

LEGISLATIVE COUNCIL

Thursday, August 4, 1977

The DEPUTY PRESIDENT (Hon. R. A. Geddes) took the Chair at 2.15 p.m. and read prayers.

SUPPLY BILL (No. 2)

His Excellency the Lieutenant-Governor, by message, intimated his assent to the Bill.

PERSONAL EXPLANATION: WAR SERVICE HOUSING LOAN

The Hon. R. C. DeGARIS (Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

The Hon. R. C. DeGARIS: Yesterday, the Minister of Lands, on your request, Mr. Deputy President, was granted permission to make a personal explanation regarding his attitude towards the division on the motion concerning Colin James Berryman of Kangaroo Island. In my reply at the closure of the debate, I said.

I am pleased with what the Minister has said, namely, that he will vote for the motion, and I thank him for his support in this regard.

On reading the *Hansard* report this morning, I note that the Minister did not say that he would vote for the motion. This was a genuine misunderstanding on my part. However, in his speech, the Minister did not oppose the motion, nor did he suggest that he would place any obstacle, as far as he was concerned, in the way of Mr. Berryman to achieve his desire of gaining a war service home loan, or suggest that the motion should be withdrawn. It was a genuine mistake on my part to say that the Minister would vote for the motion but, if one examines the full text of the Minister's speech, it can be seen how easily such an assumption could be made.

PERSONAL EXPLANATION: HINDMARSH COMPANY

The Hon. N. K. FOSTER: I seek leave to make a personal explanation.

Leave granted.

The Hon. N. K. FOSTER: On Tuesday, and again yesterday, I dealt in the Council with a matter that was the subject of a Consumer Affairs Department report. Unfortunately, some rather unpleasant telephone calls regarding this matter have been directed to the wrong company. I take this opportunity to inform the Council that there is absolutely no connection between the companies named in the report (Fibre Glass Roofing Proprietary Limited, Fibre Glass Exports Proprietary Limited, M. and F. Enterprises, and W. and G. Borghesan, of 335 Port Road, Hindmarsh) and the firm undertaking legitimate work, known as A.C.I. Fibre Glass, of 248 Port Road, Hindmarsh, which is engaged in manufacturing a product called Decramastic roofing tiles. I regret any inconvenience that may have been wrongfully caused to that company by members of the public. I suggested to the management of the company that it get in touch with the Editor of the *Advertiser* in order to get that paper to print a correction. I note and appreciate that the *Advertiser* has accepted its responsibility in publicising activities of the unscrupulous firms concerned, but

I am a little disappointed that it did not take the opportunity to make clear that the innocent firm to which I have referred is in no way offending in its dealings with the public.

QUESTIONS

OAT MARKETING

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to directing a question to the Minister of Agriculture in reference to oat marketing.

Leave granted.

The Hon. M. B. DAWKINS: In the past, attempts have been made to introduce orderly oat marketing in South Australia. In fact, if I recall correctly, when the Hon. Mr. Casey was Minister of Agriculture, at one stage Sir Allan Callaghan was nominated as Chairman of the Oat Marketing Board. Unfortunately (or, fortunately, if some people think that way) the legislation did not come into being. I understand that the present scheme is to be implemented in association with, and operated by, the Barley Board. Does the Minister envisage that the new oat marketing scheme will operate in the coming season?

The Hon. B. A. CHATTERTON: That question is difficult to answer because it depends on the speed with which the legislation passes through Parliament. The Barley Board is concerned about the matter and has asked me the same question, but I have replied that it is not possible for me to answer the question. I will put forward the legislation as soon as it is drafted, and it is then up to both Houses of Parliament as to how long the debate continues and when the legislation is passed. I will make every endeavour to introduce the legislation as soon as possible.

The Hon. M. B. Dawkins: Will it be introduced soon?

The Hon. B. A. CHATTERTON: It is currently being drafted. The Parliamentary Counsel has received instructions, following Cabinet approval of the basis on which the legislation should be drawn up. I believe that he is well advanced in drawing up the legislation, which will then be submitted to Cabinet for approval before being introduced in Parliament.

ADOPTION REGISTER

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

Leave granted.

The Hon. J. C. BURDETT: A report in last Monday's *Advertiser* states that the Minister of Community Welfare intends to establish an adopted persons contact register. If an adopted person wanted to contact his natural family, he could have his name placed on the register. However, if he was under 18 years of age, the approval of his adopting parents would be required. Also, if the natural family of a person who had been adopted wished to make contact, they, too, could place their names on the register. When names have been placed on the register from both sides (that is, by the person adopted and by the natural family of that person) contact can apparently be made through the department. It would appear that in many instances this would be beneficial to the adopted person, but some adopting parents have contacted me expressing doubt about the scheme, even in connection with adopted persons

over the age of 18 years. These adopting parents have pointed out that, while in many instances contact may be beneficial to the adopted person, there may be cases where the opposite applies and where it could even be hurtful to the adopting parents. It is pointed out that the principle of the Adoption of Children Act is that the adopted person shall for all purposes be deemed to be the child of the adopting parents.

The DEPUTY PRESIDENT: I point out that the honourable member's "short explanation" is getting a little long.

The Hon. J. C. BURDETT: I will come to my question soon, Mr. Deputy President. The principle of the register seems to be contrary to the principle in the Act. The principle put to me is that, where children have been adopted up to the present, it has been on the understanding that no disclosure will be made about their antecedents. In the future, it will be on a different basis; fair enough. However, in regard to children adopted on the previous basis, there may be some legitimate objection. First, can the Minister say whether the setting up of an adopted persons contact register will be done by administrative action or by legislation? Secondly, will it apply only to future adoptions, or will it apply to past adoptions made on a different understanding? Thirdly, may the adopting parents be notified that a name has been placed on the register, and may they have permission to make representations to the Minister about the matter?

The Hon. D. H. L. BANFIELD: I shall refer the honourable member's question to my colleague and bring back an answer.

FRUIT CANNING

The Hon. J. R. CORNWALL: I seek leave to make a brief statement prior to directing a question to the Minister of Agriculture about payments to canning fruitgrowers.

Leave granted.

The Hon. J. R. CORNWALL: Last weekend I had the good fortune to visit the Riverland to hold discussions with many growers in that area. While growers understand clearly that the Riverland Development Fund is being set up to rationalise co-operative packing and processing plants in the Riverland, I still received some complaints from fruitgrowers who may be forced out of the canning fruit industry by low and minimum payments and rising processing costs. This has been a major problem in the Riverland for some time now. Can the Minister of Agriculture tell the Council what the current situation is and what, if any, support is being made available to growers in this distressing situation?

The Hon. B. A. CHATTERTON: It is certainly a serious situation, and I think many canning fruitgrowers are becoming thoroughly disillusioned with the industry. Last year, I took up the matter at an Agricultural Council meeting in Bundaberg and got absolutely nowhere. The Federal Government took the attitude on that occasion that it was waiting for one or more of the canneries in Victoria to fold and, until that took place, it would not take any action about rationalising the fruit canning situation in Australia. It said further that any move by the Agricultural Council would give the impression that a rescue operation was being mounted to save the canning industry from collapse. About 12 months later, at Agricultural Council, I again took up the matter and received the same sort of answer. While South Australia is doing what it possibly can to rationalise the canning

fruit industry and other co-operative packing sheds in the Riverland, it seems to me that, if it is not conducted on a rational, national basis, it may well end up as a combination of processing and marketing organisations in Australia, which is not suited to the best needs of the industry. This is something that the canning fruitgrowers are becoming increasingly disillusioned about, that they have done much to rationalise their operations but, because processing and marketing still suffer from excessive overheads and costs, the returns to the growers remain small.

