mr. Casey, M.P., back-bench member for Frome in another place) at page 2098 of *Hansard*, on February 25, 1964, said:

I believe in the principle of one vote one value, for I think that is the basis of all democratic thinking.

I give him credit for that. He continued:

However, there are times when that policy could not possibly be put into effect, and I think that that is the position in this State because of the vast areas in the North of the State which are so sparsely populated.

Of course, the Hon. Mr. Casey and the Hon. Mr. Loveday, who was respected by all members, represented two very large country districts at that time. Later, the Hon. Mr. Casey said:

I say emphatically that if those areas in the North, such as the districts represented by the member for Whyalla (Mr. Loveday) and myself, are increased, it will not be possible for us to do the job we wish to do and what we set out to do, for such a task would kill us and the members who come after us.

I hope the Hon. Mr. Casey has not changed his mind. Because I know him and respect him, I cannot see how he would support a concept that would reduce country representation far below (probably to half) what it was at that time. I am sure that he does not wish to see his successors killed, even though they may be members of the Liberal Party. Does Mr. Millhouse, a member of another place, support this?

The Hon. D. H. L. Banfield: Was he the Liberal Attorney-General when he said this?

The Hon. M. B. DAWKINS: I do not think so. Some years ago he was the Attorney for the Liberal Party, but I do not think he will be again; it is a matter of some doubt. However, it is difficult to believe that it is the same Mr. Millhouse who had a motion incorporated into the then Liberal and Country League constitution and who moved the motion successfully in that Party, supported by the Hon. Mr. Story and me, that the L.C.L. supported adequate representation of country districts. I wonder whether Mr. Millhouse thinks that 13 or 14 country seats provide adequate representation for country districts in this State, or does this make a mockery of the word "adequate" and a mockery of Mr. Millhouse's sincerity? I hope it does not.

I am not against some increased city representation, but I am violently opposed to selling the country down the drain and to the decimation of country representation. It was about this matter that the Hon. Frank Walsh (who, among the other qualities he possessed, was sincere), the Hon. Mr. Dunstan, and the Hon. Mr. Casey complained so bitterly not so many years ago.

I am subject to correction, but I believe that paragraph 6 of His Excellency's Speech is the only reference (or one of the few references) in the whole of that Speech to the rural situation. It states:

My Government will pursue its policy of preserving as far as possible the character and amenity of rural areas.

I am very glad to know that the Government realises that the rural areas still exist; perhaps, after the last election, it wishes they did not. Since the Government is interested in a policy of preserving as far as possible the character and amenity of rural areas, how about the Government being interested in a policy of preserving adequate representation for those areas?

The Hon. F. T. Blevins: After all those years of 16-4 representation, you have no credibility.

The Hon. M. B. DAWKINS: I have yet to find out whether the honourable member has any credibility. He has been here for only five minutes, so to speak, and he still has to prove his credibility. Regarding paragraph 11 of the Speech, dealing with the Murray River, I am sure that every thinking South Australian (I hope that includes the Hon. Mr. Blevins) is concerned about the water supplies of this State. Paragraph 11 states:

My Government has proposed that the River Murray Waters Agreement should be renegotiated to include amendments giving the River Murray Commission additional responsibilities related to water quality control and enabling it to perform its functions more effectively.

If the Government can get a better agreement with regard to Murray River water and better quality water, I will be the first to commend it. I am concerned, as are other honourable members, about water supplies and water usage in this State; I refer not merely to Murray River water but also to water stored from our small rivers and to recycled water, which is now wasted. All available water should be used in South Australia, which is such a dry State. If the Government can do something positive

about water quality and more assured water supplies from the Murray River and if the Government will do something about using reclaimed water (it is a sin to let it run to waste), I will be the first to commend the Government.

The local government situation is difficult. This Government and its Commonwealth counterpart in some respects have starved local government of funds; that is why local government is not viable in some cases today. Obviously, the escalation of costs has had something to do with it, but the reduction of funds that have been available from the Government to local authorities has had more to do with it than has the escalation of costs. I shall refer to the situation in half a dozen councils. Three or four years ago the Lucindale District Council was granted \$121 000, but at present it has a grant of \$20 000 plus \$35 000 from the Grants Commission.

The Hon. J. E. Dunford: The cockies run that council, and they couldn't run anything.

