

## HOUSE OF ASSEMBLY

Tuesday, November 21, 1972

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

### MURRAY NEW TOWN (LAND ACQUISITION) ACT AMENDMENT BILL

His Excellency the Governor's Deputy, by message, intimated the Governor's assent to the Bill.

### QUESTIONS

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

That Standing Orders be so far suspended as to enable Questions on Notice to be taken forthwith.

The SPEAKER: I have counted the House and, there being present an absolute majority of the whole number of members of the House, I accept the motion. Is the motion seconded?

The Hon. J. D. CORCORAN: Yes, Sir.

Dr. EASTICK (Leader of the Opposition): I and other members on this side oppose the motion. It is a denial of the rights of members that there should be, by this move, an attempt to change the decision made in recent years in respect of our Standing Orders. Although it may previously have been the case that Questions on Notice could be dealt with during Question Time, this House has by a decision in recent times created the situation whereby Questions on Notice would be dealt with only at the conclusion of Question Time and would take precedence of Government business. This motion is nothing but a denial by the Premier and the Government of our rights and an attempt to gag members on this side, denying them the right to ask questions which they believe should be asked on behalf of the people they represent. I strongly urge Government members to consider this matter before they vote and to remember that they are voting on behalf of the people of South Australia and not merely on behalf of their Party. Although our situation is not exactly the same as that in the Commonwealth sphere, I point out that in the session just completed 6,577 Questions on Notice were asked in the Commonwealth Parliament.

The Hon. J. D. Corcoran: How many of them were answered?

Dr. EASTICK: Most of them were asked by members of the Commonwealth Labor Opposition. I have the exact number here,

if the Minister would like to know. Many questions have been answered, given the opportunity and the time available to the public servants involved to consider the matters raised. I ask every member on both sides to oppose the Premier's motion to suspend Standing Orders.

Mr. Millhouse: The Premier is denying us our rights. It's a most dictatorial attitude.

The Hon. D. A. DUNSTAN: Mr. Speaker—  
The SPEAKER: Order! The honourable Premier cannot speak.

Mr. Millhouse: He's just trying to ride roughshod over us without a word.

The SPEAKER: Order!

The House divided on the motion:

Ayes (24)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, Payne, Ryan, Simmons, Slater, Virgo, and Wells.

Noes (18)—Messrs. Allen, Becker, Carnie, Coumbe, Eastick (teller), Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse, and Nankivell, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Majority of 6 for the Ayes.

Motion thus carried.

### SICK LEAVE

Mr. Slater, for Mr. WRIGHT (on notice):

1. Is it compulsory for the nature of an illness to be included in a medical certificate for sick leave?

2. Were a nurse and a porter, employed at the Royal Adelaide Hospital, refused sick leave entitlements because their medical certificates stated only that they were unable to work on account of illness and failed to disclose the type of illness?

3. Did the doctor who issued the certificates contact the Hospitals Department and state he was unable, under the Medical Code of Ethics, to disclose the type of illness as required?

4. Because of the general public approval given to the refusal by doctors to disclose patients' complaints, is it intended to repeal any legislation that makes such disclosure a condition of payment of leave entitlements and ensure that the two employees at the Royal Adelaide Hospital are paid sick leave entitlements for the period they were absent from work due to illness?

*Members interjecting:*

The SPEAKER: Order! There is far too much audible conversation. If honourable

members want to hear the reply of the honourable Attorney-General, interjections must cease.

The Hon. L. J. KING: The replies are as follows:

1. Yes.
2. Yes.

3. Yes, but it is the policy of the Australian Medical Association that a diagnosis be placed on a medical certificate, and this action is not contrary to the Medical Code of Ethics.

4. Public Service regulation 67 prescribes the circumstances under which a medical certificate is required when an officer applies for sick leave, and also the form of the medical certificate. The form was adopted many years ago at the request of the Australian Medical Association and requires the nature of the illness to be disclosed. In view of the attitude adopted by some medical practitioners to the use of the prescribed form, the Public Service Board is examining the position in relation to existing provisions. The matter of payment to the two employees referred to is at present under discussion between the Public Service Board and the Director-General of Medical Services.

#### MAGISTRATES COURTS

Mr. MILLHOUSE (on notice):

1. What changes, if any, have been made in arrangements for prosecuting by police officers in magistrates' courts?

2. If changes have been made, what is the reason for them?

3. If not, is it intended to make any changes?

4. If so, what are they and when will they be made?

The Hon. L. J. KING: The replies are as follows:

1. Uniformed personnel attached to suburban police stations where a court of summary jurisdiction also operates will cease to carry out the prosecuting function (effective November 23, 1972) and police prosecutors from No. 7 Division (Prosecution) will appear in all cases coming before Adelaide and suburban courts.

2. The change is designed to centralize control of police prosecutors and effect a more economical and efficient use of manpower.

3. No other changes are being considered at this time.

4. Not applicable.

#### FILM CLASSIFICATION

Mr. MILLHOUSE (on notice):

1. Have any inquiries been made to ascertain whether breaches of the law are occurring concerning persons between two and 18 years of age seeing R certificate films?