WINE GRAPES

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a question of the Minister of Agriculture concerning wine grape varieties.

Leave granted.

The Hon. M. B. DAWKINS: I am informed by constituents in the Barossa Valley area of the limited demand for some varieties of wine grape and the doubtful wisdom of further plantings of these varieties. In view of this, did the Minister take up the matter at Agricultural Council this week and seek the agreement and co-operation of his Ministerial colleagues in other States to control or limit future plantings of these varieties? If he did not, will he do so or would it be his intention to act unilaterally in this regard, as suggested by the Barossa grapegrowers?

The Hon. B. A. CHATTERTON: It has been suggested to me on a number of occasions recently that there should be some control of plantings, and I have said I would consider the matter if some workable scheme could be put up. This problem is not as straightforward as it appears on the surface because, after all, what we are concerned about is total production, and that is not always related to the planting area. Unless a scheme that solves the problems facing the industry is worked out, we could be imposing unnecessary controls on growers, who would have to receive permission to plant an area to vines, or make some sort of off-setting allowance in relation to other areas. Unless we can achieve something in terms of helping the industry solve its problems, it would not be worth while introducing such a scheme. I am willing to look at any scheme that would tackle this sort of problem, but the real production problems, while related in some way to the area of vines planted, are not always directly related to it.

HORSE LEASING

The Hon. A. M. WHYTE: I seek leave to make a short statement before asking the Chief Secretary a question regarding the ownership and leasing of trotting horses.

Leave granted.

The Hon. A. M. WHYTE: I refer to the July, 1977, edition of *Botra News*, on page 4 of which is a report, headed "Disputes for civil action". It states:

Disputes over ownership or leases will no longer be settled by the T.C.B. In future, such disputes will be referred for civil action, and the horses concerned will not be permitted to race pending finalisation.

I can easily understand that the Trotting Control Board would not wish to be involved in a dispute over the ownership of a horse. Such a dispute should rightly be settled in the civil courts. However, since the board issues leases, and has until now had jurisdiction over any dispute

relating to leases, will the Chief Secretary say why this course of action by the Trotting Control Board has been made necessary?

The Hon. D. H. L. BANFIELD: I cannot at present tell the honourable member the position in this regard. As it seems that this question should be referred to the Attorney-General, I will refer it to him and obtain a reply.

WHEAT MARKETING

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to directing a question to the Minister of Agriculture regarding wheat marketing.

Leave granted.

The Hon. M. B. DAWKINS: A report on the front page of the *Stock Journal* of July 28 deals with the current record world wheat production and also with possible pressure from the United States on exporting nations such as Australia. Can the Minister say whether this matter was discussed at Agricultural Council this week, whether the matter is of concern to him and to other Ministers, and whether consideration has been given to exercising caution regarding the areas to be planted in future?

The Hon. B. A. CHATTERTON: There was brief discussion of the world outlook regarding wheat. The recent sales made by the Australian Wheat Board to China and a few other countries have committed nearly all of the Australian crop. It is not considered necessary to have any restrictions at this stage. Whilst the slight fall in world wheat prices is of concern to everyone involved in agriculture, there still seems to be a reasonable market for Australia to dispose of her crop.

ETHNIC CHILDREN

The Hon. C. J. SUMNER: I understand that the Minister of Agriculture, representing the Minister of Education, has a reply to the question I asked yesterday regarding the Government's policy on schoolchildren from migrant families.

The Hon. B. A. CHATTERTON: The Education Department is committed to a policy of cultural pluralism and cultural interaction. By this we mean that we encourage the existence of separate ethnic cultures but, by providing opportunities for parents and children to meet and mix, and understand and tolerate each other's differences, we hope to move towards some degree of social homogeneity in the future. What we do not want to do is impose a particular brand of homogeneity upon people. We feel that, given this tolerance and acceptance of differences, homogeneity will occur in the long run. It will not be the Australia we know now. Among our projects is the bilingual pilot project, and I welcome the opportunity to say more about it, particularly because the Hon. Murray Hill seemed to be confused about it on Thursday. First of all, it is not a programme whereby the student has all his formal education in his mother tongue. This, if we were to do it, would involve, for instance, a student from a Greek-Australian home doing his mathematics, his biology, and his physics in Greek. This is not what we mean by a bilingual programme and, although I can visualise that such a scheme would be very useful for a newly arrived Greek student of secondary school age, I agree that a general policy of this kind could lead to a kind of cultural apartheid. We reject separatist policies.

What we mean by a bilingual programme is the child starting his formal education in his mother tongue and gradually changing to English as the major language of instruction. This change becomes clear at about the third year of school. Of course, this is only common sense. I invite honourable members to picture themselves beginning their schooling in a Spanish school, with only the barest smattering of Spanish. Many of our ethnic children have got away to a bad start because they have begun to read, spell, and do mathematics in English while they are just beginning to learn English. This is a very difficult thing and proposes a tremendous handicap. So our bilingual programme (and we hope to extend the idea) is a way of starting children to read, write and do maths in their mother tongue and then to transfer those skills gradually to the ordinary programme conducted in English. It is a way of ensuring that these children get an equal start.

MOTOR REGISTRATION BUILDING

The Hon. J. A. CARNIE: I seek leave to make a brief explanation before asking a question of the Minister of Lands, representing the Minister of Transport. The question deals with the Motor Registration Division building.

Leave granted.

The Hon. J. A. CARNIE: A report in the *News* of July 5 states that I understood that the indoor plants in the Motor Registration Division building cost more than \$20 000, and that I intended to follow up that matter when Parliament sat. A day or two later the Deputy Premier issued a statement that the sum involved was not \$20 000 but \$18 900. At that time I was under the impression, not knowing how these things were done, that that sum was for the purchase of the plants. However, at the opening of the Motor Registration Division building on July 18 the Minister of Transport, in referring to this matter, stated that the provision of the indoor plants was on an annual supply and maintenance basis, and that the annual cost was \$18 000. He said that tenders had been called and that the Woods and Forests Department had submitted the lowest tender. I cannot remember the exact figure, but I remember the Minister's stating the percentage by which the department's tender was lower than the second lowest tender. I followed up this matter by way of a Question on Notice, and I received a reply to that question on Tuesday, this week. Part of that reply stated that the annual cost was \$12 300, that no tenders had been called and that the Woods and Forests Department had the contract. In view of these widely divergent figures, I ask the Minister what is the correct cost of the supply and maintenance of indoor plants for that building. Further, as the Minister said when opening that building that tenders had been called, and as in the answer I received on Tuesday it was stated that tenders had not been called, will the Minister clarify that point? If tenders were called, why does the reply indicate that they were not? If tenders were not called, why did the Minister say that they were and, if they were not called, why were they not called?

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

FISHERIES EXPENDITURE

The Hon. M. B. DAWKINS: On behalf of the Hon. Mr. Hill, I ask the Minister of Agriculture whether he has a reply to the question asked by my colleague on July 20 about fisheries expenditure.

