

The Hon. D. A. DUNSTAN: Honourable members opposite know, because this has been discussed in the House previously, that the Government will not agree to its business being taken out of its hands by a suspension motion, and certainly not by a suspension motion without notice.

Mr. Coumbe: What are you frightened of?

The Hon. D. A. DUNSTAN: We are not frightened of anything. This matter was discussed at some length during Question Time. It could have been the subject of an urgency motion or of a motion of no confidence, and the Government has made clear that it is only those two courses that it will allow to take precedence of Government business, and that the Government will not submit to constant suspension motions to remove the conduct of business from the hands of the Government.

The honourable member has known that all the time; honourable members opposite have known it. It was made clear at the beginning of this Parliament, and that is why I say that proceeding with a suspension motion (and the honourable member must have known from the outset that the Government could not accede to the motion because of the reasons I have given) was a device to gain publicity by means of the honourable member's constantly speaking contrary to Standing Orders concerning the subject matter of his motion in order to get uproar in the House and to draw attention to his subject matter. That is what the whole business was about.

Dr. TONKIN: I rise on a point of order, Mr. Speaker. The Premier is going over the events of the past 10 minutes or so, and is not addressing himself to the reasons why we should not debate this issue now and why Standing Orders should not be suspended.

The SPEAKER: I must direct the honourable Premier to confine his remarks to why we should not be suspending Standing Orders.

The Hon. D. A. DUNSTAN: Thank you, Mr. Speaker. The reasons why the Government cannot agree to the suspension of Standing Orders—

Mr. Millhouse: You're not going to—isn't that rather more accurate?

The Hon. D. A. DUNSTAN: In no circumstances will the Government agree to the suspension of Standing Orders to have Opposition members take the procedure of Government business out of the hands of the Government, when in fact quite ample opportunity to raise any matters of urgency or grievance is in the hands of other members by proceeding otherwise, as they very well know. They have already taken such measures during this Parliament without any difficulty. The Government will not agree to these devices being used to pre-empt the urgent business that will be coming before the House.

Dr. Tonkin: Did you ever try it?

The Hon. D. A. DUNSTAN: Yes, and I got knocked back by Liberal Governments, for the same reasons, that no Government would agree to a procedure of this kind. I am following exactly what Liberal Governments have done in this course, and they were right and I was wrong.

Members interjecting:

The Hon. D. A. DUNSTAN: I did not mind raising the matter when I was in Opposition. Members opposite may do that, but I did not get into the particular course of action that the member for Davenport has been in today.

Mr. Millhouse: I'm not so certain about that.

The Hon. D. A. DUNSTAN: The honourable member should look back at the record.

Mr. Millhouse: I've got a good memory.

The Hon. D. A. DUNSTAN: So have I, and I can remember that the member for Mitcham has been suspended very much more than I have been in the history of this House. I have been suspended only once.

Mr. Millhouse: Because you've been in charge of the jolly place.

The SPEAKER: Order!

Dr. TONKIN: I rise on a point of order, Mr. Speaker. I cannot see that the number of times either the Premier or the member for Mitcham has been suspended has anything to do with why we should or should not suspend Standing Orders now.

The SPEAKER: I must uphold that but, at the same time, I must point out that certain interjections encourage this type of debate. The honourable Premier.

The Hon. D. A. DUNSTAN: I bow to your ruling, Sir, and I shall not answer the interjections. Therefore, the Government in no circumstances could agree to a motion of this kind, whatever the purpose of the motion might have been. I point out once again to honourable members that they have been able to raise in Question Time today the subject matter for which the suspension was sought. It has been dealt with quite extensively. Had they considered it a matter of urgency, they could have moved an urgency motion. They chose not to do that, and this way of pre-empting Government business is something no Government, Liberal or Labor, has ever acceded to in this House, nor is it ever likely to do so.

The House divided on Mr. Dean Brown's motion:

Ayes (18)—Messrs. Allison, Becker, Blacker, Boundy, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin (teller), Vandepeer, Wardle, and Wotton.

Noes (20)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hoppood, Jennings, Keneally, McRae, Olson, Payne, Simmons, Slater, Virgo, Whitten, and Wright.

Pairs—Ayes—Messrs. Arnold, Chapman, and Venning. Noes—Messrs. Hudson, Langley, and Wells.

Majority of 2 for the Noes.

Motion thus negatived.

PIPELINES AUTHORITY ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

LAND COMMISSION ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council with an amendment.

LIBRARIES AND INSTITUTES ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

FISHERIES ACT AMENDMENT BILL

Second reading.

