

LEGISLATIVE COUNCIL

Wednesday, April 13, 1977

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

QUESTIONS

MAWSON SCHOOL

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before asking a question of the Minister representing the Minister of Education.

Leave granted.

The Hon. R. C. DeGARIS: I have been approached by parents of children at Mawson school claiming that the school is grossly overcrowded and that the children's toilet facilities are quite inadequate. I believe that the school, which until recently was for boys only, is now a co-educational school. The additional children have created the problem. Will the Minister take up with his colleague the situation to which I have referred, and will he ascertain what plans the Government has to upgrade the facilities at the school?

The Hon. B. A. CHATTERTON: I will refer the Leader's question to my colleague and bring down a reply.

POWER RESTRICTIONS

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

Leave granted.

The Hon. M. B. CAMERON: It has been brought to my attention that severe power restrictions are to be enforced in the State because of picket lines at Torrens Island power station. Today's *News* states that severe power restrictions will be enforced in Adelaide from 4 p.m. and that all non-essential industry will not have power, except for safety purposes. Today is a sitting day for Parliament, and I guess that we could be considered in terms of a non-essential industry. The loss of one day will not have any effect on the legislation; in fact, it may even cause the legislation to be better considered. In the interests of the State and of the power situation, will the Chief Secretary consider adjourning the Council and closing Parliament for the day?

The Hon. D. H. L. BANFIELD: I will certainly recommend to honourable members opposite, since there are only seven items on the Notice Paper and since the restrictions are not coming into force until 4 p.m., that they should try to get through the seven items before 4 p.m. Then, we will consider adjourning the Council.

The Hon. M. B. CAMERON: What about the Lower House?

The Hon. D. H. L. BANFIELD: I am not in the Lower House.

The Hon. M. B. CAMERON: I seek leave to make a short statement before directing a question to the Minister representing the Minister of Labour and Industry.

Leave granted.

The Hon. M. B. CAMERON: Following the previous question I asked concerning the report of the industrial

problem that has developed, the General Manager (Mr. Huddleston) of the South Australian Electricity Trust is quoted as follows:

... the industrial action that had brought about the picket today had been "simmering" for the past few weeks. The action was a demarcation dispute between builders' labourers and ironworkers. "The builders' labourers want to build a boiler and the ironworkers say it is their job," he said. The 18 builders' labourers were stood down when there was no work for them because of shortages of cement, reinforcing steel and other materials created by the demarcation dispute. "As a result, they have put up a picket line and are preventing entry into the station," he said. "The day shift is already there, but if the afternoon shift, which starts at 4 p.m., cannot get in the station will have to be closed down."

It is indicated in the report that the problems involved for this State are severe indeed. In fact, it means almost a total shut-down of industry and restrictions being imposed on all domestic houses this evening. Will the Minister say what action has been taken by the Minister of Labour and Industry and Cabinet to ensure that this ridiculous dispute is brought to a halt as soon as possible before the industrial section of this State is severely affected, if not destroyed, for the duration of the black-out?

The Hon. D. H. L. BANFIELD: The Government is concerned about this matter, and the Minister of Labour and Industry, who is handling it, has been having discussions with the unions involved for some time in an attempt to reach a settlement.

The Hon. M. B. CAMERON: That's ridiculous.

The Hon. D. H. L. BANFIELD: How can the Government settle disputes if it does not get people talking to one another? For the honourable member to say that it is ridiculous for the Minister of Labour and Industry to try to achieve a settlement of the dispute shows just how much he knows about industrial relations. The Minister of Labour and Industry tried to get the parties talking. Is the Hon. Mr. Cameron another Fraser, who wants to see a head-on collision with the trade union movement? It is obvious that the honourable member thinks that disputes such as this—

The Hon. M. B. CAMERON: They're destroying—

The PRESIDENT: Order! The Hon. Mr. Cameron asked the Minister of Health what the Minister of Labour and Industry and Cabinet were doing about this matter. It would be better if the Minister answered that question.

The Hon. D. H. L. BANFIELD: I was answering that question—

The PRESIDENT: I know that the Minister was.

The Hon. D. H. L. BANFIELD: —by saying that the Government is perturbed about the matter, and that the Minister of Labour and Industry is having discussions with the two unions involved, when the Hon. Mr. Cameron said that that was a ridiculous way to do things. What does the honourable member want? Does he want the Minister of Labour and Industry to sit down and do nothing? The honourable member is like his Leader in another place: he is looking for a head-on collision with the trade union movement. The Government is doing as much as it can with the powers that it possesses, and it is continuing to try to bring this dispute to a settlement as quickly as possible.

The Hon. N. K. FOSTER: I seek leave to make a short statement before asking a question of the Minister of Health, representing the Minister of Labour and Industry.

The Hon. M. B. CAMERON: This'll be good.

The Hon. N. K. FOSTER: Thank you very much.

The PRESIDENT: Order! The honourable member should confine his remarks to the question, and get on with making his statement.

The Hon. N. K. FOSTER: Everyone in the trade union movement abhors the type of dispute that is now confronting us at Torrens Island. The interjections made by some members opposite lead me to believe that I ought to express what I believe to be the actual cause of this type of dispute. It goes back to the time of the original Conciliation and Arbitration Act of 1904, where constitutional coverage was given to a multiplicity of unions in the same area. That constitutional right to cover workers in one area is a difficult one to overcome. When the trade union movement made several suggestions in order to solve this vexed problem, the then Federal Government, between 1969 and 1972, refused to make the necessary amendments to the Arbitration Act that would have permitted such a solution. A letter to the Editor of the *Advertiser*, published in that newspaper in the past seven or eight days, suggested industry unions, which I consider to be a good concept. Indeed, West Germany was able to achieve such a concept. However, Hitler wiped off the trade union movement.

The Hon. C. M. Hill: Do you favour that concept?

The Hon. N. K. FOSTER: I favour it in some areas, but it is impossible to do it until the constitution of the Conciliation and Arbitration Commission is changed and until the Act is amended. Further (and this is my last observation prior to directing the question to the Minister), have members on the other side realised that all organisations involved in this dispute come under a Federal award, and is it not, then, the Federal body that can intervene? Have those members not noted that Mr. Vosti, of the Federal Conciliation and Arbitration Commission, will be here on Friday to try to settle the dispute? Will the Minister not agree that the situation has been brought about by the failure of the Federal Government to realise its responsibility in regard to trade unions, the community, and industrial relations? Will he not also agree that the type of action that the Minister in the other place, to whom the previous question was directed, can take is extremely limited, because the matter lies in the Federal area? Are State members opposite aware that the Federal Constitution inhibits State interference in a dispute such as this?

The PRESIDENT: I think the last question must be directed to the Minister. It cannot be directed to members in general.

The Hon. N. K. Foster: I direct it to the Minister.

The Hon. D. H. L. BANFIELD: There is a lack of knowledge on the part of members opposite, as has been indicated clearly.

The Hon. M. B. Cameron: Wait until the lights are turned off this afternoon.

The Hon. N. K. Foster: The lights have not been turned on yet!

The Hon. D. H. L. BANFIELD: Federal unions are involved in this matter. This does not mean that the State Government cannot do its best to assist in settling the dispute, but the large part of the responsibility is with the Federal Conciliation and Arbitration Commission, which should be looking at the matter. Possibly, it is being held back from doing this. I say "possibly" because this could be a matter of tactics on the part of the Federal Government to create this dispute. This would be nothing new.

The Hon. J. E. DUNFORD: I seek leave to make a short statement before asking a question of the Chief Secretary, representing the Minister of Labour and Industry.
Leave granted.

The Hon. J. E. DUNFORD: Like the Hon. Mr. Foster, and as a past trade union secretary, I am con-

cerned about the problems involved with power black-outs as a result of an industrial dispute at E.T.S.A. I am not well acquainted with the history of the dispute, although I have read newspaper reports about the dispute and have formed some opinions. However, those opinions will not be satisfactory if I have to explain to my constituents what the dispute is about, and that is the reason for my questions to the Minister. I am not properly convinced that all these industrial disputes result from the actions of industry unions because, in some industries, the unions' efforts lessen industrial disputes, especially in the case of demarcation disputes when there is only one union in an industry instead of 13 or 14 unions. However, I do agree that some blame can be attached on the previous—

The PRESIDENT: Order! The honourable member is now debating the matter and expressing his own opinion about the situation. That is not permissible.

The Hon. N. K. Foster: It's equal to a solicitor's opinion—you said that.

The Hon. J. E. DUNFORD: I believe—

The PRESIDENT: Order! The honourable member should come to the point and ask the question. What he believes has nothing to do with the matter.

The Hon. J. E. DUNFORD: I am concerned that there is an industrial dispute, which could develop. I am concerned to see that the dispute is resolved, and I am concerned that the dispute may not have arisen had unions been allowed to amalgamate. Therefore, for the sake of some honourable members opposite who know nothing about industrial relations—

The Hon. R. C. DeGaris: Question!

The PRESIDENT: Order! "Question" has been called. The honourable member must ask his question.

The Hon. J. E. DUNFORD: I see that the Hon. Mr. DeGaris is in a hurry. My question is in four parts: first, did the O'Connor engineering firm sack the four riggers; secondly, what was the reason given for their sacking, if any reason was given; thirdly, did the employer before or during the dispute encourage or ask employees to join or become members of a specific union; and, fourthly, was any threat of dismissal of the four men made before their dismissal?

The Hon. D. H. L. BANFIELD: I am not aware of the facts that have led to this dispute, which I agree is unfortunate and which seems to be a demarcation dispute. As the honourable member has said, if there were not so many unions some demarcation disputes might not arise. However, because of the interest shown by the honourable member, I will refer his questions to the Minister of Labour and Industry and bring down a reply.

SWIMMING POOLS

The Hon. M. B. DAWKINS: I seek leave to make a brief explanation before asking a question of the Minister of Agriculture, representing the Minister of Education.

Leave granted.

The Hon. M. B. DAWKINS: During a recent visit to Cummins I was told by an official of the Cummins community swimming pool that the local area school found it expedient to make much use of that pool, and there was no objection to that. The question was asked whether the Education Department, in view of the fact that the swimming pool is used so much by the students, could assist in any way with the maintenance of the pool. I am aware, of course, that many schools do not have a swimming pool, and in some cases schools do not even

have access to a pool. On the other hand, in some towns community pools are very frequently used by schools. Will the Minister ascertain from his colleague whether the Education Department is willing, where necessary, to assist the organisations operating the community pools?

The Hon. B. A. CHATTERTON: I will refer the honourable member's question to the Minister of Education and bring down a reply.

DROUGHT RELIEF

The Hon. A. M. WHYTE: Has the Minister of Lands a reply to the question I asked earlier this session concerning the \$10 000 000 Commonwealth grant for drought relief in this State, how it would be administered and whether any of this money had reached drought-affected farmers in South Australia?

The Hon. T. M. CASEY: In response to the honourable member's question of April 5, 1977, concerning drought relief expenditure, I have ascertained that the total assistance approved to March 31, 1977, is \$900 466. Funds for drought relief are to be supplied by the State up to \$1 500 000 and, therefore, there has not been a flow-on of Federal Government money to date. The requirement that an application for assistance be a last resort application is covered under section 5 (2) (b) of the Primary Producers Emergency Assistance Act, 1967, and the relevant portion states:

. . . that the primary producer has no other source of funds available to him for that purpose
Therefore, it is not a Federal or State Government restriction.

The Hon. A. M. WHYTE: I direct a question to the Minister of Lands regarding the reply he just gave me. I asked the Minister what the directions or criteria were under which the Federal drought relief money was to be given. I understand that the \$1 500 000 that is required from State funds would be administered through the Primary Producers Emergency Assistance Act and therefore we are stuck with this source as a last resort, which is one of those things that is almost an impossibility. I wondered under what criteria the Federal money was to be allotted to this State.

The Hon. T. M. CASEY: For some years I have been trying (previously, as Minister of Agriculture) to get the Commonwealth involved in paying for drought relief measures from the word "Go", but the Commonwealth sees otherwise.

The Hon. R. C. DeGaris: Which Minister in the Federal sphere did you approach?

The Hon. T. M. CASEY: Ministers of both Parties. I believe that, as drought is a national calamity, it should be treated equally by the States and the Commonwealth; that is my personal opinion, and always will be. A formula was arrived at some years ago by which the States had to contribute some money before the Commonwealth became involved, and in this State the amount was \$1 500 000. The Commonwealth then became involved until we reached the stage of \$3 000 000 or \$5 000 000, when the Commonwealth took over the whole financial position. Until we spend our \$1 500 000 we do not get any Federal money at all.

STATE CHARGES

The Hon. M. B. CAMERON: I seek leave to make a short statement prior to directing a question to the Chief Secretary, as Leader of the House.

Leave granted.

The Hon. M. B. CAMERON: The Premier, in a statement reported in the *News* today, said that there would be no increases in South Australian taxes for 15 months. He said that he did not believe that there should be further tax take-offs from the community, given the present state of the economy, and he also said that among the taxes the State imposed were pay-roll tax, company tax, land tax, and death duties.

The Hon. R. C. DeGaris: Did he say "company tax"?

The Hon. M. B. CAMERON: No.

The Hon. N. K. Foster: He said "pay-roll tax", the one that McMahon forced on the State.

The Hon. D. H. L. Banfield: The Hon. Mr. Cameron just said "company tax".

The Hon. M. B. CAMERON: There is a loud voice on my left, which is irritating.

The Hon. J. E. Dunford: That should not affect your eyes.

The Hon. M. B. CAMERON: The honourable member always is saying something. Why does he not shut up? The report goes on to state that Mr. Dunstan made no predictions about possible rises in such charges for services provided by the State as water rates, sewerage costs, and gas and electricity charges. My question to the Chief Secretary is: in view of the Premier's statement that there will be no further take-offs from the community, will he guarantee that, for the next 15 months, no increases in water rates, sewerage costs, and gas and electricity charges will be imposed on the community?

The Hon. D. H. L. BANFIELD: With the new Federal liberalism, we cannot give any guarantee that it will last for 15 months.

The Hon. M. B. CAMERON: I direct a further question to the Chief Secretary. In view of the reply that he gave guaranteeing that there will be no increases in the charges I outlined, will he issue an apology to the people of South Australia for the misleading statement made by the Premier in relation to South Australian taxes and further tax take-off from the community?

The PRESIDENT: I do not see how the Chief Secretary can apologise for someone else's statement.

The Hon. D. H. L. BANFIELD: The honourable member should apologise for the inept way in which he is asking these questions. He says that the Premier says there will be no increases in taxation—full stop.

The Hon. M. B. Cameron: No.

The Hon. D. H. L. BANFIELD: Then the Hon. Mr. Cameron goes on to say "but there was no mention of increased charges in relation to"—

The Hon. M. B. Cameron: No take-off from the community.

The Hon. D. H. L. BANFIELD: The Premier gave an undertaking that there would be no increases in taxation: that is what the Hon. Mr. Cameron read out from the press report, Mr. President. Would you agree that that is what he said? He then went on to say, "However, there was no mention of increased charges." Do you agree that you said that?

The Hon. M. B. Cameron: I said "No take-off".

The Hon. D. H. L. BANFIELD: No; you said there was no increase in charges. I am asked whether I will give a guarantee that there will be no increases in charges. There was nothing about taxes in the honourable member's first question to me, and he knows that very well. I said there would be no guarantee in relation to the charges, which the Premier did not mention.

The Hon. M. B. Cameron: You don't know what you are talking about.

The Hon. D. H. L. BANFIELD: You obviously do, because you read the article!

DENTAL SCHEME

The Hon. C. M. HILL: I direct my question to the Minister of Health. As regards the schools dental health scheme, is it the Minister's and the Government's policy that this be restricted to primary schoolchildren or does the policy include secondary schoolchildren. If the scheme includes only primary school-children, will the Minister consider including secondary schoolchildren who are in urgent need of attention?

The Hon. D. H. L. BANFIELD: Every child having dental trouble is in urgent need of treatment, irrespective of the school attended. The scheme at present is designed to ensure, first, that every primary schoolchild receives dental treatment. When that are is covered, we will consider the question of secondary students.

RAILWAY ROLLING STOCK

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

Leave granted.

The Hon. M. B. DAWKINS: I believe that some new railcar engines will be imported to replace engines that are apparently either worn out or almost worn out. I also understand that new railcars are to be brought into service on metropolitan lines. I do not think many people would admire the present "red hens" that we have on the metropolitan lines, especially when we compare them with the stainless steel cars used in other States or the Bluebird cars used on country lines in South Australia. Will the Minister inquire from his colleague whether, when the existing railcars are replaced, consideration can be given to their replacement with stainless steel cars or something better than the "red hens" that we have at present?

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

SEX CRIMES

The Hon. F. T. BLEVINS: I seek leave to make a statement before asking a question of the Minister of Health.

Leave granted.

The Hon. F. T. BLEVINS: There is apparently a desire by Opposition members to drum up a phoney law and order campaign.

The Hon. M. B. Cameron: That is an opinion.

The Hon. F. T. BLEVINS: It is a fact.

The Hon. M. B. CAMERON: I rise on a point of order, Mr. President. I ask the honourable member to withdraw his statement concerning the Opposition. It seems to me that it is an opinion, and not one that is in line with explanations given in relation to questions.

The PRESIDENT: Whether it was a statement or whether it was an opinion, it seems to me that it was quite unnecessary.

The Hon. F. T. BLEVINS: Even though it is a fact.

The PRESIDENT: I suggest that the honourable member rephrase his statement.

The Hon. M. B. CAMERON: I ask the Hon. Mr. Blevins to withdraw his statement. I seek your ruling, Mr. President, that he should do so.

The Hon. F. T. BLEVINS: I am not sure exactly what the Hon. Mr. Cameron is objecting to.

The PRESIDENT: I think it was an unnecessary statement, but I do not know that it was offensive.

The Hon. M. B. Cameron: I am concerned about the words "a phoney law and order campaign".

The Hon. F. T. BLEVINS: I would appreciate it, Mr. President, if you would take control of the Hon. Mr. Cameron. Which Standing Order am I transgressing? If I find I have transgressed a Standing Order, I shall be pleased to do whatever is required under the Standing Order.

The PRESIDENT: I think the Standing Order in question is Standing Order 109, which I read yesterday. The honourable member has been given leave to make a statement prior to asking a question. The purpose of that statement is to state facts or give an outline of a situation, leading up to a question. I cannot see how a statement about possible motives in the Opposition has anything to do with the matter. I therefore ask the honourable member to make his statement and ask his question in the normal way.

The Hon. F. T. BLEVINS: I have been trying to do that for the last five minutes, but I have been constantly delayed by the Hon. Mr. Cameron. Perhaps he has an ulterior motive in wanting to delay me. Under Standing Orders, I cannot repeat what I said earlier, but I am sure that honourable members have in mind what I said; there is no doubt about the accuracy of my statement. A report, headed "Doubt over sex crimes", in the *Sunday Mail* of April 10 states:

It may be small comfort when one reads and hears so much about it, but yet another authority sees no link between permissiveness and sex offences. This time it is an observation by the former senior judge in the Adelaide Juvenile Court, Judge A. B. C. Wilson in his just published report for the year to June 30, 1976. "The statistics relating to sex crimes provide no support for the opinion sometimes expressed that the so-called 'permissive society' has contributed to an increase in the number of sex crimes," he says.

I would assume that this experienced judge is an authority on the matter. Some people accuse the Dunstan Labor Government, members of Parliament, and society as a whole of allegedly promoting permissiveness, of allowing people to read what they like, and such issues. They are constantly taken to task by Opposition members.

The Hon. R. C. DeGaris: A second reading speech.

The PRESIDENT: Order! I think the honourable member is meandering all over the place. He quoted an extract from Judge Wilson's report. I think he is going to ask the Minister a question about it. He should ask the question.

The Hon. F. T. BLEVINS: That is correct. I have been attempting—

The Hon. R. C. DeGaris: Question!

The PRESIDENT: "Question" has been called. The honourable member must now ask his question.

The Hon. N. K. Foster: We will get even with you.

The Hon. R. C. DeGaris: That is all right. I don't mind. This is nonsense.

The PRESIDENT: Order! The Hon. Mr. Blevins will ask his question.

The Hon. N. K. Foster: Tell the Hon. Mr. DeGaris to shut up. He is the person who causes the most strife.

The Hon. F. T. BLEVINS: Will the Minister ask the Minister of Community Welfare to comment on the statement by Judge A. B. C. Wilson as reported in the *Sunday Mail* on April 10 and, hopefully, agree with him that the so-called "permissive society" has not contributed to an increase in the number of sex crimes?

The Hon. D. H. L. BANFIELD: There are many differing views about the cause of sex crimes. Some people put it down to television whilst others put it down to the permissive society, whatever that may be—

The Hon. F. T. Blevins: And "R" films.

The Hon. D. H. L. BANFIELD: Yes. The permissive society has never really been defined. It was interesting to see that Judge Wilson, who held a high position at the time of his report, came out on the side of the Government by stating that in his opinion the permissive society was not necessarily the cause of more sex crimes. However, I am sure that the Minister of Community Welfare has a greater knowledge of this matter than I have, and I will refer the honourable member's question to him.

POISON

The Hon. N. K. FOSTER: I seek leave to make a short statement before directing a question to the Leader of the Council.

Leave granted.

The Hon. N. K. FOSTER: Honourable members who were able to watch the programme *Four Corners* on television on Saturday evening would know of the shocking state of affairs—

The PRESIDENT: Order! The honourable member is not allowed to express his opinion. It is his opinion as to whether or not it is a shocking state of affairs. This whole question of expressing opinions must cease. I am tired of listening to honourable members stating, either in an explanation or in a question, their opinion, which is contrary to Standing Orders. The Hon. Mr. Foster can make his statement without expressing such opinions.

The Hon. C. J. Sumner: It's only in the question that he can't do that.