The Hon. B. A. CHATTERTON: In my acknowledgement of the honourable member's question I pointed out that not all of the grants to which he referred were directly allocated to the Agriculture and Fisheries Department. With this in mind I made appropriate inquiries and found that most of the grant of \$68 791 to Safcol has been spent. Moreover, as I have already intimated, the development of a shark-proof mobile cage for divers was a private undertaking; and the only involvement of my department in such matters has been to advise the Commonwealth on priorities. As to the direct grants to the State, I am advised that all of the grant to study the western population of the southern rock lobster has been spent, but the State bought back certain equipment when the project was transferred to State funds. This equipment cost \$17 500. Of the \$49 025 allocated to yabbie research, only \$11 459 has been received to date and, after making an adjustment for the "buy-back" of equipment, net payments to the Agriculture and Fisheries Department currently amount to \$132 249. If the honourable member has difficulty in reconciling this figure, I point out that the amount allocated to the rock lobster study was \$138 290, and not the figure appearing in *Hansard*. Finally, I am told that the grant of \$4 500 to Professor Davis for the selenium study will be paid next financial year, that all funds under the shark rehabilitation scheme were received and committed to approved projects and that some 30 per cent of the allocation for exploratory trawling off South Australia has been spent to date.

PITJANTJATJARA LAND RIGHTS

The Hon. A. M. WHYTE: I seek leave to make a short explanation before addressing a question to the Chief Secretary, representing the Minister of Community Welfare, regarding an *Advertiser* report headed "Pledge to Pitjantjatjara".

Leave granted.

The Hon. A. M. WHYTE: A report in this morning's *Advertiser* attributed to Rob Ball at Ernabella and appearing under the heading "Pledge to Pitjantjatjara, Federal Minister promises to back land rights claim" states:

The Minister for Aboriginal Affairs (Mr. Viner) yesterday pledged to fight for Pitjantjatjara land rights.

The report goes on to describe Mr. Viner's visit to Amata in the North-West of South Australia and concludes:

In Adelaide last night the Premier (Mr. Dunstan) said land rights had been on offer to the Pitjantjatjara people from the South Australian Government for a long time. "Mr. Viner should know that the provision of land rights for Aborigines was first provided in South Australia and the Pitjantjatjara people have made their own propositions to the South Australian Government which go far beyond any propositions that the Commonwealth has so far developed in relation to the Woodward report."

Can the Minister say what propositions the Aboriginal people put forward? From personal contact with these people, I know that they are not happy with some of the propositions that have been put forward by a group calling itself the Pitjantjatjara council. The elders of the tribe, to whom this land rightly is entrusted, do not agree with all the propositions put forward by the academics of the Pitjantjatjara council. For that reason I ask whether the Minister can make public what propositions have been put forward so that they can be considered properly before the land rights are granted.

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

STATE AREA

The Hon. J. R. CORNWALL: I seek leave to make a brief explanation prior to directing a question to the Minister of Lands concerning the recent survey of the area of South Australia.

Leave granted.

The Hon. J. R. CORNWALL: Members will be aware that I have a special interest in the Lands Department but, contrary to what the Hon. Mr. Whyte said in the Chamber last night, I assure the honourable member that I have never been at the Minister's throat or his back. It is purely coincidental that I happen to sit where I sit in this Chamber. However, I have taken much interest in the department and I understand that a survey of the State's area has recently been undertaken. Under the old survey the area was 380 070 square miles but, as a result of the recent computerised survey, this figure has been updated and converted to metrication. Has there been any substantial variation in the calculation of the area as a result of the survey?

The Hon. T. M. CASEY: The area of the State is quoted in a number of official publications and has some legal significance. For many years the area of the State was accepted as 380 070 square miles. This area was based on fairly scant information and was recently computed using the latest information available through the 1:250 000 national mapping series. An exact area of the State would be extremely difficult to ascertain, and I suggest that the margin of error of 100 square kilometres is the best that could be expected. The area is for the land mass only to medium high water as can best be estimated, and includes all islands officially part of South Australia. The newly calculated area agrees with the existing area, and it has been recommended that it be officially adopted and expressed in terms of square kilometres. I therefore recently gave my approval for the area of South Australia to be expressed as 984 400 square kilometres.

OPAL LEASES

The Hon. M. B. DAWKINS: On behalf of you, Mr. Deputy President, I ask the Minister of Agriculture whether he has a reply to a question you asked on July 26 about opal leases.

The Hon. B. A. CHATTERTON: The Minister of Mines and Energy informs me that the strata title amendment to the Mining Act, which was supported by all members of both Houses, is satisfactory. When any instance arises where the legislation needs to be applied, the arrangements will be governed by regulations and suitable conditions imposed by the Director of Mines. The honourable member would be aware from watching the programme *This Day Tonight* that the Minister was not given time to answer all the queries that were raised. It is an unsatisfactory situation where a programme like *TDT* raises a number of problems and then cuts the time available for the suitable answers to be given.

MOUNT GAMBIER STATE SAWMILL MODERNISATION

The DEPUTY PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Mount Gambier State Sawmill Modernisation.

ADDRESS IN REPLY

Adjourned debate on motion for adoption.
(Continued from August 3. Page 364.)

The Hon. D. H. L. BANFIELD (Minister of Health): I support the motion and express my appreciation to the Lieutenant-Governor, Mr. Walter Crocker, for the way in which he delivered the Speech at the opening of Parliament. Further, I thank him for the way in which he is carrying out his duties until a new Governor is appointed. I express regret that it was necessary for Sir Douglas Nicholls to retire early, because of ill health. The Government sincerely trusts that Sir Douglas has a speedy recovery and a long and happy retirement.

I join with other honourable members in expressing sympathy to the families of former members who have died since the opening of the previous session. I refer to Sir Glen Pearson, Mr. Tom Stott, Mr. Geoffrey Clarke, and Mr. Howard Shannon. Of those four former members, I had most to do with Mr. Shannon, who was Chairman of the Public Works Committee when I became a member. It was a pleasure to work on that committee with him.

I congratulate you, Mr. Deputy President, on your appointment to your present office, and I know that you will carry out your duties with distinction. At the same time, I hope that the President, Mr. Frank Potter, will have a speedy and complete recovery.

The confidence that the people have placed in the Labor Government is well founded. We can see from the Opposition's mistakes, contradictions, misrepresentations, and lack of policies in the past three weeks that there is no alternative for the people to re-electing the Labor Government at the next election. It is clear from comments made by some honourable members opposite that they have already given up the ghost. It seems that some of them approve of the way in which the Government is going.

The Hon. Mr. DeGaris and the Hon. Mr. Whyte have complained that the Government is over-legislating, yet other Opposition members complained that we were not bringing forward legislation. This contradiction within the Opposition shows how confused honourable members opposite are. The Hon. Mr. DeGaris claimed that the Labor Party's uranium policy was controlled by the left wing, but I point out that the policy enunciated at the Perth conference of the Labor Party was substantially the same as that supported by every Liberal Party member in the Lower House. Can we take it from this that the Liberals in the Lower House are under left-wing domination, because they backed up Labor Party Policy? Indeed, they took the lead when they supported a motion before the Labor Party's decision was announced.