The Hon. M. B. DAWKINS: I have yet to find that the honourable member can run anything; I shall be interested to find out. About three or four years ago the Penola District Council was granted \$135 000, but at present it has a grant of \$32 000 (about \$100 000 less) from the State, plus \$40 000 from the Grants Commission. About three or four years ago the Marne District Council was granted \$101 000, but at present it has a grant of \$35 000 plus \$18 000 from the Grants Commission. Five years ago the Gumeracha District Council received a grant of \$121 000, but at present it has a grant of \$19 000 plus \$27 000 from the Grants Commission. The Gumeracha council is seriously disadvantaged, because it has a considerable area of pine forests that are not subject to rating.

Turning to my own backyard, the Mudla Wirra District Council, in which I was proud to serve for 14 years, had a grant of \$71 000 five years ago, but at present it receives a grant of \$19 700, plus \$14 000 from the Grants Commission (a total of less than half what the council received before). The situation is hopeless from the viewpoint of local government. Many of the problems facing local government have been caused by the policies of this Government and of its counterpart in Canberra. It must not be overlooked that some of the problems have been caused by escalating costs. However, by no means all the problems facing local government can be placed in this category. Local government exists under State legislation; in theory, at least, it does not exist at all (except as part of the State) under the Commonwealth set-up: it is part of the machinery of State Government, operating under the authority of a State Minister of Local Government. Commonwealth assistance should not by-pass the State Government, under whose authority local government gets its charter. The Commonwealth attempt to by-pass the State in assisting local government is, in my view, fundamentally wrong, welcome as that assistance is when we consider the poor grants forthcoming from the State.

In recent times it has often been said that local government should stand on its own two feet. However, that is a fundamental misunderstanding of the situation. Some people seem to have the idea that local government should be able to rate people sufficiently heavily to stand on its own two feet, and pay for all the costs incurred in local government. Of course, that is quite a false conception, and it completely overlooks the fact that very large sums are collected by the State and the Commonwealth for roadwork. Much taxation is levied by the Commonwealth and State Governments, and I refer to petrol tax, road tax, motor registration and similar taxes. These taxes gathered by

the central authority should properly be returned in some measure to local government to help meet the cost of road improvements. As insufficient funds are being returned to local government, it is experiencing many problems.

The Hon. F. T. Blevins: You have listed all the taxes; what about—

The Hon. M. B. DAWKINS: Despite what the Hon. Mr. Blevins thinks, it has been proved time and again that local government can frequently construct main roads more efficiently and at a lesser cost than can the Highways Department. Only today we heard on the radio that the Tatiara council, because of the starvation tactics employed, will have to sack about 25 per cent of its staff.

The Hon. J. E. Dunford: It's not like people being sacked when—

The Hon. M. B. DAWKINS: The Hon. Mr. Dunford should be concerned: he does not like people being sacked unless they are from the Liberal Party. I am also concerned about the current situation in local government resulting from this Government's attitude in relation to giving debit orders to councils. Rather than give debit orders to councils, the Government seems to prefer creating a colossus within the Highways Department. The Minister has said recently that debit order funding can no longer be relied on by councils. However, I believe that councils should be able to rely on certain debit order funding, having regard to the taxes that have been gathered by the State and Commonwealth Governments, part of which should be made available for this purposes.

The present Government seems to want to make a colossus of the Highways Department. It has by no means been unknown for Highways Department engineers in the past to compliment a council on the way in which it has constructed sections of a new main road or completed work on a Commonwealth rural road which has been allocated to it. I believe that, until more Government grants for maintenance and construction are made to councils, the real cause of much of the trouble will persist. The Government has adopted a short-sighted policy, and honourable members can see this in rural areas, where roads are constructed not only for local people but also as through roads for the State and the Commonwealth as a whole. It is not difficult at this time to see evidence of his short-sighted policy by driving over roads that have been reconstructed. Roads have been reconstructed and built up almost to the point of sealing, but often the money has been cut off. At this stage the road then starts to deteriorate. This is a waste of public money, and I believe that it is an indictment of the policy of the Minister of Transport, for whom I have respect and with whom I get on fairly well. However, I am afraid that the Hon. Mr. Virgo in pursuing this policy is showing us a measure of his inexperience.

It is not my intention to refer to other matters contained in His Excellency's Speech. As I have stated, I support the motion for the adoption of the Address in Reply but at the same time I express considerable concern at the financial position of Australia, especially the situation regarding unemployment in Australia and in South Australia which has been higher than it has been for many years. With these serious misgivings and reservations about present Government policies I support the motion.