The PRESIDENT: Order! I do not agree.

The Hon. N. K. FOSTER: Because of questions asked from this side of the Chamber some ire seems to have been generated. The Leader of the Opposition, contrary to the rules of this Council, has his head buried in the newspaper, but he calls "Question" on Government members.

The Hon. M. B. CAMERON: I rise on a point of order, Mr. President, as I cannot see what this has to do with the explanation of the question.

The Hon. N. K. Foster: It's a question of propriety.

The Hon. M. B. CAMERON: It seems that the Hon. Mr. Foster is arguing with the Chair.

The Hon. N. K. Foster: Do you accept that to be a point of order, Mr. President?

The PRESIDENT: Order! The Hon. Mr. Foster has been given leave to make a statement. If he wishes to take advantage of that leave he must make the statement and ask his question.

The Hon. N. K. FOSTER: My statement concerns a segment on the nationally telecast programme *Four Corners* last Saturday evening. That programme dealt with a most serious matter, affecting 14 000 000 people in the State of Michigan in the United States. Cattle in that State are suffering from various levels of poisoning and have been slaughtered by the million because of deformities. Some of the second generation of those cattle have been born with many deformities. Research to this time has indicated that the same fate may befall the second generation of human beings whose parents have been affected by the chemical used in fireproofing methods associated with the fabric and agricultural industries. The reason I raised this matter—

The Hon. M. B. Cameron: There is—

The Hon. N. K. FOSTER: I note the disagreement of the two Liberal Party members immediately opposite me.

The PRESIDENT: Order! The honourable member should make a mental note of such things.

The Hon. N. K. FOSTER: My memory might fail me. After all, this is supposed to be a democratic Chamber. The facts are simple: people have become contaminated and affected because of stock fodder and stock foodstuffs in holding areas and silo areas. A similar method of holding stock feed exists in South Australia and throughout Australia. The fertiliser company involved was able to persuade the Legislature, health authorities and everyone else in the community who raised their voices in protest against what was happening, and the only people in the community who accepted the responsibility to alert the State and the world to this situation were the farmers, who were the worst hit by it. It was from the pockets of those farmers that funds came for much of the research. Some honourable members may not have seen the film. However, when they get from the Parliamentary Library the notes regarding recommended reading, in which, I am sure, this programme will be included, they will see—

The Hon. C. M. Hill: Question!

The PRESIDENT: Order! "Question" has been called.

The Hon. N. K. FOSTER: Of course, I expected it 10 minutes ago. This is a most serious matter, about which honourable members opposite can laugh.

The PRESIDENT: Order! "Question" having been called, the honourable member must ask his question.

The Hon. N. K. FOSTER: How do you know that I was not doing so? You have not been listening, Sir.

The Hon. C. M. Hill: That's a reflection on the President.

The PRESIDENT: Order! I do not know whether or not the honourable member has asked his question. Is the honourable member going to ask his question?

The Hon. N. K. FOSTER: Of course I am.

The PRESIDENT: Well, will the honourable member please ask it.

The Hon. N. K. FOSTER: Because of the similar manner of distributing stock food in this State, will the Minister have an investigation made into whether or not warehouses, holding bins and silo areas that contain stock food are used in the same manner and ensure that dangerous chemicals are not kept near those areas? No housewife—

The PRESIDENT: Order! The honourable member has asked his question.

The Hon. D. H. L. BANFIELD: I was most concerned when I saw this segment on *Four Corners* recently; it showed how mistakes can be made. Although I believe

that it involved a genuine mistake, it is, nevertheless, in everyone's interest for the Government to ensure that it does not happen here. As this is a short week, I have not yet had the opportunity to ask the Health Department to examine this matter. However, now that the honourable member has raised the matter, I will get the department on the job urgently in an attempt to ensure that the situation he has outlined does not occur here.

WOUNDED POLICE OFFICER

The Hon. N. K. FOSTER: I seek leave to make a short statement before asking a question of the Minister of Health, as Leader of the Government in the Council.

Leave granted.

The Hon. N. K. FOSTER: Most honourable members are no doubt aware of the tragedy that occurred at Elizabeth over the weekend involving the use of firearms and the unfortunate wounding of two reasonably young junior police officers. The wounds of one of the officers are such that the officer may be precluded from carrying on his career in the Police Force. I therefore ask the Minister, if that is the case regarding this young officer, who has not long ago entered the Police Force and passed through the Police Academy and is now on active duty, to ascertain what the maximum life pension rights of that officer will be if, in fact, he is declared to be unfit for further service in the Police Force?

The Hon. D. H. L. BANFIELD: I am not too sure under which provision this police officer could have to retire from the force. It will obviously mean that a pension will have to be paid. Whether it will involve a workmen's compensation claim or the payment of superannuation, I am not sure. However, I will certainly have inquiries made for the honourable member and bring back a report.

WAGE SPIRAL

The Hon. N. K. FOSTER: I seek leave to make a statement before asking the Minister of Health a question.

Leave granted.

The Hon. N. K. FOSTER: Much has been said by members opposite, and indeed by the Prime Minister and most others who have been supporting the Federal Government in some way, shape or form, that the wage spiral is what keeps profits down and inflation up. Has the Minister noted the report in the *Advertiser* of Saturday, April 9, in which the blame for the down-turn in profits made by Allied Rubber Mills Limited, Lightburn Finance Limited and others is laid on the Federal Government's policies? The report states that Proline Holdings Limited sustained a loss of \$630 130, compared with a loss of \$10 033 in the corresponding six months of 1975. The company's report indicated that wage increases had been a cause of its problems. Proline supplies the building and construction industries, local government departments, councils and utilities, all of which have cut spending on new construction works and equipment. No dividend has been declared by the company.

Those involved make it quite clear that interest rates have brought about this down-turn, and also that a lack of confidence has been brought about by the policies of the present Federal Government. Will the Minister, on behalf of the Premier of this State, ensure that a message is conveyed to the Federal Government that it should change

direction, in the interests of those unfortunate members of the community who are unemployed because of the down-turn of business and not because of the false accusation that has been made regarding wage increases?

The Hon. D. H. L. BANFIELD: I can only say that the Government has been trying for some time to urge the Federal Government to change its course. Although that Government has now been in power for over 18 months, it has not honoured any of the promises that it made regarding increased costs and unemployment. Because of this position, which has been brought about by the Federal Government, the Premier and his Government have been trying to impress on the Federal Government that it should wake up to itself. However, I will again refer the honourable member's question to the Premier, and ask him to give his normal sound advice to the Prime Minister in the hope that this time it will be accepted.

ALI CASTINGS

The Hon. F. T. BLEVINS: I seek leave to make a statement before asking a question of the Minister of Health, representing the Minister of Labour and Industry.

Leave granted.

The Hon. F. T. BLEVINS: All honourable members have no doubt read of the events that occurred last week regarding Ali Castings Limited, which unfortunately went broke. No provision was made for the payment of wages and accrued benefits such as long service leave, annual leave, and so on, due to its employees. The situation developed to the stage where the workers (quite rightly, in my opinion), in order to have some hold over the company, barricaded themselves inside the company's premises in an attempt to obtain their rightful wages and entitlements. It was interesting to see the following report in today's edition of the *News* headed "Protection on sackings. Government wage fund urged":

Former Federal Government Labor Minister, Mr. Clyde Cameron, today called for creation of a national wage fund to meet employee obligations when companies go broke. The fund, established by the Federal Government, should hold all moneys for annual leave, long service leave and other commitments to employees. Mr. Cameron, an authority on industrial affairs, called for the fund in a telegram to the Employment and Industrial Relations Minister, Mr. Street. Mr. Cameron said the need for such a fund was highlighted again by the collapse of Ali Castings Proprietary Limited, in Adelaide last week. About 80 workers lost virtually all their entitlements at a minute's notice. Mr. Cameron said he requested Mr. Street to legislate to end a situation in which employees could find themselves dismissed without even receiving wages.

The Hon. J. A. Carnie: Question!

The PRESIDENT: "Question" has been called. The Hon. Mr. Blevins will ask his question.

The Hon. F. T. BLEVINS: Will the Leader of the Government in the Council ask the Minister of Labour and Industry whether he has seen the report of the statement by Mr. Cameron calling on Mr. Street to try to legislate to redress the wrong done to workers when companies go into liquidation? Also, I ask whether the Minister has seen the report. Not only has Mr. Street been asked to do something about the situation, but Mr. Lynch, as Treasurer, also has been asked to do something about it. My question is—

The PRESIDENT: I thought the honourable member had asked his question.

The Hon. F. T. BLEVINS: I have asked two questions. The third question is: failing any action by the Federal Government, including Mr. Street and Mr. Lynch, on the

suggestion made by Mr. Cameron, a man of much experience, will the Minister investigate the possibility of such a fund being established to protect workers in this State against incompetent or dishonest employers who have used their employees' wages for other purposes?

The Hon. D. H. L. BANFIELD: Unfortunately, there is not a national fund to cover this situation. Employees with, say, 15 or 16 years service have accumulated long service leave and, of course, employees may have completed nearly 12 months service and be due for one month annual leave. They find often that the firm goes bankrupt and there is no money to meet the requirements of the award. In that case, the worker suffers. I also read that Mr. Cameron indicated that at least the tax man did not miss out. He gets his chop, and it seems from what Mr. Cameron has said that the worker comes after the tax man in certain respects. I think that, under the law, certain parts of the employee's entitlements are provided for, but I do not think that one of those parts is long service leave. I believe that the weekly wage comes second after taxation when there is a break-up of any company assets. I will certainly take the matter up with the Government and, if the Federal Government is not prepared to set up such a national fund (and that would not cost the Federal Government anything: it would gain by it)—

The Hon. N. K. Foster: Provision exists in the stevedoring industry, and it existed even under previous Liberal Governments.

The Hon. D. H. L. BANFIELD: By the very fact that wages were paid out of this fund, the Government would get taxation. The scheme certainly has much merit. I am not sure whether the State could go it alone, but I am willing to take the matter up with the State Government if the Federal Government does not accede to the request.

PERSONAL EXPLANATION: KANGAROO ISLAND SETTLERS

The Hon. F. T. BLEVINS: I seek leave to make a personal explanation.

Leave granted.

The Hon. F. T. BLEVINS: On April 6, during the debate, initiated by the Hon. Mr. Whyte, on Kangaroo Island settlers—

Members interjecting:

The PRESIDENT: Order! Personal explanations should be heard in silence.

The Hon. F. T. BLEVINS: The debate concerned the noting of the report of the Parliamentary Land Settlement Committee. On page 3191 of *Hansard* (April 6, 1977) I was reported as follows:

The person who gave the committee most assistance was the member who represented the local settlers. Mr. Chapman insisted on writing the report.

The report of that last statement was quite incorrect, as I did not say that at all. I have spoken to honourable members, including Mr. Chapman and honourable members opposite in this Chamber, about this. What I said was that Mr. Chapman assisted in writing the report. It is an understandable error that has been made by *Hansard*, and I think the *Hansard* staff should be commended for reporting accurately so much of what I said. In no way should the staff be castigated for this error. The *Hansard* staff

do extremely well and this error will be corrected in the annual volume (I have seen the *Hansard* staff about that), but I thought it as well to have this matter recorded in case any of Mr. Chapman's constituents read *Hansard* and read that Mr. Chapman insisted on writing the report instead of having assisted in writing it.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from April 6. Page 3200.)

The Hon. F. T. BLEVINS: When speaking last Wednesday, I outlined my opposition to the Bill, on the basis that there were sufficient laws with sufficiently large penalties to deal with the problem. I consider the whole exercise to be a publicity-seeking stunt by the Hon. Mr. Burdett on behalf of a very lacklustre Opposition. This action by the Opposition is no more than the exploitation of these children for publicity purposes, and I find that abhorrent.

I would have less suspicion of the Opposition's motives in introducing this Bill if it had shown a consistent concern for the welfare of children over the years. The very system that the Opposition supports, the capitalist system with its profit motive, is based on the exploitation of human beings.

The Hon. J. A. Carnie: Fair go!

The Hon. F. T. BLEVINS: I have never heard the Opposition complain about the system that throws up the creatures that make a profit out of this kind of material. I remember seeing photographs of naked children some years ago. They were totally obscene, and the Hon. Mr. Burdett and his colleagues must also have seen them. I cannot remember one word of protest from any member of the Opposition about the abuse of these children. In case the Opposition does not remember the obscene photographs to which I refer, I will refresh their memories. The photos were taken at the height of the barbarity of the Vietnam War. The children were naked and running down a road. They were burning, set on fire by napalm dropped by American bombers. These films were seen on television screens throughout the world, stills from them were reproduced in most newspapers, and not one word of protest did I hear from the Hon. Mr. Burdett, the Hon. Mr. Carnie, or any other member of the Opposition. In fact, they supported the war that inflicted such exploitation and obscenity on children and, to Australia's shame, they involved us in it. Is the Hon. Mr. Carnie claiming that that kind of burning of children is in order?

The Hon. J. A. Carnie: No, that is horrible, but is it pornography?

The Hon. F. T. BLEVINS: I imagine that somewhere in the definition of "pornography" the word "obscenity" appears. Is the honourable member trying to suggest to me that people who burn and photograph little children are not doing something that is obscene? It is obscene and pornographic, and members opposite have spoken not one word of protest. In fact, they cheer people on. They do not show consistency. They are opposing that kind of thing now in order to get publicity, but I would have far more respect for their motives if they had consistently opposed exploitation and obscenities perpetrated against children over the years. The very system that members opposite support is based on the exploitation of people, including children.

The Hon. J. A. Carnie: Go off to Moscow.

The Hon. F. T. BLEVINS: I am not sure that I should not find that offensive. I am not sure whether it was a joke or whether the honourable member deliberately was being rude, but I think the Hon. Mr. Carnie could explain that.

The Hon. J. A. Carnie: I'm not allowed to interject; you'd better continue.

The Hon. F. T. BLEVINS: The honourable member is not allowed to be rude, either, as I understand the Standing Orders. Anyway, if that is the level of mentality of the Hon. Mr. Carnie, and if he does consistently oppose obscenity and brutality with children, he himself should go to Moscow. I think that remark is more typical of the Hon. Mr. Burdett or the Hon. Mr. DeGaris, and I am surprised at the honourable member. I could have understood it from them but not from him. Never mind—we live and learn. The Opposition is desperate to find some pretence for attacking this Government. Its members are concerned, and rightly so, that the people of South Australia appreciate that they have the best Government in Australia bar none, and even vote Labor in State elections when they vote Liberal federally.

The Hon. A. M. Whyte: What about the 300 000 Liberal votes at the last election?

The Hon. F. T. BLEVINS: I assure honourable members that the people of this State vote Labor in State elections.

The PRESIDENT: Order! The matter before the Council is the Criminal Law Consolidation Act Amendment Bill, and not the results of the last election.

The Hon. F. T. BLEVINS: In all fairness, Mr. President, if you pull me up for not being relevant, you should also pull up members opposite, who bring up things like 300 000 votes at the last election.

The PRESIDENT: If the honourable member will persistently follow and pick up these things, that is his affair.

The Hon. F. T. BLEVINS: If they ask me a question, it is rude not to answer.

The PRESIDENT: I cannot stop every interjection but the honourable member can ignore them.

The Hon. F. T. BLEVINS: Anyway, it is a fact that the people of this State vote Labor at State elections even if they vote Liberal at Federal elections. I know the Hon. Mr. Burdett is personally concerned about it because he expressed this view to a meeting in Peterborough a few weeks ago, along with some very derogatory remarks about the Australian Labor Party members of this Council.

The Hon. C. J. Sumner: What did he say?

The Hon. F. T. BLEVINS: The legal people are having a look at it now, so perhaps it is as well that I do not repeat it here. The whole point of this Bill is really a trick, and the Opposition will get up to many more tricks like this before the next State election, in a vain attempt to drum up some kind of phoney law and order campaign. Honourable members do not have to take my word for it: they can take the word of the Leader of the Opposition in another place (Dr. Tonkin) as reported in an article in last weekends *Sunday Mail*. It is very relevant to this Bill. The article states:

Dr. Tonkin said the Privy Council could give its finding at any time and it was obvious Mr. Dunstan was keen to have an election. The evidence being given to the Royal Commission into juvenile offenders, the child pornography question and that of late shopping hours had embarrassed the Government. "The longer these things go on the better it is for the Opposition," he said.

So, according to Dr. Tonkin, the longer the issue of child pornography goes on, the better it is for the Opposition. That is a frightful thing to say. He says it merely to make political capital from it. That is exactly what he says. I will repeat it if the Hon. Mr. Burdett wishes me to; in fact, I will repeat it whether or not he wishes me to, because it is worthy of repetition:

The evidence being given to the Royal Commission into juvenile offenders, the child pornography question and that of late shopping hours had embarrassed the Government. "The longer these things go on the better it is for the Opposition."

They are the exact words in quotation, and it is a frightful thing for the Opposition to bring up an issue like child pornography solely to keep it going for political purposes. I think that it is pretty low. Another matter I wish to draw to the Government's attention concerns the *bona fides* of the Hon. Mr. Burdett in this Council: he put this Bill up in this Council knowing full well that private members' time has expired in the House of Assembly so this Bill will not even hit the deck there.

The Hon. R. C. DeGaris: The Government could well debate it there, could it not?

The Hon. F. T. BLEVINS: What I am saying is that every member of this Council knows that private members' time in the House of Assembly is finished; that is a fact. Every honourable member here knows it, and I find it hard to believe that the Hon. Mr. Burdett does not know it. He knows all right that, if this Bill passes this Council, that is its finish; it will not be debated in the House of Assembly, because there is no time.

The PRESIDENT: Order! I do not think the honourable member is in order. It has always been the position that a vote is taken on every private member's matter in the House of Assembly. There may not be a debate but a vote is taken.

The Hon. F. T. BLEVINS: Thank you, Mr. President; I am delighted that you have enlightened me, as you always do: but this matter will not be debated in the House of Assembly.

The Hon. M. B. Cameron: Only if you do not want it debated.

The Hon. F. T. BLEVINS: Private members' time is finished so there will be no debate which, to me, proves conclusively that the Hon. Mr. Burdett is interested only in seeking publicity. That is confirmed by Dr. Tonkin saying that the longer it goes on the better it will be for the Opposition. The whole exercise is hypocritical. I am not convinced about the penalties required. In today's newspaper, we can see some penalties handed out for offences of this nature, and they are more than adequate. I repeat that, if a maximum penalty was not applied in the case quoted by the Hon. Mr. Carnie, he should take up that matter with the judge and not with the Government. It is not our duty to instruct courts on sentences; they are given a discretion, and we should not curb them when they use that discretion. That is the whole exercise; it is hypocritical in the extreme. It is a publicity-seeking stunt and will not fool the people for one moment. It certainly does not fool me, and that is why I oppose the Bill.

The Hon. M. B. DAWKINS: I support the Bill; I think it is quite pathetic when the Government has to get down to talking about this Bill being a publicity-seeking stunt in order to oppose it. If that is the best that the Hon. Mr. Blevins can do, having been handed a speech by Mr. Peter Duncan when he walked in here this afternoon, it is a shocking indictment—

The Hon. D. H. L. BANFIELD: On a point of order, the honourable member has indicated that the Hon. Mr. Blevins was handed the speech he was to make this afternoon. I say to the Hon. Mr. Dawkins that, if he continues with that, I will call him a damned liar, which he would be, and I suggest that, if he does not know what he is talking about, he should not say anything.

The Hon. F. T. BLEVINS: I take the strongest exception to what the Hon. Mr. Dawkins has said.

The Hon. C. M. Hill: What did he hand you?

The Hon. F. T. BLEVINS: That is my business. There are several propositions for Bills, one of which relates to fences.

The Hon. R. C. DeGaris: Do you deny he handed you anything on this Bill?

The Hon. F. T. BLEVINS: I am absolutely astonished—

The Hon. R. C. DeGaris: I know you are; I can see that.

The Hon. F. T. BLEVINS: I tell you categorically that what was in that speech was 100 per cent me.

The PRESIDENT: Order! The Hon. Mr. Dawkins—

The Hon. F. T. Blevins: —is a liar.

The PRESIDENT: Order! The Hon. Mr. Dawkins made an accusation that the Hon. Mr. Blevins' speech came from another source. If the Hon. Mr. Blevins objects to that accusation and says it is not true, I think he has, first of all, to deny the fact.

The Hon. F. T. BLEVINS: It is so absolutely paltry and stupid.

The PRESIDENT: That is not a denial.

The Hon. F. T. BLEVINS: I object to having to deny it, but I deny it absolutely. *Hansard* had a copy of this last Wednesday, because I had not finished it.

The PRESIDENT: If the Hon. Mr. Blevins denies the accusation, he can call on the Hon. Mr. Dawkins to withdraw.

The Hon. F. T. Blevins: And apologise, and I do so.

The PRESIDENT: The Hon. Mr. Blevins has denied that he was handed any portion of his speech. I therefore call on the Hon. Mr. Dawkins to withdraw the imputation.

The Hon. M. B. DAWKINS: I will withdraw my suggestion, and I apologise. I now ask the Hon. Mr. Blevins to apologise for calling me a liar.

The Hon. F. T. BLEVINS: It is obvious, now that the Hon. Mr. Dawkins has withdrawn and apologised, that what he said was a lie.

The Hon. M. B. Dawkins: That's not true.

The PRESIDENT: Order! This barren discussion should cease. The Council's business would be expedited if the Hon. Mr. Dawkins got on with his speech.

The Hon. M. B. DAWKINS: I support the Bill. I am sorry that the Government scraped the bottom of the barrel by talking about an alleged stunt and a trick. I accept the suggestion of the Hon. Mr. Blevins that his contribution was 100 per cent his speech, because it was such a pathetic effort.