The Hon. Mr. Hill claimed that nothing was done about a hospital for Christies Beach until the Liberal Party made its policy statement on June 13, but the Hon. Mr. DeGaris informed the Council that negotiations had been going on over the past four years. True, about four years ago the Hon. Mr. DeGaris telephoned me and told me that he had a gentleman in his office who would like to talk to me about the possibility of establishing a hospital at Christies Beach. Actually, it is only a matter of about 12 months since meaningful discussions took place between the promoters of the hospital for Christies Beach and the Government. As a result, we have been able to announce proposals for a hospital there.

The Hon. Mr. Hill claimed to be concerned about the health and welfare of the community; he complained that this year the Government had underspent the allocation for

hospital buildings. I have previously explained that it is not possible to predict exactly what allocation is necessary, but it was clearly and quickly shown how the honourable member's Government during 1968 and 1969 underspent by about 30 per cent of the allocation for hospital buildings. The degree of concern of the Government of which the Hon. Mr. Hill was a member was further shown in connection with hospital finance, because that Government promptly reduced the allocation in the following year by about \$1 000 000. So, the Liberals have nothing to back up their so-called concern about health and welfare. Actions speak louder than words. This Government has acted, and is doing the best it can in the circumstances.

The Hon. Mr. Hill said that, under a Liberal programme for a hospital at Christies Beach, there would be no extra charge on the people in the community, but he said that it would have been necessary for the community to raise \$1 000 000 to fund its part of the cost of the proposed hospital. If \$1 000 000 is not a charge on the community, I do not know what is.

When the honourable member was asked where he would make reductions in finance, he said that perhaps Modbury could do without its library and that perhaps we could cut back on the Whyalla hospital project. Evidently he is not concerned about the needs of Modbury people for library services. Obviously the honourable member has not seen the Whyalla Hospital; otherwise, he would not have suggested cutbacks there. This lack of concern for the health and welfare of the community lines up exactly with the Federal Liberal Government's policy. Only this year the Fraser Government cut back funds for hospital rebuilding programmes in South Australia from \$13 000 000 allocated last year to \$5 120 000 this year. That indicates how much concern the Liberals have for a health and hospital programme. Unfortunately, this will mean the deferment of the Para District Hospital for possibly two years. That is the kind of promise given by the Fraser Government, that there would be no cut-back in these areas, but we find a cut-back of 60 per cent in the allocation. Yet honourable members opposite praise the actions of the Fraser Government. Of course they do, because this policy lines up exactly with theirs; there is no concern for the well-being of the community.

Another instance as far as the Commonwealth is concerned is in relation to the dental scheme in which therapists treat schoolchildren, a scheme funded mostly by the Commonwealth. We have trained up to 30 therapists a year; 30 will complete their two years training by the end of this year but we cannot get any confirmation from the Federal Government of funds to place these people. How can any Government work under those conditions or make any plans, when it cannot get any indication from the Federal Government as to the position? We are carrying out our programme; we have trained these girls for two years. Does the Federal Government want them out on the footpaths, as it has put out many thousands of other people?

The fact is that the Australian Government has reneged on money owing to the country hospitals to the tune of about \$100 000. When I raised this matter with the Commonwealth Minister, Mr. Viner, who was mentioned honourably here by the Hon. Mr. Whyte, I pointed out to him that these country hospitals had been told by his own department not to chase money from the Aborigines, and that the Department of Aboriginal Affairs in Canberra would pay these accounts. The hospitals carried out that wish of the department, but now we find that the Commonwealth Government is reneging on the promise to pay the

accounts, with the result that country community hospitals, those which can least afford that, are owed at least \$100 000. When I spoke to Mr. Viner at the Health Ministers conference and asked whether he would respond to my request for money to be paid to the community hospitals, Mr. Viner said:

The fact of the matter is, Mr. Chairman, that the Government did decide that it would not pick up the tab which the previous Government had indicated it would do with regard to old hospital and bad debts incurred by Aborigines.

I said, "At your request—at the department's request?" and Mr. Viner said: "That's right, and that's acknowledged. It may be looked on as a matter of bad faith." Fancy saying that when the Commonwealth Government reneges on paying accounts! He continued:

I guess all Governments can be accused of that at different times. However, I think the fact of the matter is that those debts were incurred in days when the Commonwealth had no moral or legal obligations.

Surely the Commonwealth had a moral and legal obligation when it directed the community hospitals to send their accounts to it, but it did not pay the accounts. I went on to say:

I'd sooner their moral obligation than the present moral set-up—let me put it that way. You're not going to honour the debt.

Mr. Viner said:

No—and what I'm saying is that they were incurred in those circumstances in the context of Medibank being introduced by the former Government.

Those accounts were incurred before Medibank came into operation, so if that is the sort of attitude of the Liberal Party, not only State but Commonwealth, and it goes back on its promises and reneges on its obligations, there is no hope for the community.

The Hon. Mr. Cameron yesterday spoke about broken promises. Talk about the promises that have been broken by the Fraser Government! It promised full employment, that inflation would be cut back, that it was in favour of wage indexation, and that the Prime Minister would not be a tourist. He has not done so badly after all, since he has been Prime Minister. There was his promise that life was not meant to be easy, but Mr. Fraser can reintroduce the subsidy on superphosphate because it suits him. He can have two aircraft standing by to take his wife to the Opera House in Sydney. Talk about having the Police Department telex tied up to send a communication to Ceduna!

The Prime Minister had two Air Force planes tied up so that he could have Tammy alongside him that night, instead of staying overnight. Perhaps she wanted to get back because she could not trust him. The fact is he had two Air Force planes tied up so his Tammy could get back and keep the bed warm that night, and it cost more than \$3 000 to the community for Air Force aircraft to be tied up in this way. Does this assist the Leader of the Opposition when he moves a vote of no confidence in the Government because it tied up the police telex machine in Ceduna for about five minutes? The very next day it came out that Mr. Fraser was tying up Air Force planes.

The Hon. Mr. Cameron referred to Chowilla. At the time, we laughed, because we could imagine Mr. Steele Hall and his cohorts going to Chowilla with a little pick and shovel saying, "We will build it." However, they did not get past the city bridge on that occasion. Several promises were made by the Hon. Mr. Cameron. We have heard him from time to time promising that there was no way in the world that he would be a Liberal member

again and return to the Liberal Party. I do not know whether that was a promise or a threat, but we saw what happened. He said he would not co-operate with the Leader in this place, and what do we see today? The Hon. Mr. Cameron should be the last person in this world to talk about broken promises.

It was interesting also to note how honourable members opposite put up the Hon. Mr. Cornwall for the Hon. Mr. Casey's job. Their record of change in leadership bears looking at. Whoever a Labor Premier has been, the Liberals have always said, "He is not the right man." They said about Chifley, "He is only an engine driver" but, when he died, they claimed him as the best Prime Minister Australia had ever had. What did they say about Whitlam; how many times have they attempted to get rid of him and put other people up? They change their own leadership consistently. They had Gorton as their Leader for a few years but they soon got rid of him after making him Prime Minister.

The Hon. N. K. Foster: Fraser was responsible for that.

The Hon. D. H. L. BANFIELD: They got rid of Gorton and I think there was one other they got rid of.

The Hon. N. K. Foster: They were going to give Holt the skid before he died.