The Hon. C. J. SUMNER: Before proceeding to the major part of what I would like to call the second part of my maiden speech, I wish to make two preliminary observations. First, I wish publicly to add my voice to those others that have offered you, Mr. President, congratulations on your election to the Presidency of this Council.

You have come to it at a time when the Council is more popularly based and I believe more politically conscious than at any time in its history. I do not necessarily mean politically in the narrow and Party political sense, but in the sense that the Council's legitimacy has been finally established by a vote of all the citizens of this State.

Secondly, as this is a debate on the motion to adopt the Address in Reply to the Governor's Speech, I would like to take the opportunity to pay tribute to our present Governor. He is a man who established a formidable reputation in the field of science and did this State a considerable honour when he agreed to accept the Governorship. His appointment was a radical departure from appointments made by previous Governments, which relied almost exclusively on officers of the British Armed Forces. Although our constitutional conventions rightly exclude the Governor from any involvement in Party politics, I believe that he has played an enormously important role in promoting discussion on a wide range of issues and in many ways acting as the conscience of our community.

The conventions of this Council, based as they are on the custom, tradition and practice built up over many years in the Parliament of the United Kingdom, provide a unique opportunity for a new member to make a speech such as this. The Address in Reply debate does not constrain one to refer to a particular measure before the Council and there is no necessity for it to be directly relevant to any matter raised by the Governor. Given the availability of this unique opportunity, I have decided to try to outline in general terms the reasons for my commitment to a political career and the ideas that I hope will be my guide posts when considering the practical problems of Government.

The ideals of liberty, equality and fraternity, the right to life, liberty, happiness and social justice are the rhetorical stock in trade of the politician, so much so, that they often appear as mere clichéd catch-cries devoid of any substance. Nevertheless, it has been these basic ideals, the products of European civilisation of the last 300 years, that have motivated, and still motivate, men and women throughout the world in their political action. The struggle for independence in southern Africa is an attempt to establish the ideal of liberty in a national sense. Two measures that this Council will be asked to consider shortly have embodied in them these ideals. The sex discrimination legislation to be introduced is another step in the fight of women for equality. The private member's Bill relating to homosexual law reform is based on the ideal that when considering the freedom of action of adults the test is whether that action harms another party.

Democratic socialism or social democracy is also a product of the same civilisation and embodies all of these ideals. It does not believe, however, that these ideals can be seen in purely political terms: they must have a strong economic and social element. The preamble to the federal platform of the Australian Labor Party expresses this emphasis with the words "Political freedom can exist securely only in a society free of the social tensions which issue from poverty, economic injustice and gross economic inequality". I do not believe that we can consider any of the political ideologies in isolation from the peculiar idiosyncrasies of the society in which they operate. National characteristics and the peculiar historical experience of each society fashion the ultimate product, whether it be fuelled by the ideology of capitalism, nationalism, socialism or communism. The free-for-all capitalism of the United States of America has

produced a society different from that of the social democracies of Western Europe, where the rampant individualism of the U.S.A. has thankfully been rejected in favour of a more highly developed concept of community well-being. The right to carry a gun seems to be an almost inalienable right in the U.S.A., whereas it would, I believe, be completely abhorrent to most Australians.

And so with communism. The myth of the monolithic bloc has been destroyed, and it is clear that the communism of China is vastly different from that of Russia, that of East Germany, and from that of Yugoslavia. Socialism has its many variations and cannot be realistically considered except in relation to the social, political, and economic circumstances in which it operates.

The African socialism of Zambia and Tanzania is different from the military socialism of Burma or the "rugged society" socialism of Singapore. The ideal has been adapted to the local conditions and, no doubt, in the adapting has sometimes been lost. Even within the capitalist democracies of Western Europe or their offshoots in Australia and New Zealand, there are many ways of applying social democratic ideas. Most social democratic Parties in Western Europe recognise the capitalist base of society, accept it, but insist that capitalism works towards socially desirable ends. Even within the general Western European bloc there are differences of approach between the Parties of the United Kingdom, Sweden and West Germany.

Democratic socialism in Australia must have its roots in the peculiar historical experience of Australians and be attuned to their needs and aspirations. It clearly has to recognise the constraints of an antiquated Constitution. Even within the various States of Australia, socialism has a different style and emphasis. Don Dunstan has spoken of the social democracy espoused by the present South Australian Government as the true heir to South Australia's radical beginnings. It is certainly true that these beginnings, the different origins of the working class, and the personalities in the Labor movement in South Australia have produced a social democratic Party with certain differences of emphasis compared to that social democratic Party which was in power in New South Wales, for instance, in the early 1960's.