The Hon. F. T. BLEVINS: Then, why attribute it to someone else? The Hon. Mr. Dawkins is only trying to get around your ruling, Mr. President, by again suggesting that the Attorney-General came in here and gave me some instructions.

The PRESIDENT: Order! All that I think happened is that the Hon. Mr. Dawkins had suspicions, and he voiced them in a positive way.

The Hon. F. T. BLEVINS: Will you, Mr. President, ask him to desist?

The PRESIDENT: I think he will get on with his speech.

The Hon. M. B. DAWKINS: The Government has alleged that the Hon. Mr. Burdett has sought cheap publicity, but I believe that the honourable member is sincerely attempting to provide for a new section 255a which will in some measure restrict the pornography and permissive matters going on today. I commend the honourable member for what he has done. I refute the suggestion that nothing can be done in the Lower House; something can be done there, if the Government has a mind to do it. I cannot understand how any Government could oppose this Bill.

The Hon. C. J. Sumner: The matter is already on the Statute Book. This is a waste of time.

The Hon. M. B. DAWKINS: Because the honourable member is the best hair-splitter I know, the less he says about wasting time the better. If what the Hon. Mr. Sumner says is correct, why did the Classification of Publications Board not crack down sooner and why did the board need to be guided by the Premier? The Government can make time for an hour-long debate in the Lower House if it so desires. The Government is concerned that this Bill has come from the Opposition. When I first became a member of Parliament, I was told by the Hon. C. D. Hutchens, whom I greatly respect, that the best things that happen in this Parliament happen when the Government and the Opposition get together. Here is a Bill that the Government should have the decency to support. I certainly support it. It is wrong to call it a trick and a stunt. I refute the allegation concerning questionable motives, and I am exceedingly sorry that the Government has not been wise enough to support the Bill.

The Hon. A. M. WHYTE: I support the Bill. I am amazed that an attack was made on the Hon. Mr. Burdett's intention to try to stem one of the lowest types of exploitation practised in this State. Any honourable member opposing this Bill stands condemned as someone supporting one of the cruellest trades practised anywhere in the world. Whether or not the Hon. Mr. Burdett is seeking publicity is of very little importance to me, but this Bill is important to the whole of South Australia. Some of the opposition to this Bill has done great discredit to the Government.

The Hon. D. H. L. BANFIELD (Minister of Health): True, there has been opposition to the Bill, merely because the position is already covered. If the Hon. Mr. Burdett has not introduced this Bill merely for headlines, what are his motives? He knows when the period for private members' business expires in another place. He knows very well that the Government has to get its legislative programme through, and he knows that the Opposition has a pretty good run in connection with private members' business. The Opposition today certainly gets a better run than the Opposition did when Sir Thomas Playford was Premier. Why did the Hon. Mr. Burdett not introduce his Bill earlier, if he was genuine about it?

The Hon. J. C. Burdett: It was the first opportunity I had.

The Hon. D. H. L. BANFIELD: Why? This session began last July, but the Hon. Mr. Burdett made no attempt to introduce an amending Bill when there was plenty of time for it to be debated in another place.

The honourable member is attempting in a snide way to embarrass the Government, because he knew that the time had expired for such a matter to be dealt with in another place. The reason is obvious and, as I have stated, the principles embodied in this Bill are already covered in existing legislation. The Hon. Mr. Burdett, as a lawyer, should know that.

I assure the Hon. Mr. Burdett that his Bill is completely and utterly unnecessary, because there already exists in this State legislation that adequately covers this situation. Not only is the proposed Bill unnecessary: it constitutes an overkill, in that it covers at least two situations in which the criminal law should not apply. There are at least 10 categories of offence which could cover child pornography. The first is unlawful carnal knowledge of any person under 12 years of age. The Hon. Mr. Burdett knows that section 50 of the Criminal Law Consolidation Act deals with that offence. Does the honourable member deny that?

The Hon. J. C. Burdett: Yes, the term "unlawful carnal knowledge" is no longer used in the Criminal Law Consolidation Act, which has been amended and refers to an unlawful sexual assault—

The Hon. D. H. L. BANFIELD: The second offence is an attempt or an assault with intent to commit carnal knowledge with a person under the age of 12 years, which is covered by section 51, and the Hon. Mr. Burdett knows that.

The Hon. J. C. Burdett: True.

The Hon. D. H. L. BANFIELD: The honourable member agrees with me. The third offence is carnal knowledge of a person above the age of 12 years and under the age of 13 years, which is covered by section 52 of the Act: is that not so? The fourth offence is unlawful carnal knowledge of a person of or above the age of 13 years and under the age of 17 years, dealt with by section 55. The fifth offence concerns indecent interference with a person under the age of 17 years, covered by section 57b.

The Hon. J. C. Burdett: Yes.

The Hon. D. H. L. BANFIELD: The sixth offence is gross indecency with a person under the age of 16 years, which is covered by section 58.

The Hon. J. C. Burdett: Yes.

The Hon. D. H. L. BANFIELD: The seventh offence is the unlawful taking of a person under the age of 16 years out of the possession and against the will of his parents, which is covered by section 61. The eighth offence is the procuring of a person to have unlawful carnal connection with any other person, which is covered by section 64. Am I right again?

The Hon. J. C. Burdett: Yes.

The Hon. D. H. L. BANFIELD: The honourable member agrees, and the ninth offence, kidnapping of a child under the age of 18 years, is dealt with by section 2 of the Kidnapping Act, 1960. Am I right again?

The Hon. J. C. Burdett: You might as well bring in murder and—

The Hon. D. H. L. BANFIELD: The honourable member has attempted to include matters that are already covered. The tenth offence is assault, which is covered by section 39 of the Criminal Law Consolidation Act. Eight of those 10 offences are already covered, and the honourable member does not disagree that there is no coverage for the other two offences. Section 58 of the Criminal Law Consolidation Act is the key provision against child pornography, and is adequate.

The honourable member should know that section 58 clearly covers the situation of a photographer who arranges for young children to have intercourse in front of him, or to commit buggery on each other, or to masturbate each other. It does not matter whether there are two young children (say, nine years old) involved, or whether there is an older man and a young boy or girl. It is already covered, and the honourable member knows that the section also covers the situation where there is just the photographer and a child—no third person's presence is needed. Clearly, an invitation to undress would be incitement or procurement.

As a lawyer, the Hon. Mr. Burdett, if he were prosecuting, would agree with that and, if he were defending, he would have a different view. The fact remains that it is covered by section 58. Would simple nude posing be "an act of gross indecency"? Probably not, but it would depend on the circumstances. Posing with the penis erect probably would be, as would posing with bondage, or with a vibrator, etc., inserted in the anus. The determination of this would be a matter for the court in the circumstances and it has already been covered. The main difference between section 58 and the Hon. Mr. Burdett's Bill is that "the act of indecency" in the latter is designed to include "the assumption or maintenance of any attitude or pose calculated to give prominence to sexual or excretory organs". In this regard the Hon. Mr. Burdett's Bill represents an overkill.

In nudist clubs, quite lawful and private, it is common for photographs to be taken of children; for example, at Christmas parties, during swimming races or playing tennis. Under the Bill, a nudist father who photographed his children playing tennis or receiving a present from Santa Claus could find himself imprisoned for three years.

Is this what the Hon. Mr. Burdett wants? It is no use the honourable member saying that that is not included in the Bill, because it is included. The father could find himself, after having taken innocent photographs of his children, imprisoned for up to three years if he took photographs from the wrong angle. I do not know what would be the definition of a wrong angle. This is absurd. The section 58 formulation (under the present law) is preferable, because it requires an act of gross indecency, which clearly must be something more than mere nudity, as is provided in the honourable member's Bill. Another area of overkill is that publishers of medical books could not sell anatomy textbooks which included full frontal pictures of a child's penis or vagina. Is that what the Hon. Mr. Burdett is seeking? If that is not so, why is it included?

The medical professor writing a textbook on children's diseases could be prevented from including any photograph in which a child was posed in a way "calculated to give prominence to sexual or excretory organs". This is ridiculous in a situation where the doctor is simply trying to explain a medical point to his medical colleagues. The Hon. Mr. Burdett wants to exclude this. Therefore, the present law gives better coverage on child pornography than is represented by Mr. Burdett's Bill. It has been suggested that penalties are not sufficiently high, but section 58 carries, for any person found guilty of a first offence, a penalty of imprisonment for a term not exceeding two years—

The Hon. J. C. Burdett: What about section 33?

The Hon. D. H. L. BANFIELD: I am dealing with section 58. Does the honourable member want the penalties increased?

The Hon. J. C. Burdett: No.

The Hon. D. H. L. BANFIELD: Then why is the honourable member seeking this change? For subsequent offences, the penalty is imprisonment for a term not

exceeding three years. That provision now applies, and it is a fair penalty when one can get a lighter sentence for murder, in certain circumstances, and the honourable member knows it.

Broadly, those penalties are in line with the penalties provided in the Hon. Mr. Burdett's Bill. Why is the honourable member attempting to introduce another Bill when these matters are already covered? He agreed with me that the penalties were sufficient in the circumstances outlined, yet he wants to bring up a Bill at this stage, knowing that it could not get an open debate in another place. I am not saying that it would not be subject to an open vote, but it would not be subject to an open debate. Surely such a matter should be subject to an open public debate.

There should be an opportunity for the public to have a debate on this matter if it so desires. We believe that these circumstances are already covered, and the Hon. Mr. Burdett also agreed with me when I went through the 10 offences which cover the whole situation. The Classification of Publications Board has refused to classify publications of sexual acts involving children. This means that if such publications are offered for sale they are subject to prosecution upon certificate of the Attorney-General under section 33 of the Police Offences Act. Hence, there is no necessity for this Bill, as this aspect of child pornography is already covered.

The Hon. J. C. Burdett: What are the penalties under that section?

The Hon. D. H. L. BANFIELD: I do not know. I am merely saying that the position is already covered. Has the maximum penalty ever been imposed?

The Hon. J. C. Burdett: No.

The Hon. D. H. L. BANFIELD: So, there is plenty of scope to enable the courts to determine the necessary penalty. Until now, according to the Hon. Mr. Burdett, the courts have had a wide scope, but have not exercised their right to impose the maximum penalty provided under section 33 of the Police Offences Act. The Opposition is doing a disservice to the people of this State by suggesting that proponents of child pornography cannot be punished. This may encourage people to engage in reprehensible behaviour, for which they can be heavily punished under existing law.

There is no doubt that, if the Hon. Mr. Burdett had not raised this matter, people would have gone on believing that they could be punished. The inference that can be drawn from the introduction of this Bill is that such acts are not already covered at present. However, I have clearly demonstrated to the Hon. Mr. Burdett that they are in fact covered. I therefore return to what the Hon. Mr. Dawkins denied: the reason why this Bill was introduced in the Council at this late stage of the session, when the Hon. Mr. Burdett knew very well the commitments of another place, and especially when he has had plenty of opportunities since last August to introduce this Bill. However, he has left it until now, when no more debating time is left in another place, to do so.

The Hon. J. C. BURDETT: I thank honourable members for their contributions to the debate. The Hon. Mr. Sumner and the Minister of Health suggested that the control of child pornography was already covered. Indeed, they suggested that these matters were completely covered. True, they are covered in many respects, but not entirely. As I said in my second reading explanation, and as I will say again in detail soon, I believe that they are not covered.

The Hon. Mr. Sumner suggested that this Bill was not necessary. I think it is. Surely, the point is that, if there is the slightest doubt whether or not the Bill is necessary to prevent the exploitation of children for pornographic purposes, it ought to be passed in order to protect children. The Bill will not catch an innocent person. The Minister of Health seemed to dispute this. He seemed to think that nudists in recognised camps who photographed their children might be caught by the Bill: the relevant part of the Bill provides for undue emphasis being given to the reproductive and excretory organs, and this would have to be proven.

The Hon. Mr. Sumner, the Hon. Mr. Blevins and the Minister of Health said that I introduced this Bill for political motives. I resent and reject that accusation, because it is not true. I introduced this Bill because I believed it was necessary in order to protect children from exploitation for pornographic and sick purposes. Ever since I have been a member of this Council, I have shown an interest in protecting the community from the impact of hard core pornography. More senior Government members, including the Minister of Health, will recall my speeches on and amendments to the Classification of Publications Bill and the Film Classification Bill.

In fact, far from being motivated by political reasons in introducing this Bill, I would have been inconsistent if I had not taken some action to curb this disgusting exploitation of children. However, my motives were not merely to be consistent: more important, they were to provide a realistic deterrent in respect of these acts. As the Hon. Mr. Sumner has speculated about my motives in introducing this Bill, I may be pardoned for speculating about his motives in speaking in this debate. The honourable member's speech was certainly not among the better speeches that he has made in the Council—

The Hon. N. K. Foster: Who are you to judge that?

The Hon. J. C. BURDETT: All right, I am making a judgment. However, the honourable member has made a number of good contributions. I draw the conclusion that he did not have his heart in this debate. I turn first to the offence provided for in the Bill of taking photographs as set out therein. The Hon. Mr. Sumner claimed that all the situations set out in the Bill were already covered in the Criminal Law Consolidation Act. However, he had to acknowledge the difficulty in the present law about photographing children assuming or maintaining any attitude or pose calculated to give prominence to sexual or excretory organs. This is provided in the Bill.

More important, his attempts to answer your questions, Sir, regarding the position under the present law in relation to the mere photographer were extremely unconvincing. The honourable member told us what he thought and what was his view, which was an acknowledgment that the matter is not at present clear. The purpose of this Bill is to make it clear. This crime, which has only made any real impact in our society recently (and I emphasise that, in view of the comments that have been made about my introducing this Bill), is a specialised crime. As I said in my second reading explanation (and it is obvious from the Hon. Mr. Sumner's attempts to say that it is covered in various sections of existing legislation), it needs specialised legislation to prevent this offence from being committed.

In any event, as I said in my second reading explanation, the main way of preventing children from being photographed for pornographic reasons is by preventing the sale of such material. Once the possibility of making a profit disappears, the photographing of children in these circumstances is likely to be very much reduced. Section 33 of

the Police Offences Act is not adequate. In the first place, as I also said in my second reading explanation, the penalties are not adequate; the maximum penalty is six months imprisonment or a fine of \$200. Secondly, the definition of what is indecent matter is unsatisfactory, certainly for the purposes of the offences that we are now considering.

I doubt whether the Hon. Mr. Sumner could have read the case of *Popow v. Samuels*. It did not, as he said it did, deal with the question of admissibility of evidence at all. It dealt with the question of the matter to be proven, and that is what I said. The Chief Justice held that it was necessary to prove two things: first, that the matter was contrary to the accepted standards of decency in the community and, secondly, that there was a tendency to deprave or corrupt. The majority of the court held that it was not necessary to prove both those things.

The Hon. C. J. Sumner: It would depend on the evidence.

The Hon. J. C. BURDETT: No, about the matter to be proved. The second case that I quoted was *Trelford v. Samuels*, but it did not deal with the same matter. Rather, it dealt with the question of whether or not evidence not dealing with the facts of the case as to what were the accepted standards of the community or as to what did tend to deprave or corrupt was not admissible. As I said earlier, the Police Offences Act definition of "indecent matter" is not appropriate in this present matter. It is fairly clumsy, anyway. The definition, in section 33 (3) provides:

In determining whether any matter is indecent, immoral, or obscene the court shall have regard to—

- (a) the nature of the matter; and
 - (b) the persons, classes of persons and age groups to or amongst whom it was or was intended or was likely to be published, distributed, sold, exhibited, given or delivered; and
 - (c) the tendency of the matter to deprave or corrupt any such persons, class of persons or age group, to the intent that matter shall be held to be indecent, immoral, or obscene when it is likely in any manner to deprave or corrupt any such persons, or the persons in any such class or age group, notwithstanding that persons in other classes or age groups may not be similarly affected.
- Certainly, at least one of these tests would have to be proven beyond reasonable doubt before a prosecution could be sustained. The tests are subjective and old fashioned. Anyone who has had anything to do with the interpretation of section 33 knows that the interpretation is difficult and that a prosecution is hard to sustain. This uncertainty should not prevent the protection of children from the acts with which the Bill deals. As I have said, the Bill lays down clear objective tests that have not been challenged by the Government, and they will enable this most undesirable practice of child pornography to be dealt with. Government members have said that the Bill is unnecessary. They have not said that it does deal with acts committed out of this State. It deals with offences committed where there is a nexus with this State. It would cover people in Sydney who sent pornographic material to South Australia.

The Hon. C. J. Sumner: Would it be upheld?

The Hon. J. C. BURDETT: That matter has not been challenged or debated by the Government.

The Hon. D. H. L. Banfield: You have been asked now.

The Hon. J. C. BURDETT: I think it would.

The Hon. D. H. L. Banfield: Do you think it would pass a test in the High Court?

The Hon. J. C. BURDETT: Yes.

The Hon. D. H. L. Banfield: That is an opinion.

The Hon. J. C. BURDETT: It is an opinion that the Government seems to agree with in much of its legislation dealing with extra-territorial matters. It has been stated that I have not been sincere, because I introduced the matter at this stage. The matter of child pornography in South Australia came up between the two parts of this session when Parliament was not sitting, and on the day that we resumed sitting I gave notice of the Bill. I introduced it on the next day. I could hardly have done better.

On the question of my not being serious because Private Members' time has run out in the House of Assembly, I point out that I am aware of that and that I will ask the Government to agree to a debate on this Bill. I agree with some of the things that the Government has said. The Minister of Health has stated that the matter is important and that it should get not only a vote in Parliament but also a public debate. I understand the procedure is that, if the Bill passes this Council, a message will go to the other place and the matter will be placed on the Notice Paper there. When that happens, I will make representations to the persons in charge of Government business in the other place to allow debate, and I trust that they will accede to the request. The Bill is necessary. It cannot catch any innocent person. It is desirable to create a specialised remedy for this specialised crime.

The Council divided on the second reading:

Ayes (9)—The Hons. J. C. Burdett (teller), M. B. Cameron, J. A. Carnie, Jessie Cooper, M. B. Dawkins, R. C. DeGaris, C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Noes (9)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, T. M. Casey, B. A. Chatterton, J. R. Cornwall, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Pair—Aye—The Hon. R. A. Geddes. No—The Hon. C. W. Creedon.

The PRESIDENT: There are 9 Ayes and 9 Noes. To enable the matter to be further discussed, I give my casting vote to the Ayes.

Second reading thus carried.

In Committee.

The CHAIRMAN: The question is that the Bill stand as printed.

The Hon. C. J. SUMNER: I wish to refer to clause 2. Clause 2—"Prohibition against child pornography."

The Hon. C. J. SUMNER: The clause inserts new section 255a in the Act and it is the important clause. Does the Hon. Mr. Burdett agree that he is now proscribing the situation of a father taking a fun nude photograph of his child, or is he proscribing the situation of a photograph of a child being taken in a private legal nudist club?

The Hon. J. C. BURDETT: No, and surely this is clear. I refer to subsection (5) of the proposed new section. Paragraph (e) of that subsection refers to:

The assumption or maintenance of any attitude or pose calculated to give prominence to sexual or excretory organs. This is not a matter of the angle of the camera as was suggested earlier. The assumption or maintenance must be proved beyond reasonable doubt. It seems to me that that could not catch any case of photographing, innocently and properly, a child in a nude position if it was a full frontal nude.

The Hon. C. J. SUMNER: The Hon. Mr. Burdett has conceded, then, that, if a person took a photograph that

he intended to print and distribute of a child in the position that he has just outlined (it may be full frontal), the Bill would not cover the situation.

The Hon. J. C. BURDETT: The Bill speaks for itself. The matter is caught; as the Bill states, where there is the "assumption or maintenance of any attitude or pose calculated to give prominence to sexual or excretory organs"—if that can be proven—the action is caught by the Bill; if not, it is not caught by the Bill.

The Hon. C. J. SUMNER: The Hon. Mr. Burdett indicated that a father or a person in a nudist club photographing a child full-frontally showing its sexual organs would not be covered by the Bill; that is the intention?

The Hon. J. C. Burdett: Unless these things apply.

The Hon. C. J. SUMNER: You said that, in your opinion, that is not a situation covered by the Bill; therefore, the situation of a person who photographs a child in that position and who does so with the intention of printing, distributing and selling that photograph, is also not covered by the Bill. That is clear. That case merely reinforces what honourable members on this side have been saying about the Bill, that it is unnecessary. We have continually tried to establish in this debate that we are not in favour of child pornography or the practices that the Hon. Mr. Burdett intends or wishes to proscribe. Why has he come forward with this legislation at this particular time when I think from what he has said that the situation is covered? The point is that it arose out of headlines that appeared in the newspaper in February and March. One was in the *News* on February 21 under the heading "S.A. child porn raid. Photos seized, man arrested". That is a matter currently before the court.

The Hon. D. H. L. Banfield: Under the present Act?

The Hon. C. J. SUMNER: Yes, and the person who was charged with those offences, who was the subject of that headline, has been charged and has now pleaded guilty to six counts of having indecently assaulted children, for which the penalty is a maximum of five years imprisonment for a first offence and seven years for a second offence; so on each of these counts he could be imprisoned, if this was his first offence, for five years.

He has also been charged with unlawful sexual intercourse with a boy aged 10. That, under section 49 (1) of the Criminal Law Consolidation Act, is a felony and has a maximum penalty of life imprisonment. The other matter with which he is charged and to which he has pleaded guilty is procuring or inciting the committing of acts of gross indecency by children, under section 58 (1) (b) of the Criminal Law Consolidation Act, where there is a maximum penalty of two years imprisonment for a first offence and three years for a second offence. That is one of the matters that brought the attention of honourable members to this issue. This man has been charged and pleaded guilty to those offences that attract these sorts of penalty. How can honourable members opposite say that the penalties are inadequate? It is patently absurd.