The Hon. D. H. L. BANFIELD: Closer to home, they put Steele Hall on the skids after spending \$250 000 training him to lead the great Liberal Party, and he was gone within two years. Dr. Eastick lasted for two or three years and he has gone. Now Mr. Tonkin is not performing too well and trying to get a place in the Federal House, with Dr. Eastick on the way back, backed up by Dean Brown. The Liberal Party has to change its leadership so often because it does not have a continuing policy to put to the people. I refer also to some of the misleading propaganda being put out by the member for Hanson in another place, Mr. Heini Becker.

The Hon. J. C. Burdett: He wouldn't do that.

The Hon. D. H. L. BANFIELD: Of course he would not! It just so happened that the leaflet to which I am about to refer slipped into people's letterboxes. In order to imply that public money is being wasted, Mr. Becker issued a leaflet entitled, "Flinders Medical Centre: what price health care?" In the leaflet, Mr. Becker says that construction of the hospital is near completion. He continues:

It is suggested that another 300 beds be added, at an unknown cost, but which would certainly take the project over the \$100 000 000 mark.

Who made that suggestion? No-one but Mr. Becker, and he did so merely to boost his own image in the public's eye. It is so much nonsense for Mr. Becker to say that the Flinders Medical Centre is probably the most expensive hospital complex being built in Australia. Honourable members no doubt know about the Westmead Hospital in New South Wales, which is currently under construction and which is expected to cost \$150 000 000, or slightly less than double the cost of the Flinders Medical Centre.

Regarding the suggestion that emanated from Mr. Becker's warped mind, the Government does not intend that another 300 beds be added to the Flinders Medical Centre beyond Stage 4. If that happened, the hospital would comprise 1 008 beds. The present site will be developed to its full potential on completion of Stage 4, and a further 300-bed complex could not be fitted into the present site, which cannot be extended in any direction. That is the sort of lying propaganda that comes from members opposite.

The Leader of the Opposition in another place (Mr. Tonkin) talks about law and order. While doing so, he is seen on a beach parading his dog without a leash. He is therefore breaking the law while saying that we want law and order in South Australia. It is most unfortunate that we could not spare a policeman on that day to police the beach along which Mr. Tonkin was walking. It is a pity that the local council officer was not present. Is this the sort of law and order about which Mr. Tonkin speaks? He thinks, "I am above law and order. I will parade my dog where I like, but no-one else can commit a breach of the law." Not only that, but also Mr. Tonkin is seen on television flouting the law, thinking as he does that he is above the law. So much tripe comes from Opposition members, who are not at all sincere.

I regret that we have a fairly tight schedule today, otherwise I could go on and expose members opposite more than I have already done. First, they have no policies; secondly, they do not care two hoots about the truth; and, thirdly, they do not honour any of the promises that they make. This has been shown not only by Liberal Party members in this State but also by the Prime Minister, who is Australia's dictator. It is distressing that his Ministers, when asked about any matter, must say, "I am sorry, but I will have to refer this back to the Prime Minister." The Prime Minister obviously has no faith in any of the Ministers in his Cabinet. I suppose this is only natural, especially when Ministers such as Mr. McLeay state that the South Australian Housing Trust, when building factories, is taking away work from private enterprise. He knew very well when he said that that when the Housing Trust is involved in the construction of factories private enterprise is also involved.

I suppose it is only natural that the Prime Minister has no confidence in his Ministers, just as the people of South Australia have no confidence in the Opposition in this State, because members opposite have absolutely no moral obligations. Indeed, they will stoop to anything if they think it will gain them votes. Members opposite put up very little during the debate. Indeed, I doubt whether any of the points they raised rated an honourable mention in the press. It is fairly tough when their own press will not support them.

The DEPUTY PRESIDENT: Their own press?

The Hon. D. H. L. BANFIELD: Of course it is, Mr. Deputy President. I refer now to the matters raised by the Hon. Mr. Creedon regarding the police. I say without hesitation that South Australia has the best Police Force in Australia.

The Hon. R. C. DeGaris: Are you going to investigate all the complaints raised by the Hon. Mr. Creedon?

The Hon. D. H. L. BANFIELD: The matters have already been referred to the police, and I have received a report. The Deputy Commissioner has said that he would like to receive further information on the points raised by the Hon. Mr. Creedon, and that, if there has been any misconduct in relation to constituents, the complaints will certainly be investigated. It is most unfortunate that more credit is not given to the police for the many good and valuable things that they do. We cannot do without our Police Force, whose officers go beyond the line of duty in helping the public. Like any other group of people, be they employers or employees, bus or tram drivers, or anyone else, there must be one or two people that go off the rails.

I am not saying that there is not room on odd occasions for complaints against the police. I am saying, however, that the room for complaints is small when compared to

the good work done by our Police Force. Indeed, I am proud of the South Australian Police Force, and I assure honourable members that our police officers have my complete confidence. I also assure the Hon. Mr. Creedon that, if he supplies more details about the matters he raised, the department's officers shall be pleased to investigate the complaints. I thank honourable members for the attention that they have given to the debate, and I look forward now to settling down to a good session.

Motion carried.

MOTOR FUEL RATIONING (TEMPORARY PROVISIONS) BILL

Adjourned debate on second reading.

(Continued from August 3. Page 365.)

The Hon. R. C. DeGARIS (Leader of the Opposition): This Bill is identical to, or almost identical to, a Bill that came before the Council on a previous occasion. Similar Bills may have been before us more than once, but I remember one measure to enable the Government to have power to control the use of motor fuel in case of emergency. I have no objection to the provisions of the Bill. The Government has found it necessary to introduce this Bill, particularly in view of the position in Queensland at present. No-one can predict what may happen regarding that position, and the outcome may well flow to other States. There could be a crisis regarding fuel reserves in this State and fuel supply to various areas.

Therefore, I have no objection to the general principle in the Bill, nor did we object when a similar measure came before the Council previously. I have noticed in the Lieutenant-Governor's Speech opening this session that a much more comprehensive emergency powers Bill will come before Parliament later in the session. When that happens, we will have to examine closely the principle of having emergency powers legislation on our Statute Book and we will have to examine how those powers will operate.

The Bill before us is to apply until October 31. It is now August, and the legislation is to remain in force for almost three months. That seems a long period, when we consider that the crisis in Queensland may be over long before that time. However, I have no real objection to the Bill's running until October 31, because by then the Council will have been able to debate at greater length the proposed emergency powers measure that the Government intends to introduce.

I wish to raise one matter that I consider important, namely, that the Bill may be said to be one that may restrict the movement of fuel. It allows the Government to ration existing State fuel supplies if those supplies as a whole are threatened, so as to make existing reserves last as long as possible. As I understand, the Bill does not come into effect unless the meaning of "motor fuel", as defined in clause 4, is proclaimed. That definition of "motor fuel" is:

"Motor fuel" means any substance for the time being declared by proclamation to be motor fuel for the purposes of this Act.

Therefore, until the Government proclaims what it means by "motor fuel", the Act will be inoperative, as I see the position. There may be a crisis regarding the supply of diesel fuel or motor spirit and, until the definition of "motor fuel" is proclaimed, the Act cannot operate. As I have said, the Bill virtually restricts the movement of fuel or extends the time for which the State's reserves

will last. There is a reverse side that I believe the Bill avoids, that is, in regard to giving the Government power to deal with a situation where something prevents the movement of fuel. I believe that that is complementary to the power in the Bill to ration fuel.