Given, then, that we are talking of socialism adapted to the Australian situation, it may be worthwhile restating some of its basic tenets, particularly in view of the near-hysterical campaign waged by the Opposition Parties during the recent election campaign. It is Parliamentary, democratic, constitutional and insists on the fundamental civil rights of the citizen. It asserts, however, that democracy does not end with the ballot box and Parliament. Although to study democracy one must study Parliament, the study of Parliament alone is not the study of democracy. For a social democrat, democracy exists at all levels of society—community centres, schools, sporting clubs, and the trade union movement. It should also exist in the workshop. Political liberty should be accompanied by the right to a say in the economic organisation of the work place. One of the most fascinating experiments in economic democracy is about to commence in this State, and this Council will no doubt at some stage be asked to consider the Government's recently announced proposals for worker participation in industry.

For a social democratic politician, politics must be about people in society, about communicating with these people, and about involving them in the decision-making process. He should be anti-elitist and recognise that social change can be achieved only with the support of the community.

I believe that the success of the South Australian Government has been in large part due to its success in communicating and obtaining general popular support for its programmes. This may be a slower process than some would like, but it ensures that once change occurs it will be long-lasting.

Our Party also benefits by its close identification with the trade union movement which ensures that it has its roots firmly based on the real and practical problems of individuals in society. There has been some criticism recently of the role of trade unions, including the criticism that they no longer aspire to the co-operative ideas of socialism. The problem is one of the basic nature of society. Capitalism is competitive, and the trade union operating within it becomes likewise. Capital can be withdrawn without comment, but the withdrawal of labour is considered by many to be a crime against society. The fundamental right of a worker to strike must be continually affirmed. That is a freedom that he must retain as the ultimate safeguard in a competitive economic community. One hopes that proposals such as those relating to worker participation in industry will take the emphasis from the competitive nature of our society and reaffirm the socialist co-operative ideal.

I believe that an Australian democratic socialist at this stage in our historical development must accept and work with capitalism and the mixed economy. Indeed, I believe there is everything to be said for ideas, initiative, and enterprise that produce a socially desirable result. I cannot see that a doctrinal commitment to nationalisation serves any purpose. I believe that our platform, which talks of the democratic socialisation of industry, production, distribution and exchange—to the extent necessary to eliminate exploitation and other anti-social features in these fields—clearly recognises this pragmatic attitude to public ownership.

Although I accept this as the best option for Australia, I do not believe that it is a prescription applicable to all societies. In many countries the political system is so repressive and the economic system so unjust that people have no option but to take action to overthrow that system by force. It is not even a question of whether one agrees with these methods; it is simply a question of accepting the reality. I believe that the China of today is a more just and equitable society than that of pre-Second World War and that it has, by means of its revolution, achieved a level of security from starvation and economic and social chaos. Knowing of the extraordinary repression of the Batista regime in Cuba and the complete stranglehold that the United States had over its economy, it is not surprising that a popular revolution occurred. And yet the United States, because the interests of big business were affected, used every means, from economic blockade to armed invasion, to attempt to overthrow this popular revolution. It is interesting to speculate how much more successful that revolution might have been had the United States adopted a co-operative instead of a combative posture. More recently, the events in Chile indicate the lengths to which the United States will go to oppose elected Governments in the interest of maintaining a capitalist economic system in countries where the people are looking for something better.

Having said that revolution may be the only course open to some countries, I do not absolutely condemn foreign investment. If the people through elected Governments have decided to accept foreign investment on an equitable basis, and believe that it assists in the development of their country, it is not objectionable. If it produces

results, as I believe it has in Singapore and Malaysia, for instance, it will gain popular acceptance. However, if it must be a two-way process and clearly to be seen as such, the recipient country must see tangible economic benefits and the donor country accept a fair but not exorbitant remuneration for the investment and risk. If it does not operate in this way, revolution will be inevitable in many countries in the world.

Thankfully, I do not believe that situation exists in Australia. Having travelled fairly extensively throughout the world, I have come to the conclusion that we have one of the most prosperous, equitable, and democratic societies that exist. We are a lucky country. Any change (and I certainly believe there is room for improvement) must be careful not to disturb the benefits that exist. Our colonial historical experience, the ideal of mateship, and the egalitarian instincts of most Australians have produced a degree of social equality that exists in very few other countries in the world, at least in so far as it relates to white Australians. Any social change must ensure that this ideal is preserved and built upon. One danger is that the increasing disparities in wealth will tend to institutionalise privileges that attack this tradition. Democratic socialism should strive to ensure that this does not occur, to ensure that there is a redistribution of wealth and that social mobility is maintained and enhanced.