The other matter that drew the subject to the attention of honourable members was in the *News* of March 11: "Mother pleads: tighten porn law". She stated: "There must be harsher penalties." Her complaint was that the man who had been prosecuted on that occasion was fined only \$400 and placed on a \$100 good behaviour bond.

The CHAIRMAN: That is a different case?

The Hon. C. J. SUMNER: Yes; that is a different case. The man was prosecuted on indecency charges and I am led to believe that that was a charge of indecent

assault, to which he pleaded guilty and for which a penalty was laid down by the court. He could have been gaoled for five years for indecent assault. In fact, the court chose to impose a penalty of only a \$400 fine. How can the legislation in that case be said to be deficient? It was not the legislation's fault; it was not the penalty's fault: in fact, this Bill does not have a five-year penalty—it is a smaller penalty. The court in that situation took into account all the surrounding circumstances and decided that \$400 was the appropriate fine. There is nothing in this Bill that will alter that situation. They were the two examples that brought the matter to public attention and no doubt provoked the Hon. Mr. Burdett into bringing in this Bill.

I have just indicated that in each of those cases the penalty was more than adequate. The Government has taken action where these matters have been drawn to its attention by the police. It does not support in any way the distribution of this child pornography throughout the State or the production of it, and the offences involving children in the production of it are covered, in the Government's view, by the existing legislation. That is clearly shown by the cases that have come before the courts so far. Members opposite are complaining that the court refused to exercise its discretion to impose the maximum penalty of five years imprisonment and imposed only a penalty of a fine of \$400. Obviously, there were some extenuating circumstances in that case that the court was able to take into account. To blame the legislation for it is incorrect and, in view of the Hon. Mr. Burdett's current admission that full frontal nude photographs of children are not intended to be covered by the Bill, he is not really taking the matter further by this Bill. It is on that ground that we oppose the clause.

The Hon. J. C. BURDETT: The general matters raised by the Hon. Mr. Sumner I went through at some length in my second reading explanation and in my reply, and I do not intend to bore the Committee by going into them again. Certainly, the only matter is not the proposed new section 255a (5). I explained that and said that the Hon. Mr. Sumner could not satisfactorily explain the question asked by you, Sir: what the position of a mere photographer would be. I have also mentioned consistently that there is need for a package deal, for specialised legislation, to cover these matters. I have referred to section 33 of the Police Offences Act and have also said consistently that the main means by which this traffic is to be stopped is to attack the distribution, sale and offering for sale.

Let us be clear about new section 255a (5) (e): where photographs of children are taken in positions of full frontal nudity, there obviously would be some cases where the children were not photographed while assuming or maintaining "any attitude or pose calculated to give prominence to sexual or excretory organs". If so, those cases would not be caught.

The CHAIRMAN: I think the Hon. Mr. Sumner is really saying that the words "give prominence to" may be equivalent to the word "show".

The Hon. J. C. BURDETT: In that case, the honourable member is wrong. The dictionary makes clear that there is much difference between showing and giving prominence to. The honourable member spent much time talking about two examples of prosecutions where people were charged with indecent assault and unlawful sexual intercourse. These were not the examples that motivated me to introduce the Bill. The Government itself admitted that some child

pornography was being distributed in South Australia. It was obvious that there could be occasions when children were photographed for pornographic purposes where there was no act of indecent assault and no act of unlawful sexual intercourse committed by the photographer. The Hon. Mr. Sumner knows that the court takes the maximum penalties set down by the Legislature as being a guide.

The Hon. C. J. Sumner: Your Bill will not help that.

The Hon. J. C. BURDETT: I did not complain about the penalties in those cases; another honourable member did so. Where there is indecent assault or unlawful sexual intercourse, higher penalties will pertain. In this Bill I am concerned about matters that I believe are not completely covered. The Hon. Mr. Sumner knows that the court notes where no minimum penalty is laid down; then, it can proceed anywhere between the maximum down to nothing (under the Offenders Probation Act). The honourable member knows that the courts are guided by the maximum penalties laid down and by the circumstances. There must have been individual circumstances in the cases cited by the honourable member. It is proper that Parliament should lay down adequate penalties.

The Hon. C. J. SUMNER: The Hon. Mr. Burdett has tried to say that I was uncertain of the situation in connection with the photographer where there was an act of gross indecency. I think I indicated previously that section 58 (1) (b) must cover the photographer; he would obviously be involved in procuring or inciting an act of gross indecency. The real question is whether or not the mere taking of a photograph of a child without an overt act would be covered by the existing law. The mere photography of the child probably would not be covered by the existing law but, in view of what the honourable member has said about his Bill, I do not believe that the matter would be covered by his Bill, either. If a photograph was taken giving prominence to sexual or excretory organs, that would probably amount to an act of gross indecency within the provisions of section 58 (1) (b). If it is just a straight-out photograph, the Bill is not taking the law any further. Really, that is our concern about the matter: there is adequate cover. It takes the matter further in one respect: it increases the potential penalty for printing and publishing and distribution, but there is no real indication that the penalty under section 33 of the Police Offences Act is inadequate.

The Hon. J. C. Burdett: What about the inadequate definition?

The Hon. C. J. SUMNER: If the Classification of Publications Board refuses to classify an item and if the police find that it has been on sale, they will report it to the Attorney-General, who in all probability will permit a prosecution; that situation has existed up to the present, but there have been no prosecutions. Therefore, the problem is not as great as the honourable member has made it out to be. Section 33 of the Police Offences Act is still there. The penalties are reasonably substantial.

The CHAIRMAN: The question is that the Bill stand as printed.

The Committee divided on the question:

Ayes (9)—The Hons. J. C. Burdett (teller), M. B. Cameron, J. A. Carnie, Jessie Cooper, M. B. Dawkins, R. C. DeGaris, C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Noes (9)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, T. M. Casey, B. A. Chatterton, J. R. Cornwall, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Pair—Aye—Hon. R. A. Geddes. No—Hon. C. W. Creedon.

The CHAIRMAN: There are 9 Ayes and 9 Noes. Personally, I have some doubts and reservations about the wording of this Bill, but it may be corrected elsewhere. I give my casting vote for the Ayes. The question therefore passes in the affirmative.

The Hon. J. C. BURDETT moved:

That this Bill be now read a third time.

The Hon. D. H. L. BANFIELD (Minister of Health): I make it clear that the Government is not opposed to the principle of this Bill: it is opposed to the way in which it has been introduced. We believe that everything this Bill attempts to cover is already covered by existing legislation and you, Mr. President, said in giving your casting vote that you had doubts and reservations about the Bill's wording. The Hon. Mr. Burdett also admitted that the Bill did not do what he expected it to do.

The Hon. J. C. Burdett: No, I didn't.

The Hon. D. H. L. BANFIELD: Yes, the honourable member did; commenting on what the Hon. Mr. Sumner had said, the honourable member was found wanting in his reply. I make it clear that that is the main reason why we have opposed this Bill. The second reason is that you, Mr. President, suggested that the wording might be corrected in another place, so you agree that the wording is wrong, otherwise you would not have suggested that. As I have indicated, and as the honourable member knows, the introduction of this Bill at this time of the session will result in no discussion on it in another place. A vote will be taken without discussion, and that leaves no opportunity for the Bill to be corrected.

The Hon. J. C. BURDETT: I certainly did not say at any stage that this Bill did not do what I expected it to do. It is in the hands of the Government as to whether or not this Bill is discussed in another place. I have already stated that I intend to ask the Government to allow this important matter, which many people in the community also have found to be important, to be debated. I have provided my spokesman in another place with a second reading explanation of the Bill, and I have every hope that the Government will bow to the wishes of members of the South Australian community and allow this matter to be debated.

Bill read a third time and passed.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

It amends the principal Act, the Industries Development Act, 1941, as amended, and establishes the machinery to give effect to a proposal of the Government that will:

- (a) provide additional capital on favourable terms for specific industrial enterprises; and
- (b) enable employees engaged in those enterprises to acquire a financial and managerial interest therein.

This measure is essentially an enabling one. It will not have any effect until a scheme acceptable to the Treasurer and to the Industries Development Committee has been

proposed by the relevant enterprise. The scheme contemplated involves amongst other things the creation of a trust to provide benefits in the nature of superannuation for employees. When this trust is created and the scheme is approved by the committee a loan from a commercial lender may be arranged by the trust. This loan will be guaranteed by the Government. The trust will thus secure an interest in the enterprise using funds made available by the lender. The lender will ultimately be paid back by the trust to the commercial lender from contributions by the enterprise in its capacity as employer, being contributions paying the employer's contribution to the superannuation trust.

Clause 1 is formal and clause 2 is the only operative clause in the measure, at proposed section 14a (1) permitting the Treasurer to guarantee the repayment of a loan made to trustees of a trust that has the objects set out in that subsection. Proposed subsection (2) ensures that no guarantee will be given unless the Industries Development Committee has inquired into the matter and is satisfied as to the matters set out in subparagraphs (i), (ii) and (iii) of paragraph (a) and, further, that the Treasurer is satisfied that the interest on the loan is reasonable having regard to the fact that the security for the creditor arises from a guarantee by the Government. Proposed subsection (3) is quite formal. I commend the Bill to honourable members.

The Hon. D. H. LAIDLAW secured the adjournment of the debate.

PIPELINES AUTHORITY ACT AMENDMENT BILL

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

The Hon. B. A. CHATTERTON (Minister of Agriculture): I move:

That this Bill be now read a second time.

This short Bill, which amends the principal Act, the Pipelines Authority Act, 1967-1974, is intended to confer on the authority additional powers to facilitate its entry into all aspects of petroleum exploration and exploitation. I seek to have leave to have the detailed explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

Substantially, the new powers are proposed to be conferred on the authority by clause 4, which inserts a new section 10aa in the principal Act. This new section is commended to honourable members' attention. Proposed subsection (1) sets out a definition of "petroleum resource", and subsection (2) sets out the proposed new powers. At paragraph (a) the authority is empowered to seek a licence, permit, or authority relating to the exploration for or exploitation of any petroleum resource under a law of this State, the Commonwealth, or any other State or Territory of the Commonwealth.

At paragraph (b) the authority is empowered to seek any interest in any body corporate that itself has an interest or share in any such licence, permit, or authority; and at paragraph (c) the authority is empowered to assist any body corporate to carry out its obligations under any licence, permit, or authority in relation to exploration for or exploitation of a petroleum resource. Subsection (3) recognises the commercial nature of this aspect of the authority's activities, and ensures that the authority shall make payments in aid of the general revenue of amounts

equal to the amounts that it would be liable to pay by way of Commonwealth income tax, if the authority were liable to this form of taxation.

Clause 2, which amends section 3 of the principal Act, merely makes a drafting amendment to the definition of "petroleum", which is reflected in the definition of "petroleum resource" in clause 4. Clause 3 is an amendment consequential on the amendments proposed in clause 4. Clause 4 has been dealt with, in some detail, above.

Clause 5 repeals and re-enacts section 11 of the principal Act to ensure that the wide dispensing powers contained in that section are not applicable to the exercise of the proposed new powers and functions of the authority. In addition, the change in title of the Mining (Petroleum) Act is recognised. Clause 6 is in part consequential on clause 4, and at paragraph (b) authorises the Treasurer to make grants to the authority as well as loans. A grant of \$5 000 000 has been foreshadowed in the Supplementary Estimates already before this House.

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

UNITING CHURCH IN AUSTRALIA BILL

Returned from the House of Assembly with the following amendment:

Insert new clause 32 as follows:

32. (1) Where the trust—

(a) applies to the Registrar-General to be registered as the proprietor of an estate or interest in land;

and

(b) furnishes the Registrar-General with—

(i) a certificate under the common seal of the trust to the effect that the estate or interest has vested in the trust in pursuance of this Act;

and

(ii) such duplicate certificates of title or other instruments as may be required by the Registrar-General,

the Registrar-General shall, without further inquiry, and without fee, register the trust as the proprietor of the relevant estate or interest.

(2) No stamp duty shall be payable in respect of an application or certificate under subsection (1) of this section.

Consideration in Committee.

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

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

APPROPRIATION BILL (No. 1) 1977

Adjourned debate on second reading.

(Continued from April 12. Page 3273.)

The Hon. C. M. HILL: The Hon. Mr. DeGaris was listed, as you know, Mr. President, to speak first in this debate. However, he has suggested that I should lead, for the simple reason that it provides me with the opportunity of bringing forward in the Council material which I intended to use earlier today in an urgency motion but which I was prevented from using as a result of the quite infantile tactics of the Chief Secretary.

The Hon. D. H. L. BANFIELD: I must take exception to that statement. There was no indication from the Hon.

Mr. Hill that he wanted to move an urgency motion. Does he want to deny honourable members the right to ask questions during Question Time? The honourable member has implied that this was my doing; he said that it was infantile action on my part. Question Time went until 3.15 p.m. today, and the Hon. Mr. Hill had the opportunity to jump to his feet at 2.15 p.m., if he so desired, to move his urgency motion. Instead, he asked a number of questions. He delayed Question Time by asking questions himself. He then wants other honourable members to be denied the right to ask questions. I strongly object to the statement he has made, and ask him to withdraw it.

The Hon. R. C. DeGARIS: I rise on a point of order. Under what Standing Order is the Chief Secretary taking his point of order?

The Hon. D. H. L. BANFIELD: Under the Standing Order that allows me to take strong objection to the statement made by the Hon. Mr. Hill that I delayed Question Time, which I ask him to withdraw.

The PRESIDENT: It is probably a matter of opinion who delayed whom in the earlier part of today's proceedings. Unfortunately, I was speaking to the Acting Opposition Whip when the remark was made. I did not hear it personally, although I take it from what the Minister has said that he objects to the imputation by the Hon. Mr. Hill that in some way or other he delayed the proceedings in the Council earlier this afternoon. In those circumstances I must ask the Hon. Mr. Hill to withdraw that imputation, because the Minister has denied it.

The Hon. C. M. HILL: Out of deference to you, Sir, I will withdraw the word that I used. I take strong objection to the lie that the Chief Secretary has just given in the Council, when he accused me of not advising him—

The Hon. T. M. Casey: Are you calling him a liar?

The Hon. C. M. HILL: Yes, I am, and I think I should be given the right, if this argument continues, to prove my point that the Chief Secretary has acted in an infantile manner today. I went to the Minister before this sitting commenced and told him that I was going to move the urgency motion, yet he has just had the effrontery to say that I did not do so. That is why Government members stonewalled and filibustered all through Question Time today: they were as scared as rabbits. They knew that I intended to move an urgency motion, because I had informed the Chief Secretary accordingly. As soon as I told him that, the Minister went around amongst his back-benchers—

Members interjecting:

The PRESIDENT: Order!

The Hon. D. H. L. BANFIELD: I rise on a point of order.

The PRESIDENT: Order! I ask the Hon. Mr. Hill to resume his seat, the Minister having raised a point of order.

The Hon. D. H. L. BANFIELD: It is not a point of order but a personal explanation, Sir. We were joking amongst ourselves, and the Hon. Mr. Hill said, "I will move an urgency motion." There was no suggestion that there was any sincerity in that statement. We were joking about other procedures, and there was no way in which I would have taken the Hon. Mr. Hill's statement seriously. For those reasons, I apologise to the Hon. Mr. Hill. However, I suggest that next time he take the smile off his face when he tells me that he intends to move an urgency motion,

The PRESIDENT: I know that the Hon. Mr. Hill was in earnest, because he wrote me a letter before the proceedings commenced.

The Hon. D. H. L. Banfield: I thought he was being facetious. With the accusations that he makes from time to time, how can anyone take the honourable member seriously?

The Hon. C. M. HILL: I am serious about this matter, just as I was serious when I extended to the Chief Secretary the courtesy earlier today of telling him that I intended to move an urgency motion. That is a courtesy which, over the years that I have been a member of this place, has been extended to and honoured by the recipients. The Chief Secretary should be ashamed of himself for lowering the standards of the Leader of the Council and of his Party by treating this matter in the manner that he has treated it. I assure him—

The Hon. D. H. L. BANFIELD: I rise on a point of order.

The Hon. C. M. HILL: I assure the Minister that I will not extend him courtesies for a long time to come.

The PRESIDENT: Order! The Minister has raised a point of order. The Hon. Mr. Hill should resume his seat. What is the point of order?

The Hon. D. H. L. BANFIELD: My point of order is that the Hon. Mr. Hill did not ask me to provide time for him to move an urgency motion, and I ask him to deny that. Had he asked me for time, he would have been given it. Members opposite cannot say that I have not given them a fair go in this place. Let the Hon. Mr. Hill get up and tell the truth.

The Hon. C. M. Hill: I have told the truth.

The Hon. D. H. L. BANFIELD: Let the honourable member get up and tell this Council that he asked me for time in which to move an urgency motion. That is all I am asking him to do. If he does that, he is a liar.

The PRESIDENT: Order!

The Hon. C. M. HILL: I am not going to let this matter lie, because I know what happened on the Government benches today. The Chief Secretary was as scared as a rabbit as soon as he heard that there was an urgency motion, even though he did not know what it was all about. He was scared because he thought that he would have to defend himself and the Government of which he is a member. He therefore raced around amongst his back-benchers and asked them to continue asking questions until 3.15 p.m.

The Hon. D. H. L. Banfield: How many questions did you ask?

The Hon. C. M. HILL: Only one.

The Hon. D. H. L. Banfield: And there are another 10 members on your side.

The Hon. C. M. HILL: Is the Minister trying to defend the time taken by Government members during Question Time today? Honourable members on this side of the Council saw through the paltry tactics that were initiated by the Leader of the Government in the Council, and several times called "Question". It was the first time that I can ever remember calling "Question" in this place.

The Hon. D. H. L. Banfield: You've got a short memory.

The Hon. C. M. HILL: Can the Minister say when I have ever called "Question" previously?

The Hon. D. H. L. Banfield: You called it on me more than once when I was a back-bencher.

Members interjecting:

The PRESIDENT: Order! I do not think it was in this Parliament.

The Hon. C. M. HILL: "Question" had to be called several times during Question Time today. To top it all off, at one stage the Hon. Mr. Sumner came into the Chamber. He heard his colleagues making long explanations.

The Hon. M. B. Cameron: Speeches.

The Hon. C. M. HILL: Yes, they call them speeches. He was bewildered and moved across to the Hon. Mr. Foster and spoke to him, obviously saying, "What is going on?" We all know that the Hon. Mr. Foster, by his very nature, cannot speak quietly, and from where I was sitting I heard him reply and mention the words "urgency motion". We do not need any more proof about the infantile tactics of the Chief Secretary, who was as scared as a rabbit and unable to confront the Opposition on an urgency motion. The whips were out and members opposite knew that, but they carried on Question Time until 3.15 p.m. We could not get Standing Orders suspended because we have not the required 11 members here, one of our members being away on Parliamentary business.

The Hon. D. H. L. Banfield: At no stage did you ask me for time.

The Hon. C. M. HILL: The Chief Secretary knows that we couldn't have obtained the suspension of Standing Orders.

The Hon. D. H. L. Banfield: Why did you not move it during Question Time?

The Hon. C. M. HILL: I cannot do that. The last 25 minutes of Question Time was taken up by members opposite. I have never been so disappointed in the Chief Secretary as I have been today, because I have always recognised him as a person who honours ethics and agreements in this Council. When I told him, out of courtesy, that I was going to move an urgency motion, the last thing that I expected of him was that he would get his whip out so that it would be impossible for this matter to be raised. He was scared and shuffling in his seat.

I am raising the matter now and I want to bring it to the notice of the Minister and the Government, hoping that they will give it the urgent consideration that it deserves. You know, Mr. President, that in my letter to you I stated that the matter concerned North Malaysia Week, so that is the general purport. Many questions have been asked by people about North Malaysia Week and about expenditure by this Government of taxpayers' money. This followed extensive expenditure by the Government only 12 months earlier on the Penang Week promotion.

I tried to find out how much the Government was spending on the particular promotion and, as reported on page 2412 of *Hansard* of February 17, 1976, the Government admitted that its Penang Week expenditure was \$193 863. Further, as reported at page 3119 of *Hansard* of April 5 this year, the expenditure by this Government of \$166 717 on North Malaysia Week is disclosed. Here I am talking about taxpayers' money. The money comes not out of a bottomless pit but from the people to the Government, on trust. There was a further \$20 000—

The Hon. B. A. Chatterton: Was the figure for Adelaide Week in Penang the net figure?

The Hon. C. M. HILL: I think so.

The Hon. B. A. Chatterton: I think it was the gross figure.

The Hon. C. M. HILL: I believe that I have quoted the net figure, but that can be checked. There may have been some recoveries. Apart from the amount of about \$166 000 spent on North Malaysia Week, another \$20 000 was expected to be charged against departmental offices because police cadets and other public servants were used in that week. We get to a figure of about \$186 000 spent.

The Hon. B. A. Chatterton: Again, there were recoveries.

The Hon. C. M. HILL: No, some of that money was spent on capital works.

The Hon. B. A. Chatterton: There was a share of the gate takings.

The Hon. C. M. HILL: I have not included that. This is the net figure.

The Hon. B. A. Chatterton: Does it include money recovered from charging admission?

The Hon. C. M. HILL: This is the net figure after it, so this is the fair and proper approach. In view of these amounts of money, a survey should be made and discussion should be initiated about the benefits of these promotions so that the people, in terms of open government, will know what the Government has done with such money.

An Opposition would be lacking in responsibility if it did not question the Government about expenditure of this kind and the Government would be lacking if it could not justify the expenditure and answer the many questions being asked. During North Malaysia Week I had the privilege of meeting many senior officials from Malaysia and I made a special point, as I thought it was my duty, of asking them what they thought would be the real benefits of the week. I was surprised that all of them gave me the same reply, namely, that they hoped that, as a result of their being here and as a result of that week, we in South Australia would build factories in Malaysia, and they stated that we would have the benefit of being able to use their cheap labour force in Malaysia.