The Hon. C. J. Sumner: You didn't think that in 1972.

The Hon. R. C. DeGARIS: If the Hon. Mr. Sumner felt that he was thinking exactly the same way in 1972 as he is thinking now, there would be no need for amending legislation from year to year. The honourable member may remain fixed in his thinking of 1972 if he likes.

The Hon. C. J. Sumner: You have changed your mind. Is that right?

The Hon. R. C. DeGARIS: Not at all. One grows. The Government has on the Notice Paper a Bill changing the drug legislation in South Australia, because something has occurred or more knowledge has been obtained.

The Hon. C. J. Sumner: What has occurred to make you change your mind?

The Hon. R. C. DeGARIS: I made no statement that it was not necessary in 1972. It did not occur to the Government or to the Opposition that such a power might well be written into that legislation, and since that time it has come to my attention that such power may be necessary. I think sensible and rational members will agree that that is logical and that there should be power for the Government to move motor fuel, as well as to ration and extend the use of it for as long as possible. What is the use of having a rationing power when petrol is available but it cannot be moved?

I realise that this matter touches closely on a strong belief of the Labor Party, namely, that, if this position occurred because of a strike, there would be something terrible about breaking the strike. Therefore, it is obvious that the Government will oppose a blanket power for it to be able to step in and move fuel. I understand that, and that is why the Hon. Mr. Sumner is so concerned about what I am saying.

The Hon. C. J. Sumner: I am not concerned. I just want you to say why you have raised the matter now, when you did not mention it in 1972 regarding an identical Bill to which you did not move amendments. What is the reason?

The Hon. R. C. DeGARIS: I have given the reason. If what the Hon. Mr. Sumner has been saying was logical, there would be no need for Parliament, because what was said in 1972 would be valid today. That is what the Hon. Mr. Sumner is trying to say.

The Hon. C. J. Sumner: The measure expired in October, 1972. You know that as well as I do.

The Hon. R. C. DeGARIS: That may be so.

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

The Hon. R. C. DeGARIS: The Hon. Mr. Sumner is trying to say that any view that I held in 1972 should be the view that I hold in 1977, and that is illogical. I am only saying that, having examined the Bill, I believe the Government should have power to move fuel as well as to ration it. Whether the matter arose in 1972 has nothing to do with the position. If the Hon. Mr. Sumner wants to oppose me, let him do it on logical grounds, not on some conservative grounds that what was the view in 1972 should be the view now.

The Government would be extremely cautious about doing as I have suggested in regard to this Bill, for the reason that I have given. I accept that the Government has a problem in its own policy, and on the basis of the Labor Party beliefs, regarding the fact that this power may

have to be used to break a strike. That would concern the Government, and I accept its concern. What I am suggesting by the amendment is that the power should be given to the Minister only where, in his opinion, the movement of fuel is essential for the health, safety, or welfare of persons. That is an important matter. One cannot predict how or what type of an emergency will occur, but a hospital, fire brigade or ambulance may be affected in such a crisis, because of the inability to move supplies. All this amendment does—

The Hon. C. J. Sumner: How will it be an inability to move fuel?

The Hon. R. C. DeGARIS: All I am saying is that the Minister should have a power where, in his opinion, in that emergency, if it is necessary to ration fuel, he can do it. It may be necessary to move fuel, if the Minister believes that the movement of fuel to a user is essential for the health, safety and welfare of persons. The Minister should have that power. It is not an absolute power, because it is a matter of his opinion.

The Hon. C. J. Sumner: Why can't the Government just do it? It has the fuel, the trucks—what are you talking about?

The Hon. R. C. DeGARIS: There could be—

The Hon. C. J. Sumner: Tell us what you mean; don't beat around the bush.

The Hon. R. C. DeGARIS: I have explained what I mean. If there is emergency legislation regarding fuel supplies, there could be a situation where the Government has to move fuel, rather than ration it. It may have to move fuel to ration it, and there could be a situation where the essential services in relation to health, safety and welfare of persons are involved. The Government does not have to use that power if it does not want to. It is not mandatory on the Government to use that power but where, in the Minister's opinion, the situation warrants such action he can invoke the power in the interests of the health, welfare and safety of persons. I believe that the Government should examine such an amendment in the spirit in which it is put up and, if it examines it correctly, it will see that such a power, where it involves the Minister's opinion, regarding the movement of fuel in those circumstances, is probably a worthwhile addition to the Bill. I support the second reading.

The Hon. C. J. SUMNER: Although I do not wish to delay the Council long on this matter, I must say, having heard the Leader of the Opposition, who supports the Bill, say that there is a defect in it and in fact foreshadow an amendment, that I have never heard a speech, not even from the Leader, involving so much evasion and circulation around the point. It was a most incredible performance. The simple facts of the matter are, and all honourable members realise this, that in 1972 a Bill in similar terms to this Bill was considered.

The substantive provisions were the same then, that is, in about August, 1972, when we were in the middle of a fuel shortage in this State. The Opposition agreed to that legislation and, although it did move amendments on that occasion, those amendments did not relate to the point raised by the Leader today, namely, that the Government needs powers to move fuel. That point was not raised by him or by any other Opposition members then. However, many of those same Opposition members are now present. Again, in 1973, precisely the same Bill was presented to this Council. It was accepted by this Council without any problems and no amendments were then moved, and there was no need to mention emergency power.

Can the Leader say what circumstances have changed? He has accused me of being conservative and not keeping up with things, but the Leader seeks to put something into a Bill that on two previous similar occasions he did not. What has changed? When I asked him about that all he could do was evade the question, saying that the Government should perhaps have this power. Clearly, there is something else behind what the Leader has said, but I do not know what it is. However, nothing he has said has convinced me of the need for this provision. The Leader did not think of this or think it was necessary when he reviewed this legislation in his usual diligent way in 1972 and 1973. If there is something behind what he has said, let him tell us.

The Leader said that the Government needs specific legislative power to move fuel, but surely it has the capacity to move fuel without such legislative power. The Government has facilities, trucks, tankers and the like. I questioned the Leader by way of interjection to try to understand what he was getting at, but he did not want to tell me what he had in mind.

The Hon. F. T. Blevins: Union bashing is fashionable!

The Hon. C. J. SUMNER: True, but the Leader did not come out and say that. If that was his intention, then it was the most evasive, dishonest and deceitful speech I have heard the Leader make in this Council, and I will want much more information from him before I am willing to consider the amendments foreshadowed by the Opposition.

The Hon. J. C. BURDETT: The Hon. Mr. DeGaris has correctly pointed out that this Bill is in a purely negative form. True, there have been previous Bills, although they did not have the same name. Obviously, the Government changed its mind. In 1972 we had the Liquid Fuel (Rationing) Bill. There has been nothing quite uniform about these Bills, anyway.

The Hon. C. J. Sumner: They're uniform in their substantive provisions.

The Hon. J. C. BURDETT: They are not uniform. This Bill's provisions are entirely negative, giving the Government power to restrict sales, but they will not give it power to make any positive movement of fuel or take fuel to areas where it may be required in the manner set out in the amendment foreshadowed by the Leader. That is what he is talking about, and there is nothing mystifying about that.