Mr. President, what I have said above about acceptance of the free enterprise economy may be subject to one qualification—whether it can cope with what I believe to be the most pressing problem facing the world today, and one to which we are far from finding a solution. I refer to the problem of the environment in all its manifestations. The problem embraces world population, food production, the exhaustible nature of the earth's resources, and the uses that should be made of modern industrial technology. I pose the question whether our commitment to an economy based on materialistic progress, which needs planned waste for its survival, will meet the needs of the future. Capitalism is based on the assumption that there will always be resources to exploit and wealth to be made from them.

Although I do not know the answer, I raise the question whether the earth's resources are infinite. The optimists say that modern technology will always be able to continue to produce new materials and that we can continue our present level of material prosperity and create the conditions whereby the whole world community can do likewise. I hope that they are right. There is, however, the other possibility, namely, that the earth's resources of food and raw materials will not be able to keep up with our expanding population, that the shortages will cause inflation at unprecedented levels, and that social disruption on a world scale will result. Could it be that the present downturn in economic growth in the capitalist countries and the extraordinary problems that they have been having are the beginnings of such a future? If this does result, I believe that it will only be some form of socialist co-operative ideal that will be able to provide the solution.

The question of nuclear energy is one aspect of the problem. It would appear that, for the Western democracies to maintain their present level of economic growth, employment and material standard of living, they need nuclear energy. For the other countries of the world to achieve such a level of consumer prosperity they, too, may need nuclear technology. I suspect that it would be political suicide for a Party in this country to try to stop the export of uranium and, even if it did, I doubt whether similar action would be taken elsewhere. This

community attitude exists, even though we know of the horror of Hiroshima. Yet I wonder whether, as world citizens, we are not lemming-like, marching into the sea, powerless to extricate ourselves from the cycle created by an economy based on consumer waste. A measure that this Council will be asked to consider poses the problem in microcosm. This is the legislation relating to returnable containers. I believe it is anti-social to allow materials to be wasted and yet, if recycling is proposed, industry complains of its loss of profits, employment is affected, and the measure may not be accepted by the community. However, I have a strong suspicion that, unless we start taking action towards reducing our total dependence on the wasteful consumer economy, we may find that the physical and environmental limits of the earth do it for us with disastrous and disruptive consequences for the world community.

Finally, it would be remiss of me not to direct some remarks to the future role of this Council. Theoretically, I can see some justification for a second Chamber, even in a unitary system of Government which, when talking only of South Australia, is what we have here. Clearly, in a federal system it may have a specific role in representing the interests of the units of the federation. A second Chamber can, if properly constituted, play a useful role in revising legislation, in initiating debates on matters of public importance, and in establishing Select Committees to help inform the Parliament and people on matters of public concern. Certainly, the committee system of the United States Senate is one of the most striking examples of the role that an activist Upper House can play. Although I can see the theoretical justification for a Chamber, my reservation is that expressed in my Party's platform, namely, that such an institution in South Australia is unnecessary and wasteful of public funds.

When we consider that local government authorities in the United Kingdom or the United States, for instance, administer to the needs of millions of people within their jurisdiction, it seems indulgent of us to have a two-Chamber Legislature for something over a million people. If today we were creating from scratch a system of Government in Australia, I doubt whether it would be constructed along its present lines. I suspect that we would opt for a two-tiered unitary system of government, that is, a system of local government with powers somewhat more extensive than the present, and with the centres of local government power more diffuse than the present six States, but not as numerous or widespread as our present local government bodies.

Probably, the three-tiered governmental system is also wasteful, but it is an historical legacy that we must accept, indeed, that we now want to accept, because each State has its own peculiarities and life styles that make it attractive to its inhabitants. We are proud of South Australia and of Adelaide, because it is our city and we identify with it. Our Legislative Council, despite its anti-democratic past, is part of that same legacy and will not be abolished by the A.L.P. without a referendum.

If it is unnecessary and wasteful of public funds, then it would be illogical to abolish the Council and create an equal number of seats in the Lower House, as that would not lessen to any great extent the burden on the public purse. Whether the Legislative Council will be seen to be wasteful of public funds by the people at any future referendum will depend on its performance over the next few years. I would argue that as a second Chamber it should be able to review but not obstruct the policy of a government formed in the Lower House. Our Party

proposes legislation to restrict the powers of the Council to those of the United Kingdom House of Lords, where the power is one of delay but not veto. This would, I believe, increase the efficiency of the Council in performing those tasks to which I have referred, tasks that it ought to be able to perform more effectively than the Lower House because there is less day-to-day electoral work than in the House of Assembly and because there is more time available to it. Pending the result of a referendum, I believe that the Council should attempt to fulfil such a role.