The officials were genuine and sincere in their hope that this benefit would accrue. They saw it as a benefit because it would employ their labour and they expected to see it as a benefit to us in that our capital works would be invested. I tried to find out whether the Government took the same view and, as soon as this session resumed about a fortnight ago, I asked a question in this Council to try to find out the background material. On June 29, *Hansard* reports:

The Hon. C. M. Hill: I address my question to the Chief Secretary, as Leader of the Government in the Council. Following North Malaysia week activities and the keen interest expressed by visiting Malaysians regarding South Australia's establishing factories in North Malaysia, will the Minister say whether any plans are known by the Government of industry's investigating the opportunities of establishing factories in North Malaysia, and whether the Government is encouraging such planning and activity?

The Hon. D. H. L. Banfield: I know that keen interest has been shown regarding the possibility of our establishing factories in North Malaysia, although I do not know how far such inquiries have proceeded. However, I shall try to obtain a report for the honourable member, whom I again thank for expressing confidence in the action taken by the Government in promoting this State.

I immediately ventilated opposition to the assumption that I was expressing confidence in the Government. I asked the question as I hoped to ascertain the Government's attitude to Malaysia and to South Australians setting up factories in Malaysia. I have not had a reply from the Government.

I asked a question yesterday to try to expedite the reply. I went particularly to the Chief Secretary earlier today and asked him whether he had a reply for me, and he said he had not a reply as yet. It seems to me that the Government does not want to reply to this question. A fortnight is more than reasonably enough for a simple question like that to be answered, and yet I have not received a reply; so this matter should generally be discussed now.

The crux of the matter, as I see it, is that fairly serious problems can arise that are not foreseen by the Government at present if this form of development occurs. South Australian factories will expand their operations by establishing in Malaysia or South Australian interests will build new factories entirely in Malaysia, and goods from those factories will, of course, be returned to South Australia. I point out to the Government that there are very serious dangers in plans such as these to the work force in South Australia. Several members of the Government are not here now. They are people who would have a close association with the work force through the trade union movement. However, they are not here now.

The Hon. C. J. Sumner: I am here.

The Hon. C. M. HILL: The honourable member is here, and I am sure he is reasonably close to some of these people.

The Hon. D. H. L. Banfield: Is that why the Hon. Mr. Carnie is not here? I am sorry, I see that he is here but not sitting in his place. I do not see the Hon. Mr. Burdett on the front bench, or the Hon. Mr. Whyte.

The Hon. C. M. HILL: In the Australian Bureau of Statistics' most recently printed unemployment figures, the number for this State was 25 856.

The Hon. D. H. L. Banfield: How does that compare with other States?

The Hon. C. M. HILL: I know the Chief Secretary wants to drag some red herrings across the trail. I have not those other figures with me. I am interested in the South Australian position and I hope the Chief Secretary will agree with me that 25 856 is a very serious figure indeed.

The Hon. D. H. L. Banfield: I agree it is very serious.

The Hon. C. M. HILL: I ask the Chief Secretary a question: is it in the best interests of the wage-earners of this State for such a development as I have mooted to happen? How can existing South Australian industry compete if South Australian factories are established in Malaysia and cheap labour is used in those factories?

The Hon. R. C. DeGaris: The wage there is \$11 a week, is it not?

The Hon. C. M. HILL: I am told that the wage for a trained worker in Malaysia is \$11.50 a week.

The Hon. R. C. DeGaris: Do they have workmen's compensation?

The Hon. C. M. HILL: I do not know whether they have heard of that yet, but can the plans and hopes of our Malaysian friends be brought to fruition and still be in the best interests of South Australia? I should like to know what honourable members opposite think about that. We are dealing with what amounts to the export of jobs, and it worries me greatly at this point of time, when I believe that some plans are in train for this to happen. Therefore, this matter should be raised before it is too late. It worries me, and therefore I should think it would worry honourable members opposite, that plans may be well in train for factories to be established in Malaysia

and for the output of those factories to come to our markets here and consequently cause more unemployment in this State.

The Hon. N. K. Foster: What rubbish!

The Hon. C. M. HILL: Did the honourable member say "What rubbish!?" Is that what the honourable member thinks of the work force in this State?

The Hon. N. K. Foster: Don't you start on unemployment; don't use that argument. You've called them dole bludgers.

The Hon. C. M. HILL: I have not used that term, and you know that.

The Hon. N. K. Foster: You're a liar.

The Hon. C. M. HILL: The honourable member should look at *Hansard* of February 17 of last year to see whether I used that argument. I ask the Hon. Mr. Foster whether he and his friends agree with the policy of South Australia's establishing factories in Malaysia and then seeing the goods from those factories returned to South Australia to compete with the goods made in South Australia.

The Hon. N. K. Foster: You are one-sided and hypocritical.

The Hon. C. M. HILL: Is the honourable member satisfied with such a position or not? I hoped he would take strong objection to plans of this kind and would like to protect those people who are hanging on to their jobs as best they can at the moment in this State, and that he would take strong objection to cheap labour being used in Malaysia, threatening the workers in South Australia.

The Hon. N. K. FOSTER: Will the honourable member give way?

The Hon. C. M. HILL: No; the honourable member will have an opportunity later to speak in this debate. I want him to say whether he thinks it is in the best interests of the workers of this State who are in employment at present for this situation to occur. The irony is that we are paying nearly \$200 000 of taxpayers' money to arrange this kind of thing.

The Hon. N. K. Foster: Good!

The Hon. C. M. HILL: As I stated a few moments ago, we are getting up towards \$200 000 a year to promote Penang Week, North Malaysia Week, and whatever the next one may be called next year. So I ask the Government: what is its policy in regard to this matter? We know there is a sophisticated trade promotion department that has been established at great expense, with most dedicated and skilful officers, attached to the Premier's Department. We know the thrust that comes from the publicity from the Premier's Department in regard to the need for closer links with Malaysia and other countries of South-East Asia, for the basic benefit of trade, but are we on the right path? If we agree to schemes by which our factories should go there and that goods cheaply produced there should come back to compete in our South Australian markets and cause loss of employment here—

The Hon. N. K. Foster: That is a poor proposition, and you know it.

The Hon. C. M. HILL: What are the instructions that the Government has given these trade officers?

The Hon. B. A. Chatterton: What about the tariff position?

Members interjecting:

The Hon. C. M. HILL: The Minister by talking tariffs to me will not convince me that our workers will produce goods and sell them competitively with workers working

for the same employers but receiving an average wage of \$11.50 a week. It is absolutely ludicrous to take that viewpoint.

The Hon. C. J. Sumner: Shouldn't we assist to develop the Third World countries?

The Hon. C. M. HILL: Yes, but I am not very happy when the jobs of South Australian workers are threatened. What instructions are being given to our public servants and to those under contract in the Trade and Development Division about this matter? Are they negotiating with any industrial interests in this State to achieve the goal sought by our Malaysian friends?

The Hon. C. J. Sumner: Where was your car made?

The Hon. C. M. HILL: I have always bought cars built in South Australia.

The Hon. N. K. Foster: Where was your Dodge built?

The Hon. C. M. HILL: It is a Chrysler product that was produced at the Chrysler factory. Further, my Holden was produced at Elizabeth. Let honourable members opposite say whether they drive Japanese cars. I have not bought a Volvo or a car manufactured in Italy. Can all honourable members opposite say that?

The Hon. F. T. Blevins: What about my Holden?

The Hon. C. M. HILL: I commend the honourable member. My present concern is to protect the jobs of South Australian workers. The unemployment situation has been highlighted in the last week not only by the publication of the unemployment figures but also by the serious economic plight of industry in this State. Only last week a casting factory was closed, without proper compensation being provided for the workers. Further, the Flinders Trading Company has gone into receivership. In the financial pages of the press last Saturday the gloomy reports of three South Australian companies were highlighted. In today's paper we read that the Government has injected \$1 150 000 into the Wilkins Servis company to keep it afloat, thereby saving the jobs of 400 workers. I commend the Government for taking that action. Many South Australian jobs will be at risk if goods are put on the market that were produced in Malaysia by Malaysians. About \$200 000 was spent on the Malaysian Week promotion. Is the Government satisfied that our work force is not endangered?

The Hon. F. T. Blevins: Do you agree that South Australia has the best employment figures in Australia?

The Hon. C. M. HILL: The number of people unemployed in South Australia is far too high, and I do not want to see an increase in that number as a result of Government promotions of the kind to which I have referred. I refer to the idea of the Government's promoting housebuilding componentry to be produced in Malaysia and imported here. It is also to be exported from Malaysia to other Third World countries. Why this should be, I am not sure. I heard one report saying that the Government was keen to get on friendly terms with the Moslem world.

The Hon. N. K. Foster: Come off it!

The Hon. C. M. HILL: If honourable members ridicule what I have said, I may tell them privately who made the statement. South Australians were expecting componentry to come from Malaysia.

The Hon. B. A. Chatterton: No. The housing components are exported to Malaysia, which uses them for its own housing and for export to other countries, such as Kuwait.

The Hon. C. M. HILL: If the Minister is trying to convince me that South Australian firms can export products to Malaysia and that that country finds it a

business proposition to buy those products in competition with the cost of production in Malaysia, his argument is ridiculous.

The Hon. B. A. Chatterton: I did not say that.

The Hon. C. M. HILL: There is so much contradiction that people outside do not understand this issue. Indeed, the word "componentry" has some sort of mystique about it. Not only have there been plans for South Australian factories to be established in Malaysia but also there have been schemes whereby Malaysian-owned factories were to produce componentry that the building industry was expecting to get here. In the year ended last February, the percentage increase in South Australia of timber and other hardboard and joinery components for South Australian housing was higher in this State than in any other mainland State. We are not getting any benefit at all.

The Hon. N. K. Foster: Itemise it.

The Hon. C. M. HILL: I am willing to give the honourable member my authority, which is the Australian Bureau of Statistics.

The Hon. N. K. Foster: What about the country of origin?

The Hon. C. M. HILL: That has nothing to do with it. I am saying that the cost of building components of housing and other construction work in this State have increased by a higher percentage than in other mainland States in the past 12 months, and the bureau's figures prove that. On the basis of that criteria, what purpose is being achieved in the exchanges promoted by the Government? I do not want to be thought—

The Hon. B. A. Chatterton: Do you know why those prices have increased by a greater percentage?

The Hon. C. M. HILL: Why?

The Hon. B. A. Chatterton: Because the margins of merchants in this State are higher than anywhere else.

The Hon. C. M. HILL: The honourable Minister says—

The Hon. D. H. L. Banfield: Is that true or not?

The Hon. C. M. HILL: No.

The Hon. B. A. Chatterton: Margins have changed.

The Hon. C. M. HILL: Of course they have had to change to meet the high increases in costs that wholesalers and merchants have had to cover. However, I do not want it thought from what I have said that I am opposed to some of the arts and cultural aspects of North Malaysia Week or the former Penang Week. I have no objection whatever to moderate displays of the visual arts. I have no objection at all to performing artists coming here or going to North Malaysia on an exchange basis, provided that it is carried out in a modest way and is carefully budgeted to keep in proportion with the benefit that this cultural exchange can bring to people who are interested to learn something of the cultural activity, heritage and history of art from either land.

For instance, it could be that, when we do bring visual art from Malaysia, we display it in an art gallery in the same way that some of the finest art from Europe will be displayed in a few weeks. That exhibition will not be shown on the banks of the Torrens but it will be displayed where it should be displayed—in our art gallery. Promoting the art aspect through such promotional weeks should be a modest affair and be kept in proportion. Speaking on behalf of the people who sent me here and who have to find the money for such activity through taxation, it is interesting to note regarding the North Malaysia/Adelaide connection that we pay each time such a promotion is

undertaken. We pay both ways, first for our promotion in Penang, in 1976, and again for North Malaysia Week in Adelaide, in 1977.

When cultural exchange is developed on such a magnitude as has been developed by this Government, it must be remembered that it is not promoted mainly for the benefit of art or culture; it is not promoted as some people claim for a better artistic understanding of the achievements and talents of the peoples involved, because it is to promote and assist in the development of trade. Art is merely being used as a front when promotions of such magnitude are provided under the guidance and control of the State Government.

It is to this promotion of trade that the Government has given little publicity and to which many of my queries have been directed. On this overall question I ask the Government about the position of the joint companies, which were alluded to a moment ago. These companies were established and guarantees were provided in legislation dealt with by this Parliament. The South Australian people, through their Government, can guarantee operations in Malaysia. What guarantees have been given? Have any serious risks been taken in regard to the provision of guarantees? We do not see any reports in Parliament about this matter, and I believe that we should.

Not only are there questions of guarantees to be answered, but what are the costs to date, for example, of the establishment of these companies? What is the extent of their operations, and what are their commitments? What progress has been made so far in these joint ventures established last year with Malaysia? What benefits are the South Australian taxpayers receiving as a result of this activity? In summary, I stress that the real burden of my song today—

The Hon. N. K. Foster: Falls on those who have to listen to it!

The Hon. C. M. HILL: The need for this Government is to be cautious in regard to these schemes, especially regarding the supervision and establishment of South Australian factories and the use of Malaysian labour in those factories at the expense of the employment position and the workers of this State. That is the strongest point that I make. I hope my comments have not been interpreted so that I appear unfriendly or critical towards the Malaysian or North Malaysian people, because that is not so at all. I have found these people to be most friendly, hospitable and kind. They are people I would like to assist but, in saying that, I have a responsibility to see to it that the effect on the other side of the ledger, when that assistance is provided, is not to the detriment of the South Australian economy or to the detriment of South Australian employees.

If these plans come to fruition, as Malaysian people expressed during North Malaysia Week, who will be at risk? Can the Government say, when it has an opportunity to bring down a reply, what will be the position? I hope it will be able to dispel the fears I have about such plans. I support the Bill.

The Hon. R. C. DeGARIS (Leader of the Opposition): I, too, support the Bill. The Hon. Mr. Hill, in speaking first, gave the reasons why he spoke first on this Bill, and it seemed to me as Leader, and watching the performance this afternoon by Government members, that some instruction had gone out that long explanations to questions or something of that nature should be undertaken to prevent the urgency motion being moved by the Hon. Mr. Hill. That appeared to be the case. The promotion of North

Malaysia Week raised by the Hon. Mr. Hill is an important question, especially in relation to the movement of South Australian industry to Malaysia to take advantage of the low labour costs in that country.

At this time of the year we deal with two Appropriation Bills: one providing for the payment of the Public Service until the presentation of the Budget for 1977-78, in about August, and the second dealing with the Supplementary Estimates for the current financial year. Since I have been in Parliament (about 15 years), the speech introducing the Supplementary Estimates this year was the most vicious political document I have ever read. The extravagant phrases used in the second reading explanation indicate the degree to which the Treasurer will go to use a relatively simple Bill for purely political purposes.

The Hon. C. J. Sumner: What are you arguing about?

The Hon. R. C. DeGARIS: If the Hon. Mr. Sumner can control himself for a moment, I will read extracts from the Treasurer's second reading explanation to substantiate exactly what I am saying. For example, the explanation refers to the Federal Government's sleight-of-hand policies. I will read a few more, one of which is as follows:

That conference has been forced on the Prime Minister by the continuing and unanimous dissatisfaction of the State Premiers, all of whom are gravely disturbed at the Federal Government's cavalier and arbitrary approach to this question, which is of fundamental importance to the good government of our country.

That is extravagant language. I think I am correct in saying that. The Treasurer later continued:

Where the Prime Minister promised co-operation we have had policies unilaterally imposed on us; where he promised consultation, we have been told after the event; where he promised a better financial deal for the States, we have had sleight-of-hand policies which have left the States considerably worse off in real terms.

Later, he continued:

The economic well-being of the States relies heavily on consensus and stability in financial arrangements, two elements noticeably lacking in the treatment the States have received from Mr. Fraser. Unfortunately, the Prime Minister's attitude and practices are emulated by his Ministers, to the point where the Federal Minister for Transport (Mr. Nixon) treated his State counterparts with a discourtesy and disrespect bordering on contempt.

Later, the Treasurer continued:

Incidents such as this are not isolated happenings; they seem to be part of deliberate Federal policy to hobble the States by reducing real income to the States and simultaneously increasing the number of State responsibilities.

He continued as follows:

Critical areas such as housing, roads, urban public transport, decentralisation (growth centres), legal aid, area improvement, national estate, and Aboriginal advancement, have all fallen victim to these policies.

Members sitting opposite have encouraged and condoned these attacks. They have claimed that South Australia has received extra money to compensate for these additional responsibilities. Those statements are plain, deliberate, and unvarnished falsehoods. . . . If the Prime Minister attempts to negate, by backdoor means, the benefits to our State of the railways agreement—a valid, legal and binding agreement which did not come out of any special deal for South Australia but from an offer put equally to all the State Governments—then our ability to ease the effects of Federal actions will be still further curtailed.

Later, the Treasurer continued:

How much longer, and on what scale, the South Australian Government can continue on its own with this help is questionable, in the light of the Federal Government's attitude to State finances. Unless the forthcoming Premiers' Conference produces an end to Mr. Fraser's policies of coercive centralism, the full effects of the Federal Government's doctrinaire determination to reduce the living standards of Australian wage and salary earners will inevitably have to be felt in South Australia.

I claim that those statements are extravagant, and that that is the most vicious political argument accompanying the explanation of a Bill and the Supplementary Estimates before the Council since I have been in politics. Most of the explanation is plain, unvarnished politics.

One thing is clear: the disease of inflation must be cured if we are to achieve any worthwhile economic advance. Let us remember that inflation is a self-inflicted wound, and the cure for it is not easy. In healing the self-inflicted wound of inflation, the States have a role to play, just as the Commonwealth Government has a role to play. If inflation is to be tackled realistically, the States as well as the Commonwealth must accept responsibilities. It is naive to expect the Commonwealth alone to bear the brunt of pruning public expenditure, while the States grizzle about their financial responsibilities. I am appalled by the Premier's rejection of the principle behind the new federalism proposals of the Federal Government.

The Hon. A. M. Whyte: He refuses to accept any responsibility.

The Hon. R. C. DeGARIS: Exactly.

The Hon. J. E. Dunford: What about the unemployment situation that Fraser has created?

The Hon. R. C. DeGARIS: When the Hon. Mr. Dunford talks about the unemployment situation created by the Fraser Government, I refer him to what happened under the Whitlam regime from 1972 to 1975, when we had the greatest escalation of unemployment since the 1930 period, and that was caused by the policies of over-expenditure of the then Federal Government. It was almost prodigal expenditure by the Federal Government in the public area at that time. Inflation is the real creator of unemployment.

The Hon. J. E. DUNFORD: Will the Leader give way?

The Hon. R. C. DeGARIS: Certainly.

The Hon. J. E. DUNFORD: I ask the Leader whether he agrees that one thing is missing in the press reports. In his election campaign in Victoria Square, the present Prime Minister said, "I will create jobs for those people who want jobs, and do away with unemployment." In the press only two days ago, it was stated that in the last 12 months unemployment had increased by 34 000. The Prime Minister said that he would do away with unemployment, but he has broken that promise; he is responsible for that problem. The Prime Minister must solve it, because the States do not have the money to enable them to do so.

The Hon. R. C. DeGARIS: I do not want to answer that question, because it is a long story that has nothing to do with what I am trying to say. The Prime Minister promised in Victoria Square to do away with unemployment. However, he said that the job was a three-year job and that the first step had to be the control of inflation in Australia. Unless that was tackled and solved, there was no hope of any other cure for the unemployment situation. Also, in 1972 Mr. Whitlam promised to maintain full employment, and what a mess he made of that! Although some criticisms may well be levelled—

The Hon. D. H. L. Banfield: What about Chipp?

The Hon. C. M. Hill: Look what happened in Tasmania. That proves that people are still with Fraser.

The PRESIDENT: Order! This is not a free-for-all: it is a debate on the Appropriation Bill, and the Hon. Mr. DeGaris is speaking.

The Hon. J. E. Dunford: You said—

The PRESIDENT: Order! The Hon. Mr. Dunford will cease interjecting.

The Hon. J. E. Dunford: I am only saying what he said.

The Hon. R. C. DeGARIS: I freely admit that we have our "Chippis" in our Party. However, I am making the point that one may criticise some of the details of the proposed federalism policy. I freely admit that. In the negotiations that are proceeding between the States and the Commonwealth, there will be criticisms of various points of the federalism policy. At least, let us be genuine in our desire to support the Federal system and the general system that has been enunciated by the Prime Minister. If federalism as originally conceived and developed is to exist in Australia, there will be a need to make the States responsible to the people for their expenditure and not have them sitting back like irresponsible children, grizzling at the Commonwealth Government for more money. Their expenditure should be a responsibility that they bear to the State.

The figures given by the Treasurer in explaining the Bill show that 38 per cent of the State Revenue Budget is a reimbursement of income tax from the Commonwealth and that a further 15 per cent comes from tax reimbursements from the Commonwealth in other grants. A total of 53 per cent of the State Budget comes from the Federal reimbursement of taxation. In my opinion, the existing system has outlived its usefulness and, if we are to achieve a higher degree of responsibility in State expenditure, the State must accept its responsibility in revenue raising.

To continue the present system whereby the States can embark upon any expenditure scheme they wish and then blame Canberra for inability to finance the scheme is not conducive to responsible management. Of course, one of the reasons for the flat refusal of the Labor-controlled States even to support the principles in the new federalism deal is the Labor Party doctrine of hatred of the concept of federalism. I ask members to read statements that have been made by Mr. Chifley and, recently, by Mr. Whitlam when he delivered three lectures in Sydney, so that they will understand the direction in which the Labor Party wants to go in its constitutional organisation in Australia. The Labor Party opposes the concept of federalism. It is a centralist Party, yet the Treasurer has accused the Prime Minister of engaging in coercive centralism. The reverse is the position.