Suppose the State had a radical and drastic shortage of fuel, with just not enough fuel to go around: the only power this Bill gives the Government is power to ration and restrict the sale of fuel and restrict the movement of fuel which is available. Surely, if it is important—and I agree that it is important—to introduce a Bill to avert the effects of the kind of emergency which is envisaged, namely, a shortage of fuel brought about no doubt by strike action somewhere, it is necessary to do this and go further.

If the State is brought to its knees by some strike action regarding fuel, the Government should have not just the power to restrict the sale and movement of fuel but also the positive executive and legislative power to direct where fuel should go. That is all that the Leader is talking about. Indeed, he is seeking only to provide that power where, in the opinion of the Minister, it is necessary for the operation of a service or facility that is essential for the health, safety or welfare of persons.

The Hon. C. J. Sumner: What you're getting at is that the Government should be able to have power to direct a private company where it should send fuel; is that what you're getting at?

The Hon. J. C. BURDETT: I am not getting at anything.

The Hon. C. J. Sumner: It is your amendment.

The Hon. J. C. BURDETT: It is not.

The DEPUTY PRESIDENT: The Hon. Mr. Sumner has had a fair crack of the whip. It makes it very difficult for the Hon. Mr. Burdett to clarify the matter if the Hon. Mr. Sumner continues interjecting.

The Hon. J. C. BURDETT: This is the second reading debate, and there is no amendment before the Chair. When the foreshadowed amendment is moved, the honourable member will have the opportunity to speak on it as often as he likes. I am speaking on the question of principle. The Government has said that this Bill is necessary to avert a disaster in the State if there is a shortage of fuel; the Bill would restrict the sale and movement of fuel. The Hon. Mr. DeGaris is saying that, if it is necessary to impose restrictions, it is also necessary for the Government to have the power to take positive action. I therefore support the second reading, but I strongly support the points made by the Hon. Mr. DeGaris.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

The Hon. R. C. DeGARIS (Leader of the Opposition): The definition of "motor fuel" would not operate until a proclamation had been issued. Can the Minister of Health foresee any circumstances where a definition of motor fuel of a particular category would be necessary? Why should we have a definition of "motor fuel" in the Bill?

The Hon. D. H. L. BANFIELD (Minister of Health): The definition provides flexibility.

Clause passed.

Clauses 5 to 15 passed.

New clause 15A—"Emergency orders."

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

After clause 15, page 4, insert new clause as follows:

15A. (1) In this section "Emergency Order" means an order made pursuant to subsection (2) of this section.

(2) The Minister may, by order in writing, direct a person—

(a) to take such action; or

(b) to refrain from taking such action,

in relation to the supply or distribution of motor fuel, as is specified in the order, where, in the opinion of the Minister, the giving of that order is necessary for the operation of a service or facility that, in the opinion of the Minister, is essential for the health, safety or welfare of persons.

(3) A person to whom an Emergency Order is directed shall not, without reasonable excuse, refuse or fail to comply with that order.

Penalty: One thousand dollars.

(4) A person shall not—

(a) prevent a person from complying with an Emergency Order;

(b) hinder or obstruct a person in his compliance with an Emergency Order; or

(c) counsel or procure a person to contravene an Emergency Order.

Penalty: One thousand dollars."

When I asked the Chief Secretary why it was necessary to define motor fuel, he said that flexibility was needed, and I accept that. Following the same line of reasoning, I point out that greater flexibility may be provided through including my amendment in the Bill. The Hon. Mr. Sumner asked why we did not wake up to this before but I have already answered that question. Further, we are now dealing with a different set of circumstances. When the 1972 Bill was introduced, there was a petrol

strike, and we knew what the situation was. However, this Bill is not designed to cater for any particular situation. Since 1972 we have developed more knowledge of this type of legislation, and I point out that the circumstances surrounding the two Bills are different.

The Hon. C. J. SUMNER: The Hon. Mr. DeGaris said that when honourable members were considering the 1972 Bill they were in the middle of a situation that they knew about; he then said that this situation was different because we are presupposing something that we are not sure about. The Hon. Mr. DeGaris uses that argument as a justification for inserting new clause 15A, I ask the Hon. Mr. DeGaris: was the situation in 1973, which he failed to mention, not a situation similar to this—where there was no actual emergency at the time, but the legislation was introduced in case there might be problems with fuel in the future?

The Hon. R. C. DeGARIS: That may be so, but it has no bearing on the matter at all.

The Hon. C. J. SUMNER: The Hon. Mr. DeGaris conveniently referred to 1972, but he failed to refer to 1973, because it did not suit his argument; this is one of his usual ploys. I want the Leader to be more specific about the circumstances that he thinks could arise in the emergency that has been contemplated.

The Hon. R. C. DeGARIS: I cannot foresee the circumstances any more than the Hon. Mr. Sumner can outline the circumstances that would require this type of legislation in the first place. He claims that I referred to the 1972 situation because it suited me, but I point out that he quoted the 1973 situation because it suited him. So, we may both be guilty.

The Hon. C. J. SUMNER: The provision relates to the question of the Government's having power to direct a private company that may have fuel supplies to send those supplies to a particular place where they may be needed for the purposes outlined.

The Hon. R. C. DeGARIS: There may be any reason why the Government should have power to move fuel, whatever causes are involved—a hospital, an ambulance, or a fire brigade needing fuel and, if fuel is available and the Government wants to move it from point A to point B and is prevented from doing so in the normal way, it can step in and move it.

The Hon. C. J. Sumner: But you will not outline the circumstances.

The Hon. R. C. DeGARIS: There are hundreds of them.

The Hon. C. J. Sumner: Give us some examples.

The Hon. R. C. DeGARIS: We are dealing here with emergency legislation in respect of something that could happen. If the Hon. Mr. Sumner wants to outline to me what could happen, let him do so.

The Hon. D. H. L. BANFIELD: We indicated in the second reading explanation that the Government intends to bring down a Bill during this session which should produce a permanent Act so that this matter can be legislated on in times of emergency. This Bill has fairly wide implications extending powers in this way. We think there should be consultation between all parties concerned in fuel distribution throughout the State. That will take place before we bring down the Bill referred to in the second reading explanation. This Bill, as the Hon. Mr. Sumner says, is almost identical to the one introduced in 1972 and again in 1973, supported by the Opposition.

Yesterday, the Hon. Mr. DeGaris spoke of over-legislation and over-control, but here he is putting controls into this Bill. I do not know whether he has had discussions with the interested parties. The Government at this stage has not been able to consult with them as much as it would have liked to but we intend doing that so that all parties can put their points of view before we put a permanent Act on the Statute Book. This present Bill is sufficient for what may happen in an emergency and, in those circumstances, it is fair, if such an emergency arises, that the Government will give the Opposition the chance to debate the whole issue in greater detail in this session of Parliament.

The Hon. J. C. BURDETT: I support the new clause. It must be remembered that this Bill does expire on October 31; it will not be on the Statute Book for all time. This amendment seeks simply to give the Government another power; it does not have to exercise that power.

The Hon. D. H. L. Banfield: And we are the power-hungry Government that you people are always talking about!