In conclusion, I appreciate the opportunity that I have had to place before you, Sir, and honourable members some of my thoughts on the problems that face us today in the world, and the role that we modestly may be able to play in our small corner of it. I have of necessity spoken in general and idealistic terms, but I am fully aware that the transformation of ideals into a change in community attitudes and legislation is not something that occurs easily. I am aware of the restrictions of the existing social and economic system, and I realise that one's ideals need to be tempered by realism, indeed cynicism, at times. However, I hope that I can continue to be motivated by them and, if I fail to be, that I will have the courage to retire from politics. I support the motion.

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

BUSINESS FRANCHISES (MISCELLANEOUS PROVISIONS) BILL

Second reading.

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

That this Bill be now read a second time.

Its principal object is to provide for the repeal of the Business Franchise (Petroleum) Act, 1974, to honour an undertaking of the Government to the effect that, should certain financial benefits flow to the State consequent upon the passage of the Railways (Transfer Agreement) Bill, 1975, the substantial licence fees imposed on sellers of petrol by that measure would be removed. Honourable members will recall that the measure proposed to be repealed was a somewhat complex one and it follows that the steps necessary to remove the licence fees will also be somewhat complex if equity is to be done between the three parties involved, the consumer, the petrol resellers and the State.

Honourable members will also recall that, in general, the measure provides that the licence fees are payable quarterly in advance with the amount necessary to pay the fee for each quarter being collected during the immediately preceding quarter by means of the price increase granted to resellers of petrol on the inception of the scheme. We are now well into the second quarter of the scheme and this quarter will conclude on September 23 next. By the time this measure is enacted into law, at least half of the next quarterly payment will be in the hands of petrol resellers, and the administrative arrangements to collect that amount together with the balance of the quarterly fee will be well in train.

Hence, the only practical solution to this problem is, therefore, to continue the licensing system in operation for a further quarter, that is, until December 23 of this year. For the reasons indicated above this will enable the price of petrol to the public to be reduced on and from September 24 next. The Bill also makes provision for certain consequential amendments to the Business

Franchise (Petroleum) Act, 1974, and the Business Franchise (Tobacco) Act, 1974. In part these amendments arise from the fact that sanctions contained in the Act proposed to be repealed lose much of their force by reason of this repeal. For example, since as a result of the proposed repeal licences will no longer be required for the sale of petroleum products, the sanction of the loss of licence loses much of its effect.

Clause 1 of the Bill is formal. Clause 2 sets out the manner in which the measure is arranged. Clause 3 is formal. Clause 4 amends the definition of "licence period" by providing that the second and final licence period encompassed by the measure will be three months expiring on December 23. Clause 5 provides for amendment of section 11 of the Business Franchise (Petroleum) Act, 1974, by including as part of the penalty for failure to obtain a licence any resulting financial benefit obtained by the offender. Clause 6 provides for amendment of section 18 of the Business Franchise (Petroleum) Act, 1974, to enable instalments of licence fees to be recovered as a debt in any court of competent jurisdiction. The existing sanction is revocation of the defaulter's licence, but this, also, may not be sufficient in view of the proposed repeal of the principal Act.

Clause 7 provides for the repeal of the Business Franchise (Petroleum) Act, 1974, as amended, on December 24, 1975. Clause 8 is formal. Clauses 9, 10 and 11 provide for enactment of a new Division in the Business Franchise (Tobacco) Act, 1974, continuing, after the repeal of the Business Franchise (Petroleum) Act, the Business Franchise Appeal Tribunal and the office of Registrar of the tribunal which were established under the Act proposed to be repealed. Clause 12 provides for amendment of section 9 of the Business Franchise (Tobacco) Act, 1974, in order to put it beyond doubt that the penalty at the foot of the section proposed to be amended applies to both subsections of the section. Clause 13 provides for amendment of section 15 of the Business Franchise (Tobacco) Act, 1974, to enable the Commissioner to recover instalments of licence fees as a debt in any court of competent jurisdiction.

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

ADJOURNMENT

At 3.44 p.m. the Council adjourned until Tuesday, August 19, at 2.15 p.m.