By a strange twist of logic, the Treasurer sees the federalism deal as a centralist plot. He said so following the meeting of the Labor Party Premiers. How far can the Treasurer twist the real intention of the new federalism deal? The policy has been designed in two stages and Mr. Phillip Lynch dealt with them in the Commonwealth Parliament in the 1976-77 Budget Papers. I intend to read what Mr. Lynch said.

[Sitting suspended from 5.45 to 7.45 p.m.]

The Hon. R. C. DeGARIS: Phillip Lynch's speech dealing with the two stages in the new federalism policy is as follows:

Stage 1

(3) Stage 1 will apply as from the beginning of 1976-77. (Commonwealth legislation for stage 1 is to be introduced during the 1976 Budget session of Parliament.)

(4) The States' entitlements under stage 1 will represent a specified percentage of Commonwealth imposed personal income tax. (State legislation will thus not be required in regard to stage 1.)

(5) The "base" to which the percentage will be applied each year will be net personal income tax collected in the year.

(6) The percentage figure for 1976-77, and for subsequent years, subject to any decisions made given relevant points recorded below, will be 33.6.

(7) Personal income tax collections in the Territories will be included in the base figure but with this subject to review in the light of the developments in public finances in the Territories.

(8) The yield or costs of special surcharges or rebates applied, in appropriate circumstances, by the Commonwealth will not be included in the base figure from which the State's entitlements will be calculated.

(9) In regard to the possible effects on the States' stage 1 entitlements of changes by the Commonwealth in its personal income tax legislation, the Commonwealth Government has given a firm assurance to the States that:

(a) it will ensure that the States are fully informed of relevant tax changes made by the Commonwealth and of their estimated effects on the States' entitlements;

(b) it will participate in a review of the arrangements when there are changes in Commonwealth tax legislation which have effects on the States' entitlements of such significance as to warrant such a review;

(c) when post-Budget changes in Commonwealth personal income tax legislation with substantial effects on the States' entitlements are made, the Commonwealth will consider, in consultation with the States, appropriate adjustments in the arrangements to offset the effects on the State's entitlements in that particular financial year having regard to other relevant factors impinging on the States' budgetary positions; any necessary consultations with the States on this matter will be arranged at the earliest practicable stage; and

(d) longer-term trends in regard to such matters as changes in the relative importance of personal income tax *vis-a-vis* other taxes will be kept under notice between the Commonwealth and State Governments.

(10) However, it is agreed that it would not be practicable to devise in advance an automatic formula for defining how changes in Commonwealth tax laws should be reflected in the stage 1 arrangements.

(11) There will be a "guarantee" arrangement to ensure that the States' stage 1 entitlements in any year are not less, in absolute terms, than in the previous year. This arrangement will be supplemented in the first four years of the new scheme (that is, in the years 1976-77 to 1979-80) by a further undertaking that the entitlements will not be less in a year than the amount which would have been yielded in that year by the financial assistance grants formula as laid down in the States Grants Act 1973-75.

(12) A total entitlement for all States will first be determined, to be then divided between the States.

(13) The initial per capita relativities between the States in their stage 1 entitlements will be the relativities in the financial assistance grants in 1975-76.

(14) Subject to (16) and (17) below, and to any absorption of specific purpose payments, these relativities will be carried forward into subsequent years in such a way as to maintain the proportionate relationships between the per capita entitlements of the States.

(15) The four less populous States will continue to be free to apply for grants on the recommendation of the Grants Commission in addition to their basic entitlements as yielded under the arrangements summarised above.

(16) The matter of the relationship between the special grant which Queensland is at present receiving on the recommendation of the Grants Commission and the tax-sharing arrangements is regarded as essentially one between the Commonwealth and Queensland Governments and will be considered by those Governments as necessary.

(17) There will be a periodic review of relativities between all States, advice in relation to this review being sought from an independent review body: the first review will be made before the end of 1980-81 (the same timing as applies to the review of the tax-sharing arrangements as a whole—see (35) below).

(18) Arrangements will be made for the States to be regularly informed, as early as practicable and in confidence as necessary, of relevant estimates in relation to their entitlements.

(19) In relation to the processes referred to in (9) and (18) as they may be affected by matters which are confidential as a result of their association with the Commonwealth's Budget consideration and formulation, the Commonwealth will provide to the States the maximum possible relevant information as is consistent with the security and integrity of its own Budget.

(20) The States will be paid their stage 1 entitlements on a monthly pro rata basis, with adjustments during the financial year as necessary as estimates of personal income tax collections in the year are varied (this being similar to the arrangements under which the financial assistance grants are paid).

(21) There will be full and precise documentation to record the understandings between Governments in relation to stage 1 but this will not take the form of a formal agreement.

That details the Government's intention in regard to stage 1, which has been implemented. Now I come to stage 2, which is as follows:

Stage 2

(22) Under stage 2 each State will be able to legislate to impose a surcharge on personal income tax in the State (but not company taxation or withholding tax on dividends and interests) additional to that imposed by the Commonwealth, or to give (at cost to the State) a rebate on personal income tax payable under Commonwealth law and to authorise the Commonwealth to collect the surcharge or grant the rebate as its agent.

(23) Any State surcharges or rebates will be expressed in percentage terms.

(24) Assessment provisions and the basic income tax rate structure, will continue to be uniform throughout Australia, these being matters for the Commonwealth to determine.

(25) The Commonwealth will at all times remain the sole collecting and administrative agency in the income tax field.

(26) The level of any State surcharges or rebates will be a matter for consideration by each State; relevant decisions will be taken within an appropriate framework of consultation with the Commonwealth and, as considered appropriate by the surcharging or rebating State, with other States, but ultimately the level of surcharge or rebate will be a decision for each individual State. In exercising these powers the States will accept responsibility to work in parallel with and not in negation of the overall economic management policies of the Commonwealth.

(27) Equalisation arrangements will be made so that less populous States will be enabled to obtain the same relative advantage from a surcharge as the States with a broader tax base.

(28) The Grants Commission will be responsible for assessing amounts payable under the arrangements referred to under (27).

(29) The basis for assessment of equalisation assistance to the less populous States in regard to the yield of State surcharge levied under stage 2 (see points (27) and (28) above) will be that supplementary assistance will be provided to a less populous State levying a surcharge to bring the per capita yield from the surcharge up to the average per capita amount which would be yielded if New South Wales and Victoria levied a surcharge on the same basis. The assessment will be independent of any examination of the overall financial position of the State concerned *vis-a-vis* other States.

(30) Detailed proposals to implement stage 2 will be formulated by an officers' working party. The firm target is to have an appropriate framework established, relevant matters agreed and any necessary legislation or other material prepared in time for stage 2 to commence from the beginning of 1977-78.

(31) At an appropriate time the Commonwealth will consider what implications stage 2 might have in relation to the Territories.

(32) Interest on future issues of Commonwealth securities will be subject to State income tax surcharges under stage 2 of the tax-sharing scheme; this change will not apply retrospectively to interest on securities already issued.

When the first proposal came up, the Premiers were generally in agreement with the idea of the new federalism plan. The following is the press release issued following the Premiers' Conference on June 10, 1976:

The tax-sharing arrangements settled today represent perhaps the most important advance in financial relations between Governments in Australia since Federation.

A completely new approach in financial relations between the Commonwealth, the States and local government has been set.

The key factor in the revenue-sharing arrangements is that the States and local government will receive their financial entitlements automatically. Major elements in their finances should no longer be subject to haggling.

The revenue-sharing arrangements implemented today are the foundation for the future development of federalism, including the basic issue of defining clearer and more efficient roles and responsibilities for all three spheres of Government.

Under the new tax-sharing arrangements States will receive much more in the current financial year as untied general revenue assistance than they would have under the Whitlam formula. This is a result the States have been seeking for years.

As set out in more detail below the increase in 1976-77 in funds to be available to the States and their authorities as tax-sharing entitlements, local government assistance, Loan Council programmes and welfare housing advances is estimated at 16.4 per cent.

Tax Sharing

The meeting had before it a comprehensive list of matters decided in relation to the tax-sharing scheme following discussion at the February and April Premiers' Conferences. This list is reproduced as Attachment A. It covers the essential features of the tax-sharing scheme.

At today's meeting there was further discussion on some outstanding subsidiary aspects. A summary of the additional points agreed at today's meeting is set out in Attachment B.

Arrangements for stage 1 of the tax-sharing scheme have now been largely settled, and that stage will commence in 1976-77. Legislation to implement these arrangements, which will replace the existing States Grants Act, will be introduced as early as possible in the Budget session of Parliament.

The Hon. C. J. Sumner: Did the Premiers agree to that press release?

The Hon. R. C. DeGARIS: I will answer the honourable member's interjection after I finish quoting the press release, which continues:

The Prime Minister paid tribute to the co-operative spirit in which the States had discussed the new scheme over the period beginning with the February conference and to the detailed work which had been carried out jointly by the Commonwealth and State Treasury officers.

Present estimates, which it is emphasised are very preliminary, put the States' tax-sharing entitlement for 1976-77 at \$3 711 000 000, an increase of no less than \$638 000 000 or 20.8 per cent compared with the level of the financial assistance grants in 1975-76. The State by State figures are set out in Attachment C.

On present estimates this is \$55 000 000 more than the present formula would have yielded—a formula which is, the Prime Minister noted, itself by no means an ungenerous one, particularly given the provision in it for an increase in the "betterment" factor to 3 per cent from July 1 next. Particulars on a State by State basis of the estimated entitlements and of the estimated amounts that would have been yielded under the financial assistance grants formula are given in Attachment D.

The Prime Minister said that, to avoid any possible misunderstanding, it should be made quite clear that the figures quoted are no more than present estimates. Nevertheless, it is a fair conclusion to say that the new tax-sharing scheme will, on present estimates result, from the States' point of view, in an improvement on an already favourable situation.

The Prime Minister noted that work on stage 2 of the tax-sharing scheme is continuing at officer level. The firm target is to have legislative and other necessary arrangements made so that the States will be able, if they wish, to apply personal income tax surcharges or rebates in their States from the beginning of 1977-78.

In reply to the Hon. Mr. Sumner's interjection earlier, I point out that to my knowledge no great criticism was raised by any Premier in connection with the implementation

of stage 1. Suddenly, however, we find opposition to the new federalism proposal. I clearly understand why State Labor Governments are so opposed to the ideas involved in this new federalism policy.

The Hon. D. H. L. Banfield: What does Queensland think about it?

The Hon. Anne Levy: Is Bjelke-Petersen a socialist?

The Hon. R. C. DeGARIS: Often, when one is making a point, one hears a squeaky voice in the background.

The Hon. N. K. Foster: Don't be personal. You are a contemptible animal at times. Get on with it, you miserable contemptible animal.

The PRESIDENT: Order! The Hon. Mr. Foster will cease that kind of interjection.

The Hon. N. K. Foster: You let him get away with murder, Mr. President.

The PRESIDENT: No-one will call anyone else a contemptible animal.

The Hon. N. K. Foster: I withdraw that, because I have too much respect for four-legged creatures.

The PRESIDENT: Order! I do not call that much of a withdrawal, and I do not know whether the Hon. Mr. DeGaris is satisfied.

The Hon. R. C. DeGARIS: I am not making any complaint. The Hon. Mr. Foster referred to the Victorian Premier (Mr. Hamer) and what he had to say. I do not object to anyone arguing about the various points in the new federalism policy. Naturally there is going to be argument about that, and it will come whether it is about Mr. Bjelke-Petersen in Queensland, Mr. Hamer in Victoria or Sir Charles Court in Western Australia. I am saying that the basic policy involved in new federalism should be supported by all States that see a future in federalism.

The Hon. C. J. Sumner: Will you support us if we have to impose a surcharge in about a year?

Members interjecting:

The PRESIDENT: Order! I suggest that honourable members do not get too excited. The Hon. Mr. DeGaris will explain his view.

The Hon. R. C. DeGARIS: I understand the view of members opposite perfectly because, as I pointed out earlier, they are totally opposed to any federalist system. Their basic policy is to destroy it.

The Hon. C. J. Sumner: From where did you get that?

The Hon. R. C. DeGARIS: From your own platform.

The Hon. J. E. Dunford: That's changed since you were a member of the Party.

The Hon. R. C. DeGARIS: I learned so much in those three weeks that I advise any Liberal to pay two shillings and six pence for the opportunity to learn as much as I did. The Labor Party has a centralist policy and honourable members opposite must admit that. Time and time again we have had members opposite talking about the abolition of this place, the abolition of another place and the transfer of power to one House in Canberra. That is a fundamental policy of honourable members opposite. Naturally, they would oppose any move to produce responsibility of State administration. The Hon. Mr. Foster referred to Mr. Hamer, but I have a high regard for Mr. Hamer, and I refer to one of his speeches on federalism (Victorian *Hansard*, October 7, 1969) as follows:

The States, by and large, are directly responsible for most of the basic needs of a modern community—for education, health, transport, water conservation, roads, law and order, and the administration of justice; and for all the services—power, water, gas, sewerage and drainage—which a modern community needs. But not one State now has the slightest

chance of raising the funds to carry out these functions from the sources under its control. Every State is utterly dependent for a large part—perhaps up to half—of its revenue on payments from the Commonwealth. We may ask: Was this the federation foreseen by the conventions which framed it? Have the Australian people ever been actually asked to approve the present system? Would they be prepared to endorse the system if they were consulted?

I must repeat the remarks of one of the greatest of our early Prime Ministers—Alfred Deakin—because they have turned out to be prophetic in a way which even he did not expect. He said:

As the power of the purse in Great Britain established by degrees the authority of the Commons, so it will in Australia ultimately establish the authority of the Commonwealth. The rights of self-government of the States have been fondly supposed to be safeguarded by the Constitution. It has left them legally free but financially bound to the chariot wheels of the Commonwealth.

The Hon. C. J. Sumner: Was he arguing that point?

The Hon. R. C. DeGARIS: I will reply to the honourable member when I have finished the quote. Mr. Hamer continued:

What we should be examining is how this has come about, how the real spirit of the Australian Constitution has been lost, and how in certain vital respects it has even been perverted to the very opposite of what was intended. I agree entirely with what Mr. Hamer said on this matter. The whole of the original intention of the Constitution has been perverted. The States no longer have the ability to determine where they want to go in financial matters. We have reached a situation today where the Commonwealth is the dominant economic force in the community and all that has happened is that the States spend the funds and then indulge in policies that they are not game to advocate to the people, and then grizzle to the Commonwealth because they have insufficient funds.

It is time that system was changed. The Federal Government is trying to return responsibility to the States. If one does not believe in federalism and if one believes in a centralist philosophy—as does the A.L.P.—then one will oppose any move towards State responsibility. That is exactly what the Labor Party is now doing.

The Hon. J. E. Dunford: What about—

The Hon. R. C. DeGARIS: What I have said is this: there is an argument concerning various bits and pieces, that is, the internal points of the federalism policy, but for goodness sake let us support the principle because, if we do not, we will be like the Hon. Mr. Dunford—a pure centralist seeking to destroy federalism.

The Hon. C. J. Sumner: Will you support us if we have to impose a surcharge on income tax?

The Hon. R. C. DeGARIS: Although I told the honourable member that I would reply to his point in time, I will do it now if he so desires. There is no reason why there should be a surcharge. The Labor Party has pushed out much publicity about double taxation, but it is only so much baloney. It has been pointed out in editorials in both the *Advertiser* and the *News* in South Australia that the question of double taxation is a red herring dragged out by the Labor Party, which is centralist in its policy. There will be no double taxation. It simply means that the Commonwealth will level income tax for what it requires, and the State can then apply a surcharge for its requirements. The States will then be answerable to their people. Indeed, a State or States could make a rebate. If a State is good enough—I refer to the last election in 1975 when the Premier stormed the platforms in South Australia telling

us what a wonderful deal he had achieved with the rail transfer, saying that the State would be \$600 000 000 better off as a result of his magnificent deal with Mr. Whitlam.

If that were the case South Australia would be able to give a rebate and not have to levy a surcharge. I refer again to the first part of stage 2, which provides:

Under stage 2 each State will be able to legislate to impose a surcharge on personal income tax in the State (but not company taxation or with-holding tax on dividends and interest) additional to that imposed by the Commonwealth, or to give (at cost to the State) a rebate on personal income tax payable under Commonwealth law and to authorise the Commonwealth to collect the surcharge or grant the rebate as its agent.

If one believed the Premier of this State when he stood on the platform during the last election campaign and talked about his magnificent railway deal with the Commonwealth, it would be obvious to one that the Premier of this State would be able to give a rebate, not impose a surcharge.

The Hon. J. E. Dunford: He hasn't got the money.

The Hon. R. C. DeGARIS: What, when 12 months ago he had \$600 000 000 up his sleeve? If the Premier is genuine, and if this State with its railway deal (with every other State carrying the burden of losses incurred on the railways) cannot give a rebate on its railway, it is time that the people of this State questioned their Premier and their Labor Government. That is the real reason why the Labor Party opposes the federalism plan: it knows that it will have to impose a surcharge. With all the statements made by the members of the Labor Party, it should be able to make a rebate. I have no doubt whatsoever that Mr. Bjelke-Petersen in Queensland will give a rebate.

The Hon. F. T. Blevins: It won't have anything to do with it, anyway.

The Hon. R. C. DeGARIS: Of course it will.

The Hon. F. T. Blevins: Bjelke-Petersen reckons that Fraser's a crook.

The Hon. R. C. DeGARIS: That is the normal type of statement made by the Hon. Mr. Blevins. As far as he is concerned, everything is crook. Mr. Bjelke-Petersen said that he would not impose a surcharge, and we in this State know that, if what the Premier has said in the past 12 months is valid, this State will not impose a surcharge but will grant a rebate.

The Hon. C. J. Sumner: What Government services will you cut out?

The Hon. R. C. DeGARIS: It is not a question of cutting out services. That is not the point.

The Hon. C. J. Sumner: Where will you make the cuts? Tell us.

The Hon. R. C. DeGARIS: We would not have to make cuts.

The Hon. N. K. Foster: You had to make a quick decision at 7.30 to introduce this sort of stuff.

The Hon. R. C. DeGARIS: I always know when I am correct, because the Hon. Mr. Foster will warble in the background. This State Government is dead scared of the federalism proposal—

The Hon. F. T. Blevins: That's right.

The Hon. R. C. DeGARIS:—because for the first time it will be responsible to the people of South Australia for its financial management.

The Hon. F. T. Blevins: What about double taxation?

The Hon. R. C. DeGARIS: Every newspaper editorial in Australia has pointed out that the double taxation argument is bunkum, and every Government member knows

it. Under the new federalism, the person who is spending money is responsible to the people for raising it, and that is where the responsibility should lie.

The Hon. F. T. Blevins: Are you speaking on your own behalf or on behalf of the Liberal Party when you support double taxation?

The Hon. R. C. DeGARIS: I express my own view as well as that of the Liberal Party. I now refer to what Mr. Hamer has said on the matter of the financial responsibility of the States, as follows:

I believe the problem of Federal-State relationships will be the major issue facing the new Federal Government after October 25, not only because of our present chaotic condition, now made worse by the recent High Court decision on the Western Australian Stamp Act, but also because the present formula for tax reimbursements expires in June of next year. What lies immediately ahead is vital to the future of responsible government in Australia.

This is not an indictment of any Government; it is rather a plea for the reform of the whole system as an act of statesmanship. It cannot be satisfactory to the Commonwealth even to perpetuate a system under which the States are increasingly large spenders and the Commonwealth is the main tax gatherer. It may be asked whether this can be done. I contend that it can be achieved; it has been effected in Canada. Income tax powers can be shared, even under a system of uniform collection, and, if necessary, so can other tax sources without impairing the Commonwealth's undoubted need to control the overall economy.

Although Mr. Hamer has certain arguments with various details of the policy, let me assure you, Sir, that the Victorian Premier supports the principle, and that is the point that I made right at the beginning of my speech. The Premier of this State should not be running around trying to destroy the new federalism policy. Let me now refer to the various points in the deal that he wants to change, and let us debate them. However, for goodness sake, let us support the principle of moving to a system under which the States have a financial responsibility to the people whom they govern.

The Hon. F. T. Blevins: Double taxation.

The Hon. R. C. DeGARIS: Double taxation my eye! It is not double taxation. Let us get that right out of our minds. It is tax sharing.

The Hon. J. E. Dunford: Mr. Lynch said that it is additional taxation.

The Hon. R. C. DeGARIS: It is not double taxation but a system of tax sharing with the Commonwealth, where the efficiency of the Administration at the State level can be seen by the taxpayers that vote at an election, and that is an essential difference.

The Hon. J. E. Dunford: You read *Hansard*. You read out, "additional taxation".

The Hon. R. C. DeGARIS: If the Hon. Mr. Dunford does not understand what I am saying, I am willing to go through it all again if he so desires. I am saying that under the scheme the Commonwealth Government will impose an income tax, and the States will get their fixed share of that income tax raising. If the States want to do more they can impose their own surcharge that the Commonwealth collects. However, if the States are well managed, they can also apply a rebate. I make the point that the efficient States are not frightened of this new policy: the States that are afraid that they will be exposed to the view of the taxpayer are the ones that are frightened of it.

The Hon. J. E. Dunford: You're going back so far that they will have to bring in an additional tax.

The Hon. R. C. DeGARIS: If that happens, it will still not be double taxation. I do not care how far the Commonwealth comes back in its income tax rating. That does not worry me.

The Hon. J. E. Dunford: But it does worry the people.