The Hon. J. C. BURDETT: We on this side of the Chamber are responsible and accept the fact that, if it is necessary to restrict the sale and movement of fuel because of a crisis, it is also necessary to give the Government the necessary power, and it is only that power that is involved. The Government has that power only when the Minister has expressed that opinion. If he does not express that opinion, the power is not used. It is a power used only when, in the opinion of the Minister, it is essential for the health, safety or welfare of persons. Surely honourable members opposite do not think there should not be the power to protect the health, safety or welfare of persons. This is in the nature of emergency legislation, and it has been spoken of as such. There is a need to restrict and also a need for the Government to have the power to order the movement of fuel for the protection of the health, safety or welfare of persons, the essential health of the community. Surely that is what this is all about; surely the Government should have the power when, in the opinion of the Minister, it is necessary.

The Committee divided on the new clause:

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

Noes (8)—The Hon. D. H. L. Banfield (teller), F. T. Blevins, T. M. Casey, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, and C. J. Sumner.

The DEPUTY CHAIRMAN: There are 8 Ayes and 8 Noes. I cast my vote for the Ayes.

New clause thus inserted.

Remaining clauses (16 to 26) and title passed.

Bill read a third time and passed.

Later:

The House of Assembly intimated that it had disagreed to the Legislative Council's amendment.

Consideration in Committee.

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

That the Legislative Council do not insist on its amendment.

We indicated before that at this stage the Government would like more time to consult everybody concerned in the motor fuel industry; we believe that the Bill as it now stands will get us through what may be an emergency that could arise in the next week or two. The amendment converts the Bill into one that gives overriding power for

the whole industry, including industrial relations, and that is something that we, and I know the industry itself, would like further to consider, so that the industry can put its points of view. I think the arguments were canvassed very well before and, on your casting vote, Mr. Deputy Chairman, you ruled that we should give another place a chance to consider the Bill further. It has had that opportunity further to consider the Bill, and it states that it rejects the amendment. I have no doubt it considered the fact that it would be introducing a Bill later this year to become a permanent measure on the Statute Book so that measures of this type would not be necessary. For those reasons, I ask the Committee not to insist on the amendment.

The Hon. R. C. DeGARIS (Leader of the Opposition): The reason given by the House of Assembly for rejecting the Legislative Council's amendment is: because the amendment alters the concept of the legislation. May I ask: so what? Why should not the concept of the legislation be changed, anyway? My point is that there is no argument from the House of Assembly in relation to the logical amendment made by this Council. The only argument put is that it changes the concept of the legislation. If, as explained in this Chamber when the amendment was moved, there is a logical reason why the Government should have certain powers in relation to this Bill giving the Government negative powers to ration and stop the movement of fuel (which is exactly what it amounts to), it is reasonable to say that the legislation should contain the power for the Government to move fuel, particularly in relation to the health, safety, or welfare of the people concerned.

The reason given by the House of Assembly is not a valid reason for rejecting the amendment. If the Government does not like the idea of a Minister's having power when, in his opinion, there is a need to use that power in the interests of the health, safety, or welfare of the people concerned, let it say so. For the Government to say that the amendment alters the concept of the legislation is an excuse that this Committee should not accept.

As the Chief Secretary has said, the Government has indicated that it will soon introduce a Bill of some permanence in relation to emergency powers. This point can therefore be raised again when that Bill is introduced. However, I warn the Chief Secretary that there will be no emergency powers of a permanent nature unless those powers apply equally to all people in this State. If the Bill that it has been indicated will be introduced some time this session treats various categories of people in South Australia differently, it will receive strong opposition in the Council.

I am disappointed that the Government has not seen fit to accept the valid and logical point which was made by the Council and which should have been incorporated in the legislation. Although I am disappointed with the Government's attitude, I am willing at this stage, as this is only a temporary measure, not to insist on the amendment. However, I indicate to the Government that, when a Bill to give the Government permanent powers is introduced, a provision such as this must be included, if these emergency powers are to take some permanence on the Statute Book.

Motion carried.

ADDRESS IN REPLY

The DEPUTY PRESIDENT: I ask honourable members to proceed to Government House for the presentation to His Excellency the Lieutenant-Governor of the Address in Reply.

[Sitting suspended from 4.3 to 4.48 p.m.]

The DEPUTY PRESIDENT: I have to inform the Council that, accompanied by the mover and seconder and by other honourable members, I proceeded to Government House and there presented to His Excellency the Address in Reply to His Excellency's Opening Speech adopted by the Council this afternoon to which His Excellency was pleased to make the following reply:

I thank you for your Address in Reply to the Speech with which I opened the third session of the Forty-Second Parliament. I am confident that you will give your best attention to all matters placed before you. I pray for God's blessing upon your deliberations.

STATUTES AMENDMENT (NARCOTIC AND PSYCHOTROPIC DRUG AND JUSTICES) BILL

The House of Assembly intimated that it had disagreed to the Legislative Council's amendment.

Consideration in Committee.

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

That the Legislative Council do not insist on its amendment.

This matter was well canvassed yesterday, when I said that the amendment was too far-reaching. I pointed out then that many books could be banned under this provision. If the Government did not gazette certain exemptions, some people could be caught. The Government does not want to make criminals out of people, or to have to prosecute someone who was unaware that he was contravening the legislation.

I said yesterday that the Government considered that there was some merit in the Hon. Mr. Carnie's amendment. However, because it is too far-reaching, and because the Royal Commission is sitting at present, the Government undertakes to ensure that the point of view raised by the honourable member is put before the Commission for its consideration. I therefore ask the Committee not to insist on its amendment but to allow the Royal Commission, set up to examine all these matters, to consider a provision similar to the honourable member's amendment.

The Hon. J. A. CARNIE: I am disappointed that the Government is taking this attitude, especially when the Minister of Health admitted yesterday that there was some merit in my amendment; I consider that it has much merit. It seems farcical that, on the one hand, we pass a Bill to close a loophole in the Act to ensure that more people are punished for permitting offences relating to drugs, whereas on the other hand we allow the release for publication of books that not only advise how but also actively encourage people to break this law. The whole basis of the Government's argument is that my amendment is too far-reaching. Yesterday, the Chief Secretary quoted the example of encyclopaedias that may advise how to grow marihuana.

The Hon. N. K. Foster: That sort of information is in organic chemistry books. You'd have to ban everything.

The Hon. J. A. CARNIE: If the Hon. Mr. Foster had examined my amendment, he would have seen that a specific provision gave the Government power to exempt, so that exemptions could easily be granted. Yesterday, the Chief Secretary referred to the *Encyclopaedia Britannica*. I accepted then that that encyclopaedia would be caught in this net and would, therefore, have to be exempted. Although it deals with all aspects of opium, it does not

deal with the way in which it is made from the opium poppy. Therefore, the matter raised by the Chief Secretary does not arise as, indeed, I do not think it will arise in relation to any other matter.

Because I believe strongly that it is essential that this loophole be closed, and in view of the Government's attitude on the matter, I will not at this stage insist on my amendment. At the same time, I should like the Chief Secretary again to assure the Committee that the Government will bring this matter before the Royal Commission, as he has already said will be done. I assume that, after the Commission has brought down its findings, whenever that may be (I think it will be some time before this happens), this patchwork quilt of an Act will be redrafted

and brought before us. I should like to see my provision written into the law. At this stage, however, I will reluctantly not insist on my amendment.

The Hon. D. H. L. BANFIELD: The assurance that I have given today was given to me by the Attorney-General. I accepted that assurance, and it has been given to this Chamber in good faith.

Motion carried.

ADJOURNMENT

At 5.8 p.m. the Council adjourned until Tuesday, August 16, at 2.15 p.m.