The Hon. J. D. CORCORAN (Minister of Works): I move:

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

It represents the first stage of amendments to the principal Act, the Fisheries Act, 1971-1975, that will arise from a comprehensive departmental examination of fisheries policy in the State. Clauses 1 and 2 are formal. Clause 3 amends section 5 of the principal Act by inserting in the definition of "waters" a reference to bays and gulfs. This is merely a clarificatory amendment. Clause 4 amends section 11 of the principal Act by making it clear that it is an offence for any inspector "appointed or *ex officio*" to have a proprietary or financial interest in any commercial fishing without the consent of the Minister. Clause 5 corrects a lacuna in the principal Act by providing a penalty for a breach of subsection (4) of section 24.

Clause 6 is a most significant amendment and is commended to honourable members' particular attention. This section replaces old section 37 which gives the Minister power to revoke most important licences and authorities under the principal Act by giving him also the somewhat lesser power to suspend those licences and permits, since it is felt that a simple power to revoke is too Draconic. Clause 7 provides for some further controls of the importation and movement of "noxious fish" within the State and enables fish of this kind to be confined to certain areas of the State. Clause 8 enlarges the regulation-making power in two areas by providing for regulations to be made to ensure the hygiene and cleanliness of fish dealers' premises and also to control storage of gear on any boat. Clause 9 amends section 57 of the principal Act and is again commended to members' particular attention. It proposes an evidentiary provision to the effect that fish in the possession of a person will give rise to a presumption that those fish were taken by that person. The need for such a presumption is clear since it is very difficult to adduce direct evidence as to taking in most circumstances. Clause 10 is an amendment consequential upon the amendment proposed by clause 6 and makes it clear that the suspension of a licence is an administrative and not a judicial act.

Mr. MILLHOUSE secured the adjournment of the debate.

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received.

The Hon. J. D. CORCORAN: I move:

That the report be noted.

The committee met once and heard evidence from representatives of the Renmark Irrigation Trust, the Engineering and Water Supply Department and Parliamentary Counsel. As the report indicates, the committee is of the opinion that the additional moneys provided by this Bill to the Renmark Irrigation Trust will enable it to complete a programme of rehabilitation of its irrigation and drainage works. This work has been proceeding since about 1959. It includes not only rehabilitation of the irrigation works but also some work to be done in relation to reticulation of domestic water supplies. The committee is satisfied there is no opposition to the Bill and recommends it be passed in its present form.

Mr. WARDLE (Murray): I support the Minister's remarks about the Select Committee. It was my good fortune, together with the member for Light, to be on a similar Select Committee in October, 1971, when this organisation appeared and asked for financial assistance, which at that time was also granted. I think it ought to be said that most of the work began in 1966 when the Government provided sums of money for a new pumping station on the river bank at Renmark. At that time this was a forward-looking proposal, as it was to provide for rising mains. It was to provide for work on rehabilitating the irrigation distribution system which previously used the method of open trenches but which now mainly uses underground pipes. The conservation of water as a result of the introduction of that system must be considerable. Additional installations of drainage works were also undertaken.

As the Select Committee sees it, the trust has been paying a 5 per cent interest rate that will increase and, with the increase in costs of both materials and labour through inflation, it has been impossible for that work to be carried out for the sum originally borrowed. The committee was satisfied on the evidence that all these works are being managed economically and are running according to the time schedule originally estimated for this money to be spent. I add my support to the Bill.

Mr. NANKIVELL (Mallee): The completion of the irrigation and drainage of the area under the control of the Renmark Irrigation Trust is a continuing process. One or two matters of concern were expressed by the witnesses. One in particular was that, although they have allowed for a 12 per cent escalation in costs, inflation might exceed that figure during the period allocated for the completion of the work. The other area of concern was the cost of the money was to increase, as the member for Murray said, from 5 per cent to 10 per cent. I therefore have some reservations whether or not the amount of money voted in this Bill will, in fact, enable the completion of the project, unless everything goes extremely well. An understanding was given, and understood by the Renmark Irrigation Trust, that the door is open and, should this amount not be adequate, other money will be available to it to complete the work. With that assurance in mind, I have much pleasure in supporting the motion.

Motion carried.

Bill read a third time and passed.

CONSTITUTION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from April 19. Page 3517.)

Dr. TONKIN (Leader of the Opposition): This Bill arises from legislation introduced in this Parliament in 1973. An anomalous situation has arisen as a result of this and the key factors are the changeover to the list system, which was adopted for elections to another place, and the adoption of the total system of proportional representation over a State-wide electorate. The list system was adopted in spite of serious reservations expressed at the time. The important point is that section 41 of the Constitution Act, which is the double-dissolution provision, provides that after such a dissolution the order of requirement (that is, which members of the Upper House shall be long-term members and which short-term members) shall be decided as provided in section 15. There is some doubt