The Hon. R. C. DeGARIS: We have imposed taxation since 1870. I suppose Governments must do so in order to keep themselves going. However, in the 1850s or the 1870s taxation was raised in this and every other State by the imposition of charges or the application of capital forms of taxation. The Government could raise taxes in those days only in the form of land tax and death duties, or in other ways of capital taxation. So, the whole of our taxation system began with a tax being imposed on the person who owned something. Since then, the whole of our society has changed. We have now become an equalitarian society; it is probably the most equalitarian society in the world. However, we still rely on the base of taxation that existed in 1870. The whole of the local government taxation system is based on a capital form of taxation. Local government rates a person because he owns a property, and 96 per cent of the whole of local government is financed by a tax on property. The State Governments impose tax by death duties, gift duties, and land tax, so our tax rating is still related to a capital form of taxation. If the States and local government are to break this bind, this insistence since 1870 on a tax system, the only answer is for the States to be involved in an equalitarian system.

The Hon. F. T. Blevins: Double taxation.

The Hon. R. C. DeGARIS: Double taxation my eye!

The Hon. N. K. Foster: Did we ever have double taxation?

The Hon. R. C. DeGARIS: We have it now. The State imposes death duties and the Commonwealth imposes death duties. We have taxation on the lottery of death. What will happen will be that we will have a more realistic State policy, because the State will be responsible for its own tax-raising. The States will be accountable to the people, and that is not so at present. The Treasurer's explanation is no more than unvarnished politics.

The Hon. C. J. Sumner: What is varnished politics?

The Hon. R. C. DeGARIS: Varnished politics is what he usually engages in. I have no doubt that this Government will have to impose a surcharge, if we look at all the guff that has been put out by the Treasurer on the railway transfer deal. Regarding the new federalism proposal, first, the use of the surcharge or rebate has many possibilities. If it is to be a surcharge, it will enable the States to drop taxes that hit people when they are least able to cope.

The Hon. F. T. Blevins: Can they not do that now?

The Hon. R. C. DeGARIS: Of course not, because they have not available another form of taxation that is more equalitarian. The use of the surcharge will hurt people when they are least able to cope with death duty, stamp duty, transfer fees on houses, etc. Can any member justify the imposing of a charge of more than \$1 000 in transfer fees on a young couple buying their first house?

The Hon. F. T. Blevins: You justified it when you were in Government.

The Hon. D. H. L. Banfield: Who introduced that form of taxation in South Australia?

The Hon. R. C. DeGARIS: The honourable member's Party did.

The Hon. D. H. L. Banfield: You did not take it off in 1968.

The Hon. J. E. Dunford: Young people, because of your Party, have not a job. Lang Hancock is reported in the newspaper today as having said that Fraser is a hypocrite.

The Hon. R. C. DeGARIS: I was saying that the surcharge question has many possibilities in allowing the State to drop or reduce taxes on people who are least able to cope.

The Hon. J. E. Dunford: When did a Liberal Government, apart from Bjelke-Petersen's Government, reduce taxes?

The Hon. R. C. DeGARIS: I am talking about taxes that affect certain people, taxes that affect people on the lottery of death, such as when there are three deaths in a family in a year. I am also talking about stamp duty on transfers, and this Government has increased, three times since 1968, that duty in the case of persons buying their first house. The surcharge arrangement allows the State to examine these vicious forms of taxation. They are based not on ability to pay but on an equalitarian system. If adequate independent revenue sharing arrangements exist, the States will be able to act as full partners. The Commonwealth will not be able to use financial threats to bludgeon the States as it has been doing for the past 30 years and as every Minister opposite knows. The Federal Government that has control of the purse will bludgeon the States, as Deakin said.

Each State would, in the ideal federal structure, be able to preserve its problem areas and rank and treat its priorities without outside interference. If a central Government tries to achieve national uniformity, everyone is relegated to the standard of the lowest common denominator, and the present Government of South Australia is afraid that this State may be the lowest common denominator. Many State Ministers are opposed to the federalism principle because they effectively have sweetheart arrangements with the Federal bureaucracy by which specific purpose grants are given in a Minister's area of responsibility and he then receives the kudos for being a Minister, without having the responsibility involved.

The best government is the least government, and the least government is obtained by reducing the bureaucrats' chain of command that has been built up in Canberra. Devolution of power will give the individual much more accessibility to decision makers. Small States will gain financially under the federalism policy as the Grants Commission Equalisation Formula is used to determine the amounts each State should receive. If a surcharge is implemented, a percentage is paid by the Commonwealth for the poorer States. If funding is given to the small States out of general revenue by way of section 96 grants, the small States do not receive the benefits of the equalisation formula.

In regard to South Australia's Budget surplus about which we have heard much in the past two years in connection with the railways deal, the State Government, if it was fair dinkum, could give a rebate to the people under stage 2 of the federalism policy. If this is so, why is our Treasurer afraid of the new federalism deal? That is the answer to the Treasurer's appalling explanation of the Supplementary Estimates. It was an attack upon the concept of the Commonwealth's present view in regard to federalist policy in Australia. Unless this policy succeeds, there is very little hope in the future for State Governments in Australia, because the general process over the

past few years has been the gathering of power into the hands of Canberra while the States are becoming less and less potent to govern their own affairs.

What Alfred Deakin said in 1906, when the High Court made a determination in regard to the surplus funds of the Commonwealth, is exactly correct; that was the turning of the whole wheel as far as federalism is concerned. The great tragedy in all this is that the State Premiers have the ability to perform before the media, criticising the Federal Government because it will not find enough money for the pet schemes of the State Premiers.

The Hon. C. J. Sumner: What schemes?

The Hon. R. C. DeGARIS: If the State Premier had to face the people of South Australia and said, "We are going to tax you to do this", they would take a totally different view. That is the whole question of responsibility and accountability; that is the essential ingredient in the new federalism proposals. I am more than critical of the speech made in this Chamber, which was purely political, to destroy what I believe is the first fruitful move towards a sane federalism policy that I have seen since I have been in Parliament, and since the High Court decision of 1906. I am appalled at the tone of the second reading explanation. I hope the Premier may see differently and that he may at least come out and say that he believes in the ability of this State to govern itself, to be responsible to its electors, and to stand on its own financial feet; but I understand why the Premier is opposing, because, once he has to be responsible to the electors of this State, the people will see through the policies that have been followed.

The Hon. C. J. Sumner: What ones? You have not said where you will make your cuts.

The Hon. N. K. Foster: He is not likely to—he is a Liberal.

The Hon. R. C. DeGARIS: The Premier of this State stood on the platform at the last election and spoke about \$600 000 000 that this State would gain. If that is true—

The Hon. C. J. Sumner: Over a period of years.

The Hon. R. C. DeGARIS: Ten years. That means that this State is the only State in Australia able to give a rebate.

The Hon. B. A. Chatterton: But you just said Queensland would.

The Hon. R. C. DeGARIS: I said nothing of the sort.

The Hon. F. T. Blevins: You said the Queensland Premier was absolutely certain that he would give a rebate.

The Hon. R. C. DeGARIS: I said that Queensland would not oppose a surcharge. If one believes the publicity of the Premier of this State in regard to railway deals, this State should grab the federalism deal with both hands and say, "We are the only State that will give a rebate"; but, no: this Premier is afraid that he will have to impose a surcharge, which will expose his Administration; and, secondly, the fundamental policy of the Labor Party is to destroy federalism, and anything that would make federalism work must be opposed by the Australian Labor Party.

The Hon. M. B. CAMERON moved:

That the debate be now adjourned.

The Council divided on the motion:

Ayes (8)—The Hons. J. C. Burdett, M. B. Cameron (teller), J. A. Carnie, Jessie Cooper, M. B. Dawkins, R. C. DeGaris, D. H. Laidlaw, and A. M. Whyte.

Noes (10)—The Hons. D. H. L. Banfield, F. T. Blevins, T. M. Casey (teller), B. A. Chatterton, J. R. Cornwall, J. E. Dunford, N. K. Foster, C. M. Hill, Anne Levy, and C. J. Sumner.

Pair—Aye—The Hon. R. A. Geddes. No—The Hon. C. W. Creedon.

Majority of 2 for the Noes.

Motion thus negatived.

The Hon. N. K. FOSTER: I have seen some charades in my time, but we have just seen a member of the Opposition stand here and move the adjournment of the debate. Then another member of the Opposition, who had more principles than the rest of his colleagues, voted with us to ensure that the debate would continue. That the Hon. Mr. Cameron then had the effrontery to stand there and plead for his colleagues to say "Yes, Mr. Cameron; you may proceed", amazes me. The Hon. Mr. DeGaris referred to centralism and federalism, but I stress the need for a common approach in the interests of all Australians; regardless of where they live, they have basic human goals.

The Hon. C. M. Hill: Are you against the States?

The Hon. N. K. FOSTER: The honourable member should be a little patient. I intend to refer to some documents to which members of his Party contributed in connection with the 1951-52 recession. I remind the Hon. Mr. DeGaris, if he is still smoking a cigarette behind the President's chair, that that recession and the associated unemployment were dealt with in a manner that provides a contrast with present Federal policies. The report of the Constitutional Review Committee, at page 139, states:

Post-war inflationary trends drew to a halt in 1951-52 largely as a result of external factors. Boom conditions, further fostered by the Korean War, ended and a recession developed. There was a particularly heavy fall in the value of exports, in which lower wool prices were a major factor. At the same time, an unprecedented level of imports was flooding the country. The value of imports in 1951-52 was over £300 000 000 more than in the previous year and almost double that of 1949-50. In 1952, there was increased unemployment.

The Hon. C. M. Hill: From which document are you quoting?

Members interjecting:

The Hon. N. K. FOSTER: These colleagues of yours, Mr. President, must subject you to awful tyranny.

The PRESIDENT: I wish the honourable member would ignore them if they trouble him.

The Hon. M. B. CAMERON: Mr. President, I draw your attention to the state of the Council.

A quorum having been formed:

The Hon. N. K. FOSTER: The report of the Constitutional Review Committee continues:

The budget for 1952-53 provided for reduced taxation. The Government also made substantial cuts in the immigration programme and imposed severe import restrictions to correct the adverse balance of trade. In the field of banking, although rates of interest on deposits and overdrafts were increased, the banks were encouraged to expand the scale of their lending in some directions with a view to providing an internal stimulus to the economy. The central bank made large releases from the special accounts held with it by the trading banks. Towards the end of 1952, the Prime Minister attended the British Commonwealth Economic Conference in London. The conference was concerned with the need to curb inflation and rises in the cost of living in order to encourage sound economic development and to extend a multilateral trade and payment system over the widest possible area.

There is no easy cure for the present situation. The first recorded recession in Australia occurred before Federation. During their conventions, the founding fathers complained

that it was beyond the power of any one State in pre-Commonwealth days to put into effect an economic policy that would overcome the recession of the 1890's. If the Hon. Mr. DeGaris wants to quote all that Mr. Deakin said, I point out that Mr. Deakin is on record as saying during one of the early conventions that the bicameral system would not work federally; the Senate would never be a States' House. Mr. Deakin foresaw the polarisation of the two-Party system in Australia. The Hon. Mr. DeGaris left unsaid the more important things that Mr. Deakin said. I was surprised that the Hon. Mr. DeGaris did not refer to the Interstate Commission.

There have been several attempts by Commonwealth Governments of both political complexions in connection with the Interstate Commission and economic policies between the States, without depriving any State, particularly a small State, of its rights. Perhaps the kind of situation we have experienced in the past five years will continue into the next decade. The Constitutional Convention of the 1950's is relevant in this connection. Much can be learnt from the recommendation of the convention held in the late 1950's. The Leader was foolish and stupid in his continued reference to centralism and federalism, which offer no protection for the unemployed and no relief to our present economic plight. I recommend to the Leader that he read the speech given by Malcolm Fraser on January 27, 1975, for the forty-sixth A.N.Z.U.S. conference.

The Hon. R. C. DeGaris: I have read it.

The Hon. N. K. FOSTER: Then the Leader should have read it tonight, as he would have seen the woolly thinking of that man, into whose plans and plots one could read the Kerr action much later in November 11, 1975.

The Hon. R. C. DeGaris: Quote the relevant part of that speech.

The Hon. N. K. FOSTER: I will not quote from it now, although I could.

The Hon. R. C. DeGaris: What you are saying is incorrect.

The Hon. N. K. FOSTER: It is not.

The Hon. R. C. DeGaris: Well, quote it.

The Hon. N. K. FOSTER: I will not do the Leader's dirty work for him. If what the Leader has said about the speech is correct, and if what Mr. Fraser said in 1975 is a cure-all for our economic ills, how is it that we now have the highest unemployment level in our history? If the Leader wants me to refer to this speech and say that Mr. Fraser is right, why is every worthwhile businessman suffering because of Mr. Fraser's inability to correct the Australian economy? If he was right then, why is he now saying he will cut spending in the education, welfare and social security sectors? Why is he saying that the only area in which spending will not be cut is defence?

If what is contained in that speech is true, it is a direct contradiction of the situation confronting Australia today. If the Leader denies that, he must say that we have no economic problems whatever, that unemployment today is non-existent and that the next Commonwealth Budget will increase expenditure on welfare, tertiary and adult education, and trade classification opportunity areas. The Leader's speech in this Chamber tonight was the most defeatist speech I have ever heard from a politician. It was reminiscent of the speeches made in the late 1920's and early 1930's preceeding the infamous Premiers' plan.

I am saying that Mr. Fraser has embarked on a policy of economic restructuring, which has inhibited any form of natural, let alone planned, recovery in the economy. From my personal knowledge of the man, Mr. Fraser is determined, pig-headed and short sighted. When one puts his

career under study, one sees that. I refer to his associates in big business; indeed, the Leader should read some of the books written about him. I refer to one in particular, written by the wife of a previous United States Ambassador to Australia. In this way honourable members can obtain an insight into the man from Wannon and determine how inflexible, stupid and pig-headed he can be. Would Mr. Fraser even implement policies of Mr. Menzies, who will go down in history as a bust and do-nothing Prime Minister for over 20 years?

The Hon. R. C. DeGaris: He lasted a long time. How long did Whitlam last?

The Hon. N. K. FOSTER: I am not talking about Whitlam, Scullin, or Lyons: I am saying that the Leader tonight tried to condone this situation by saying that centralism and federalism appeared differently from the two sides of the political spectrum. I am saying that that is false: the Leader merely took that position as a vehicle to attack the Bill. He blazed away for about 30 minutes arguing the point with himself, his colleagues and Government members, every now and then asking whether or not there would be a rebate or a surcharge.

The Hon. C. J. SUMNER: Mr. Acting President, I draw your attention to the state of the Council.

A quorum having been formed:

The Hon. N. K. FOSTER: The Hon. Mr. DeGaris, the chosen Leader of the Opposition in this place, the chosen Leader of the alternative Government in South Australia, laid bare the so-called forward-looking policies that a Liberal Government in this State would implement in order to return the unemployed to work. The Leader did not confine his remarks to South Australia: he accepted the mantle of responsibility for the whole of the Commonwealth. Indeed, he dared Government members not such a long time ago to refer to anyone in the Federal Government, speaking as he was in this august Chamber of falsehoods and innuendoes. Has the Leader the courage of his convictions? He has not even waited to see what Mr. Hamer had to say tonight in an effort to pluck Mr. Fraser out of the embarrassing position in which he had been placed by his Canberra colleagues in the past few days. Not once have we seen the Federal Treasurer, the infamous Mr. Lynch, exposed by the media. That has yet to come. No alternative policies have been put by honourable members opposite. It makes me smile when I think of what the Opposition's attitude will be at the next election. Although they get into this place by only a handful of votes, members opposite think they have some God-given right to use flash terms such as "centralism" or "federalism". Why have they not got up tonight and made some constructive criticisms?

The Hon. R. C. DeGaris: I have.

The Hon. N. K. FOSTER: The Leader has not done so. He made no constructive criticisms whatsoever of the Bill. He merely referred to the alternatives of rebates and surcharges. However, they are not alternatives, and members opposite know it. We did not hear much from the honourable gentlemen opposite of the \$750 000 000 secondary industry allowance that was given so generously by the Fraser Government in the last Budget. When he delivered his Budget speech, Mr. Phillip Lynch said that it would lift the country out of the mire of economic recession and would ease the States' problems. It would mean that there would be no cuts in taxation. It was thought that the Prime Minister was at last going to put some meaning into his words. However, the \$750 000 000 given to this country's secondary industries was just as wasteful, if

one examines what the Leader of the Federal Government has said, as any of the money that has been allegedly wasted in the Aboriginal Affairs Department.

There is only one way in which our present problems can be solved, and it is a way that the Fraser Government will not adopt. It can be done by the use of a measure not dissimilar from that used in 1952. I do not intend to refer any further to what the Hon. Mr. DeGaris said, because he said so little. Perhaps I should be excused for saying so much in an attempt to belittle him. The Hon. Mr. Hill comes to mind.

The Hon. F. T. Blevins: Where is he now?

The Hon. N. K. FOSTER: I think he must have gone to Malaysia on a one-way ticket. Honourable members can almost tell what the Hon. Mr. Hill intends to say.

The Hon. M. B. Cameron: It's different with you: you always talk so much rubbish.

The Hon. N. K. FOSTER: Putting it in what the honourable member calls simplistic terms, what is happening in North Malaysia—

The Hon. C. M. Hill: What has this to do with the Bill?

The Hon. N. K. FOSTER: The Hon. Mr. Hill says that men in Australia are being deprived of work.

The Hon. C. M. Hill: I said that they will be.

The Hon. N. K. FOSTER: I accept that the honourable member said that. How long has he been in this place?

The Hon. C. M. Hill: Much longer than you.

The Hon. N. K. FOSTER: Yes, the honourable member has been buying votes for so long that—

The Hon. C. M. Hill: What about you? Frank Kneebone rolled you at one time.

The PRESIDENT: Order! I think we have had enough of old, unhappy, far-off things.

The Hon. N. K. FOSTER: The Hon. Mr. Hill is concerned about certain activities of the State Government in North Malaysia. As far as he is concerned, no-one should leave South Australia in order to further the interests of the State. However, although the honourable member was enmeshed in politics in the Playford era in the 1950's and 1960's, I did not hear him moaning and groaning about all the flourmilling interests that left South Australia's sunny shores and set up business in Singapore, Malaysia and Indonesia. There was not a bleat from the Hon. Mr. Hill then.

To return to the Bill, the Hon. Mr. Hill did not, in any way, shape, or form, make a valid criticism about the estimates of expenditure that have been placed before the Council. If the honourable member wants to undertake some form of a private inquiry (of which, I understand, he has had some experience) into the timber industry, and into the importation of softwood timbers from North America, I should be pleased to help him. If he wants to talk about imported timber and how it will become a burden on this State's house builders, the honourable member ought to be looking at what is happening other than under the Malaysia agreement. I expect those Opposition members who have not participated in the debate to get up and suggest an alternative policy. I am referring to those honourable gentlemen opposite who claim to have been born to lead and to judge; no-one other than the Liberals has such rights. The Opposition should say what the Dunstan Government has achieved since it came to office, its rightful place. People marched past Parliament House demanding justice. Even the Leader's mate, Max Harris, marched.

The Hon. R. C. DeGaris: What about 46 per cent of the vote for the House of Assembly giving you Government?

The Hon. N. K. FOSTER: In 23 years, a Liberal and Country Party Government in Canberra got a majority only once, and Playford got a majority only once in his 30 years. If the Liberal Party had won the District of Gilles, it would not have mattered what percentage that Party had: it could have said that it had the numbers. However, it did not win in that district. Members opposite are running into an election next year. All the shonky appeals to courts here and overseas on behalf of the Liberal Party are nothing more than a guise, and they will be of no avail. Members opposite will not be in the race unless they do better than they have done this afternoon. They have no policies, and even their Leader in the other place left this Chamber just now because of their miserable performance. In conclusion, I support the second reading, but—

Members interjecting:

The PRESIDENT: Order! The honourable Mr. Foster said that he was speaking in conclusion, but I am still waiting.

The Hon. N. K. FOSTER: I am waiting for you to shut up that baffle of yours on the other side. They have no regard for the reporters, and if *Hansard* cannot hear we will have to go back to the dim dark ages when the *Hansard* reports were published in the newspaper. I want from the Opposition constructive criticism on how it will treat the trade unions, how far it will let interest rates escalate, and what restrictions it will impose in the banking area. Let us hear from that Party that it will agree with the umpire's decision on matters within the jurisdiction of the wage-fixing tribunal. Let the Party say that it will act against the petroleum companies, which have been ripping-off every motorist for many years, and let it say what it will do about an agricultural produce marketing policy that gives the farmer a just return for his product.

I want the Liberal Party to say what it will do regarding the State health authorities. I do not want it, because of its numbers, to make contemptible references to matters that come before the Chamber. What will its policy be regarding shipping and trade through the State? Further, members opposite criticise the present railway system, but what is their alternative? Will they insist that the Commonwealth give the railways back to the State? If I was a member of the Opposition, I would be disappointed with the Opposition members. They have a policy of frustration and their word is not worth a tinker's damn. The Hon. Mr. DeGaris gave his word in regard to the can legislation and, when the House was in recess, he said he would withdraw any undertakings that he had given.

The Hon. R. C. DeGaris: What is this nonsense?

The Hon. N. K. FOSTER: It is policy that you ought to be enunciating. You do not play the role of politician in a constructive sense.

The Hon. R. C. DeGaris: When did I withdraw my word?

The Hon. N. K. FOSTER: You have ridiculed the policy of the present Government.

The Hon. J. C. Burdett: When did the Hon. Mr. DeGaris withdraw his word?

The Hon. N. K. FOSTER: What are you talking about? You are a miserable, contemptible Opposition. You stood in this Chamber and tried to ridicule the Minister, but you did not have courage. The Hon. Mr. Burdett made

the most vile accusations. He mentioned the names of two gentlemen in connection with a Minister of this Government, and he made disparaging remarks.

In the past few weeks, in the pages written by racing editors and commentators for the *Advertiser*, the *News*, and the *Sunday Mail*, we see reference to principal races and we see what stables, what horses, and what jockeys were in front when they should have been behind in terms of the betting trends. I ask members opposite to do some research and find out who was winning what and when. They should not go back four years to ridicule a Minister on such a flimsy basis. Even a member of their own Party disowned them that day. I make no apologies for that; you have no policy at all in the Commonwealth. You can never hope to have that with your present set-up, and you have no policy for the continuance of the prosperity of this State.

The Hon. C. M. Hill: Which horse was it?

The Hon. N. K. FOSTER: You go to the races—I don't. You get a newspaper. It was from a casual observation by me. If you made such an allegation as you did and named people in this Chamber against whom you say allegations were made, I suggest that you look at the *Advertiser*, the *News*, and the *Sunday Mail* in regard to what horses won what races in a period of time; that is all I said. There was no innuendo.

The PRESIDENT: Order! We have had all this before.

The Hon. N. K. FOSTER: The honourable member asked me again.

The PRESIDENT: This is an Appropriation Bill. I know an honourable member can go as long as he wishes to but the Hon. Mr. Foster is really getting over the fence and going back to what he said previously. About 10 minutes ago the honourable member said he was going to conclude; I hope he has not forgotten that.

Members interjecting:

The PRESIDENT: Order! I think honourable members should stop putting pennies in the slot.

The Hon. N. K. FOSTER: That is a good remark but there is an answer to it. It is typical Liberal Party philosophy. We all remember what that Party's theme song used to be. It is inappropriate for the Chair to make that sort of remark. I refer to the attitude of the Hon. Mr. Cameron, who got up and attempted to adjourn the debate in a frightful manner, and for that he should get the message that it was not on. I commend to members of this Council the Premier's speech. I can only hope that, apart from the jocularity that has entered this debate, they will think seriously about what they will say in the future in this place about the alternatives.

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

FORESTRY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from April 12. Page 3275.)

The Hon. M. B. CAMERON: It is hard to follow the rather rambling diatribe we have just heard. I am surprised at the attack on me.

The PRESIDENT: Order! We are now dealing with another Order of the Day. Will the honourable member please concentrate on the Forestry Act Amendment Bill?

The Hon. M. B. CAMERON: I accept your ruling, Mr. President. This Bill comes somewhat as a surprise. I imagine there would be no person in this Parliament who would not agree that the Forestry Department is one of the most successful Government departments. It has an excellent record over the years of returning to the Government considerable revenue and it has, of course, built up a soundly based industry in many parts of the State, principally in the South-East but also extending beyond that. It has over the years been run, as the Minister of Agriculture will be aware, by the head of the department, who has been called a conservator; he has been required to have forestry qualifications.

One of the first proposals in this Bill is to eliminate the provision for a Conservator of Forests and for the officer in charge of forestry to be a fully qualified forester. One should take this step carefully when one looks back and considers the success that has come from having this provision for a conservator in the department. I do not think anyone would disagree if I said there is no single conservator who has not added considerably to the department, and there has also been a forestry board. It is obviously the Government's intention to bring the department right back under the control of the Minister and to take away any independence of action that this section may have had.

The Hon. B. A. Chatterton: Oh!

The Hon. M. B. CAMERON: That is how I read it. The Minister does not want a board any more. He is better than previous Ministers and does not need advice any more or a properly qualified conservator. He can handle the situation without having that sort of advice available to him as Minister—

The Hon. B. A. Chatterton: Oh!

The Hon. M. B. CAMERON: —because he, as Minister, has taken this step in relation to this extremely successful enterprise. I have looked at the situation in other States and find that in all of them, except Victoria and New South Wales, there are conservators who are required to have forestry qualifications. In New South Wales and Victoria, there are commissions, which of course have some Ministerial control but nevertheless they are forestry commissions and have some independence. I should have preferred the Minister, if he was to take any action at all in this matter and wished to make alterations, to move in the direction of setting up an organisation which would have the sort of independence of action we see in so many other semi-government organisations, such as the Electricity Trust, the Housing Trust—

The Hon. B. A. Chatterton: Samcor.

The Hon. M. B. CAMERON: I have some doubts about Samcor; I would not call it successful, or it is successful at our expense. That is a totally different set-up. The Minister is to be given great credit for making ours the highest cost abattoirs in Australia! The present Minister took over Samcor, and costs have risen astronomically. I would rather see it the other way, that being the end result of such a move. The Forestry Department is more than a grower of trees; it is now a very large business enterprise and I suppose one could argue that there are people perhaps qualified in other sections who could take up the role of head of the department, if that is what is wanted. Of course, this Bill goes further than that and extends the change to the point where the person who will be chosen as what used to be the Conservator will now be the head of the department, and he will not be required to have any qualifications laid down in legislation.

The Government failed in connection with Monarto, where it wasted large sums of the State's money. Because it had a few men spare, it transferred the Chairman of the Monarto Commission to the Craft Authority. To hell with whether the Craft Authority needed a person with specialist qualifications! It was just a straight transfer. There is nothing to stop the Government taking a person who is redundant in some other failed project of the Government and bringing him into the Woods and Forests Department. What assurance have we that the Government will not do that? I therefore believe that it would be sensible to leave the forestry qualification in the legislation. I stress that the most important aspect of the Woods and Forests Department is the trees. Any decision that is made affecting the trees cannot be altered next year. If a wrong decision is made, an area of forest is finished for between 25 years and 40 years.

If the Woods and Forests Department was running short of revenue, there would be nothing to stop a decision being made to cut more than the usual quantity of trees. The trees could be cut at the wrong stage, purely because of a commercial decision—not a forestry decision. In any area of primary industry, if the breeding stock is destroyed, it takes a long time to restore the situation.

The Hon. R. C. DeGaris: The important point is the Conservator's certification as to whether trees are properly available.

The Hon. M. B. CAMERON: Yes. The head of the department should have forestry qualifications. I stress that a person with commercial qualifications may have no idea about the effect of his decisions on the trees. If an officer does not have forestry qualifications, there is the danger that he could make unwise decisions about forests.

The Hon. R. C. DeGaris: The Director-General of Medical Services should always be a doctor.

The Hon. M. B. CAMERON: Yes. No-one would select a Director-General of Medical Services who was not a doctor. The basic aspect of the Woods and Forests Department is the trees, and the person in charge should have a basic knowledge of them, before matters get to the commercial division. Why is the Minister introducing these changes? Is there internal jealousy? No doubt the Minister will say that some decisions have been wrong in the past, but I believe that by and large the department has been successful, and the Minister should be very cautious about making changes. The Minister should seriously consider any request for further information on this matter.

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

NOISE CONTROL BILL

Adjourned debate on second reading.

(Continued from April 12. Page 3279.)

The Hon. M. B. CAMERON: This Bill is probably one of the most weak-kneed Bills that have been introduced to Parliament in my time. Some Bills in this Chamber have been described as hybrid Bills, and I have heard this expression from time to time, but the best expression for this Bill is that it is a "eunuch" Bill. It is fat, it has tons of padding but it lacks a vital function. The Minister in another place referred to people emasculating the Bill, and I guess that that is what he had in mind, but he did not say that it was he who was emasculating it.

He has taken out the most vital feature of the Bill, that is, the provision dealing with motor vehicle noise. I have read part of the Select Committee's report and it is incredible that this Government can ignore the evidence of almost every expert in this field in Australia and, for some unknown reason, decide that the provision relating to motor vehicles shall come out of the Bill. It is not possible to leave out the provision relating to motor vehicles and have an effective Bill on noise pollution.

Any person living near or on a main road will know that the greatest single deterrent to living there is not the neighbour's lawnmower, discotheque, radiogramme or similar device but the noise made by vehicles passing that property. Property values are low on main roads, purely because of motor vehicle noise.

When the Bill was introduced I was surprised to see that this provision had been excised by the Government. Every person living in the Adelaide suburbs knows that motor vehicles cause the greatest single noise problem after hours. Certainly, I can see inspectors being called after hours to take meter readings of neighbours' barking dogs. That will be a fascinating task after midnight, especially as the inspectors will have to get the dog or dogs to bark on command. The inspector will have to wait until a dog is willing to exercise his voice before he can get a reading. I can imagine an inspector or police officer waiting in the garden for the culprit dog to bark. The only problem will be that the officer will not be able to hear the dog bark because of the vehicle noise if the property is adjacent to a main road. Can honourable members imagine the inspector's frustration after sitting in the garden knowing that vehicles are travelling on the adjacent roadway and that he can do nothing about it.

The Hon. R. C. DeGaris: Are you saying that an inspector may not get a reading of the barking dog because of the noise made by motor vehicles on the road?

The Hon. M. B. CAMERON: True, and how will one decide which noise is which? It has already been stated that motor vehicle noise is the greatest factor in taking readings. It is greater than factory noise above the set level. I have raised this matter with people who have complained to me that South Australia has not effective noise control legislation and I have been approached on this matter as has every other honourable member. I have told those people to be patient, because the Chief Secretary has assured us that legislation is in the pipeline and it will not be long before it is implemented. I had to ring these people back and explain that, although the legislation has finally appeared, people living on every main road in Adelaide have absolutely no redress in the matter on which they sought action, that is, on motor vehicle noise.

On ringing these people back they all said that it was "bloody ridiculous", and I agree with them. It is ridiculous that a Bill, which aims to deal with noise pollution in South Australia, is introduced and totally ignores the findings by a Select Committee and of every expert and ignores the biggest problem of all confronting people in this State, that is, motor vehicle noise.

This Bill has been emasculated because the Minister of Transport wants his domain to continue growing. Only the Road Traffic Board supported the withdrawal of this provision from the Bill. Does any honourable member believe that control of motor vehicle noise is adequate? Honourable members should step out into their gardens no matter where they live to hear the roar of vehicles, the squeal of tyres and the noise of unsatisfactory vehicles everywhere. There are just insufficient controls on vehicle noise.

The Hon. C. J. Sumner: I understand controls will be included in the Road Traffic Act.

The Hon. M. B. CAMERON: Our Government knows better. The South Australian Government has not got the guts to put a provision into this Bill in case it gets electoral backlash. That is the real reason—the Government is not willing to take action that will cause problems to people using motor vehicles in South Australia. The Government is willing to leave the position as it is. If the Government is going to do that it may as well withdraw the Bill and forget it, because the Bill does nothing.

All the Government will do is to harass small industry in South Australia to the point where it will not be able to exist, because inspectors will have such enormous powers over industrial sites, but they will do nothing at all about the greatest problem facing the dormitory suburbs in which people live and in which there is vehicle noise. The Government is wasting its time and that of this Parliament by introducing such a Bill when such an important provision is removed from it.

True, people in the suburbs do have problems with neighbours, but at least they can talk to them over the fence about what is happening, which one cannot do when one experiences problems with motor vehicle noise. Do honourable members believe that there will be sufficient police in South Australia to answer every call? There will not be sufficient police. Will there be sufficient inspectors to check every lawnmower in this State or every barking dog? In my suburb I have four neighbours with barking dogs, and each dog barks above the set level. Will inspectors come out to my place and that of all my surrounding neighbours? The position will be the same for everyone in my neighbourhood. It is just not on.

The Hon. Anne Levy: What about shouting people?

The Hon. M. B. CAMERON: True, I must admit that I have slipped into bad habits since the Hon. Mr. Foster arrived in this Chamber and have tried to compete with his sort of diatribe. Regarding shouting people, one can always cope with that, because one can always walk out.

The Hon. Anne Levy: I have tried that, but then someone called for a quorum.

The Hon. M. B. CAMERON: The honourable member can walk out now, because there is nothing to stop her as there are many members present now. I told the Government previously, and I repeat what I said then, that this Bill is a waste of time in its present form. I trust that the Government will consider amendments to put a little gumption back into the Bill and to give some basis for the claim that it is doing something about noise pollution. At present, it is merely wasting the time of this Parliament and of the public.

Much money has already been spent and, at the end of it all, people will be no better off than they are now. In fact, we will have so many people with bad neighbours that it will not be true. A vindictive person will have a weapon that he can constantly use against his neighbours. I trust that the Government has some idea of the number of people that it will need to police the legislation. I know that the Hon. Mr. Laidlaw has placed on file amendments to a number of clauses. He has done much research on the Bill and at least has some idea of what is required to make it a worthwhile measure. I trust, too, that the Government, and the Hon. Mr. Foster, who has been challenging honourable members all night to be positive and to make constructive suggestions, will listen to the suggestions that are made regarding this matter and will realise that this Opposition is a constructive one. I support the Bill.

The Hon. J. A. CARNIE secured the adjournment of the debate.

MENTAL HEALTH BILL

Adjourned debate on second reading.

(Continued from April 12. Page 3280.)

The Hon. R. C. DeGARIS (Leader of the Opposition): This Bill was introduced some time ago in another place and, like the Hon. Mr. Hill, I ask why this Bill was introduced in another place when the Minister responsible for its administration is in the Council. However, the Bill was introduced in another place and was referred to and reported on by a Select Committee. I commend the Government for introducing a new Mental Health Bill. Over the past few years tremendous strides have been made in the treatment of the mentally ill, as a result of which there has been a rapid change in the attitude of the public to this matter.

One can recall not long ago, not only in Australia but in other parts of the world, the conditions to which those being treated were subjected. One of the main contributors to the improved conditions has been the drug therapy associated with mental illness. One should also include the tremendous advances that have been made in the field of psychiatry. By and large, I attribute the massive change primarily to drug therapy and other forms of therapy that are available in the treatment of the mentally ill.

With the development of these therapies, including drug therapy, the need for long-term maintenance of persons in institutions has largely disappeared. In other words, a person can be stabilised on new drugs, returned to the community and still play a reasonable part in that community. The general improvement that has been achieved in this field has been remarkable, and it is reasonable to expect that the Legislature should take note of the changes that have been made and that we should produce legislation in line with the present attitude to mental health.

I make another plea regarding this matter. It is about time we stopped looking at mental health as a category separate from other forms of ill health. For far too long we have regarded mental health as being in that category, and physical health as being in another category. I believe that we are dealing with the fundamental matter of the health of the individual, whether it involves mental illness or physical illness. To that end, we must develop a total approach to mental health in the community, recognising that mental illness is an illness in the same way as is physical illness.

I should like to see more psychiatric services established in general practice, and more psychiatric treatment made available in normal hospitals so that we do not separate mental health from physical health. The same applies to public health. Once more, one tends to regard it as a separate issue altogether. However, we are dealing with one problem: the health of the individual.

Many advances have been made in this matter. Indeed, some were made during my term of office as Minister of Health. However, the progress made in this regard has not been fast enough, and we are still tending to categorise this matter into various little groups, when we should be taking a total approach to the whole health problem. Improvements are being made, and further changes will soon occur in this field. At this stage, I am willing to support the Bill, which has been reported on by a Select Committee from another place. I commend the Government for introducing the Bill, the second reading of which I support.

The Hon. J. C. BURDETT: I, too, support the second reading. I join the Hon. Mr. Hill in asking why the Minister of Health did not introduce his own Bill, which is a major Bill, in his own House. The Hon. Miss Levy suggested that it might be a money Bill or that it contained money clauses. However, this is clearly not the case. Section 60 of the Constitution Act defines "money Bill" as a Bill for appropriating revenue or other public money, or for dealing with taxation or raising or guaranteeing any loan, or providing for the repayment of any loan. "Money clause" is similarly defined. This Bill does none of these things. The mere fact that the administration of a Bill involves the expenditure of money, whether through the setting up of a board or not, does not make it a money Bill. The administration of almost every Bill costs money, and many Bills that set up boards or similar bodies, which must be paid, have been introduced and passed here. For a Bill to be a money Bill, it must actually appropriate money, or it must do one of the other things referred to in the definition. A Bill is not a money Bill merely because its administration involves expenditure.

It makes sense that generally Ministers in the Council should introduce their own Bills in this place. This makes for greater legislative efficiency. In the early part of a session, honourable members here have little to do. For example, on the first Thursday of this part of the present session the Council did not sit because of a lack of work. If almost all Bills are introduced in another place, we have a frantic rush at the end of a session, and are unable to give Bills the attention that they deserve. I support the Bill, which is a considerable step forward in the treatment of persons suffering from mental sickness. As the Hon. Mr. Hill has said, it was thoroughly aired before the Select Committee and several changes were made. I will comment on a few legal aspects of the Bill and aspects relating to citizens' rights.

I note the transitional provisions pending amendment of the Administration and Probate Act in regard to powers of administration and pending amendment of the Criminal Law Consolidation Act. Part III refers to the admission and apprehension of persons who appear to be suffering from mental illness. This has always been a problem area. Under existing law, I know of many cases where persons have made life impossible for their family and others close to them but have not been able to be certified. On the other hand, I know of several cases where people have claimed that they have been certified and subjected to treatment without justification. I add that none of these claims has been completely verified to my satisfaction.

It is difficult, on the one hand, to ensure that people needing treatment receive it in their own interests and that of people close to them without, on the other hand, risking depriving some people wrongly of their rights. Part III seems to handle this difficult situation very well. It is possible to commit a person fairly readily but with adequate protections to that person thereafter. Clause 16 provides that the patient must be informed of his legal rights and that a relative of the patient must be similarly informed. The patient or relative may appeal to the tribunal against detention.

There is also the protection of a Guardianship Board, with the patient having the right to appear before that body. Clause 19 provides valuable protection, in that there are certain safeguards before a patient is subjected to psychosurgery or electro-convulsive therapy. Clause 18 gives a member of the Police Force the right to break and

enter premises in certain circumstances and this provision, on the face of it, may seem alarming to some people. However, on examination, it is seen that this provision may be exercised only where a member of the Police Force has reasonable cause to believe that a person is suffering from a mental illness or mental handicap and that the conduct of that person is, or has in the recent past, been such as to cause danger to himself or to others. This is reasonable and in line with powers commonly given to the police. In my experience, the police are very loath to exercise powers such as these, because they know that they have to establish that they have reasonable cause. The provision is reasonable, and I support the second reading.

The Hon. D. H. L. BANFIELD (Minister of Health): I thank honourable members for their attention to the Bill, which is a big step forward regarding mentally ill people. As the Hon. Mr. DeGaris has said, for too long mental health has been treated in a separate category. I could not agree more with that, and we are trying to get away from that position. We are setting up a psychiatric unit at Modbury and we want to put units at other places. Regardless of what type of illness a person has, the person should not be treated differently from someone else. In the dark ages, a mentally ill person had no rights, and it has taken a long time to get away from that position.

The Hon. R. C. DeGaris: Modern technology has had a big bearing on it.

The Hon. D. H. L. BANFIELD: Yes. It has been brought about not only by social conscience. We have all been to blame for the position that has existed. Society would not face up to facts, and now society is accepting that a psychiatric patient is little different from any other and should not be treated as an outcast. I thank members of the Select Committee, who spent much time preparing the Bill. The Bill was introduced in another place and was then referred to the Select Committee.

I thank the people who showed interest in the Bill and took the opportunity to give evidence to the committee. I also thank the Select Committee for doing a good job. There has been a difference of opinion about whether this is a money Bill. The Government believes it is, and is was introduced in another place for no other reason than that. On August 5 last year, His Excellency the Governor sent a message to the House of Assembly recommending the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

Clause 22 sets out the terms and conditions for a Guardianship Board. Clause 31 provides for allowances and expenses for members of the Mental Health Review Tribunal. Clause 41 (4) provides that the Treasurer may guarantee repayment of any advance or loan made or proposed to be made to the holder of a licence where the advance or loan is made for the purpose of carrying out such works or the purchase of such property as may be approved by the Minister. We believe that it is a money Bill.

The Hon. R. C. DeGaris: We say you are not correct.

The Hon. D. H. L. BANFIELD: We say we are correct. I have given the only reason why it was introduced in another place, namely, because it was a money Bill. There was no intention of purposely keeping the introduction of the Bill away from this Council. I would have been as keen as anyone else to be on the Select Committee, and people know my interest in the area. As a result of long discussions, the mentally ill and mentally handicapped

people will fit into society without having any stigma attached to them. I thank everyone who has been concerned with the Bill and with the discussions that have been held.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Progress reported; Committee to sit again.

LAND COMMISSION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from April 12. Page 3286.)

The Hon. M. B. DAWKINS: I rise to support the Bill. I do not intend to canvass it in detail but I must indicate at the outset that I cannot support clause 3, which reads as follows:

Section 12 of the principal Act is amended by inserting in paragraph (a) of subsection (6) after the passage "any dwellinghouse" the passage ", situated on a separate allotment or parcel of land of or less than one-fifth of a hectare,".

Honourable members know that one-fifth of a hectare is almost half an acre. The original section 12 (6) (a) reads as follows:

The commission shall not acquire by compulsory process (a) any dwellinghouse that is occupied by the owner as his principal place of residence.

That is a reasonable provision but, when we insert the words of the amendment I have just read out, it means that, if any dwellinghouse in South Australia is situated on half an acre (one-fifth of a hectare) or more, it becomes possible for the commission to acquire that dwellinghouse. That negates the original concept of the Land Commission which is, as its name suggests, a commission for acquiring land which would make cheap land available to young people preparing to set up a home. That in itself is a laudable aim. Unfortunately, as some honourable members have indicated, the escalation of prices and some of the prices that the Land Commission is apparently endeavouring to charge negate the aim of providing cheap land for housing development. Therefore, I think the Land Commission itself is losing sight of its original and laudable objective.

This provision, which will enable the Land Commission to acquire any dwellinghouse situated on half an acre or more, is, in my view, an iniquitous provision in conflict with the stated object of the Bill in the first place; it is a provision in conflict with the title of the Land Commission itself, because the Land Commission should operate in the way in which it was indicated in the original Bill in 1973, and the acquisition of dwellinghouses under the terms of clause 3 of this Bill is contrary to the intent of the legislation. Without further ado, I indicate that I will support the Bill at the second reading stage but I certainly do not intend to support clause 3.

The Hon. A. M. WHYTE secured the adjournment of the debate.

ADJOURNMENT

At 10.20 p.m. the Council adjourned until Thursday, April 14, at 2.15 p.m.