2. If so, what do those inquiries show?

3. Is it intended to take any action and if so, what?

4. If not, does the Government intend to make inquiries and if so, when?

The Hon. L. J. KING: The replies are as follows:

1. Consequent on the previous question on this matter asked by the honourable member on August 8, 1972, in connection with a complaint from a man who alleges that his 15½-year-old daughter gained admission to Wests Theatre to see the R certificate film *Clockwork Orange*, I had this matter investigated, but as the complainant was not willing to let his daughter be interviewed there was no evidence to establish that any breach of the law had taken place.

2. Inquiries into the matter generally indicate the following:

(a) Since the introduction of the R certificate classification eight months ago, hundreds of thousands of patrons have attended cinemas showing R certificate films in city, suburban and country hard-top and drive-in theatres, and to date there has not been one single instance where anyone has submitted evidence to prove that any under-age person has been admitted to an R certificate film with the knowledge of the cinema proprietor;

(b) cinema proprietors are complying with the requirements of the Film Classification Act and are using the prescribed classification symbol on all advertising material and placing notices in theatre foyers advising that persons between two and 18 years will not be admitted to R certificate films. I am informed by the Inspector of Places of Public Entertainment that cinema proprietors in general are doing all in their power to try to observe the requirements of the law; and

(c) there is no evidence of widespread evasion of the law.

3. I have asked the police and the Inspector of Places of Public Entertainment to keep the matter under review generally and to report any problems that might arise in policing and enforcing the law.

4. Not applicable.

#### PENONG ROAD

Mr. GUNN (on notice): Because of its poor condition, is it intended to upgrade the road from Penong to Kevin gypsum fields?

The Hon. G. T. VIRGO: No. However, when the sealing of the Eyre Highway to Penong is completed, it will be possible to improve this access road by more frequent attention to maintenance.

**TORRENS RIVER**

Mr. MILLHOUSE (on notice): What action, if any, has been taken by the Commissioner of Police to make the area of the Torrens River adjacent to Adelaide University safer for members of the public, including staff and students of that university, following the resolution in July of the Council of the Adelaide University?

The Hon. L. J. KING: The Torrens Lake area has received intensive foot patrol policing from uniformed personnel stationed in the area, supplemented by patrol officers both foot and mobile operating from headquarters. Since July no serious crime has been reported, but some comparatively minor offences have been detected including:

Larceny . . . . .	3
Indecent exposure . . . . .	2
Miscellaneous police offences . . . . .	16
Road traffic, including illegal use and interference . . . . .	27

Further, four absconders and four missing persons have been located. The extent of current policing in this area is adequate.

**PUBLIC TRANSPORT**

Dr. TONKIN (on notice):

1. What are the details of each of the projects, if any, which are to be implemented by the Government to improve Adelaide's public transport system?

2. During which month of which year is it expected that work on each of these projects, if any, will be initiated?

The Hon. G. T. VIRGO: The replies are as follows:

1. The following projects and their associated works are among those which, subject to the availability of finance, the Government intends to implement to improve Adelaide's public transport system:

- (1) Construction of a double track rail line to Christie Downs, including doubling the existing line south of Brighton, and the provision of a major multi-modal interchange facility at the Christie Downs regional centre.
- (2) Upgrading the Glenelg tram line, including crossing protection and route reconstruction.

- (3) Introduction of express bus routes using reserved bus lanes, and introduction of bus services to developing areas.
- (4) Introduction of a common ticketing scheme, including transfer provisions between routes irrespective of mode or ownership.
- (5) Construction of an underground line through the city of Adelaide.
- (6) Improvements to bus operations in and through the city of Adelaide, including a pilot downtown distributor bus service linking transport terminals and major activity centres.
- (7) Introduction of an experimental demand-activated transit system in a metropolitan suburb.
- (8) Introduction of an improved public transport service to Flinders University.
- (9) Introduction of cycleways in selected metropolitan locations.

2. The projects listed above are all improvements on which work has already commenced or will commence during 1973. Construction and/or detailed design work has already commenced on projects (1) to (4), and projects (5) to (9) are now in the planning stages.

**CEDUNA ABATTOIR**

Mr. GUNN (on notice): Is it intended to have a feasibility study conducted for establishing a regional abattoir at Ceduna?

The Hon. J. D. CORCORAN: No.

**GOVERNMENT INSURANCE OFFICE**

Dr. EASTICK (on notice):

1. Does the South Australian Government insurance office follow the normally accepted procedure of accepting claims for damages to motor vehicles only from claimants whose insurance renewal notices have been returned within the allowed period of grace?

2. Have there been any variations from this procedure?

3. If so, which persons have benefited?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. Very few comprehensive policies are due for renewal as the State Government Insurance Commission commenced business with the public on January 4, 1972. If a client does not renew his policy on due date, a further 14 days is allowed for renewal. Should a claim occur during that period then, in normal circumstances, the commission would accept liability. Any claim incurred outside the

14-day period would be treated on its merits. This procedure would be adopted by most insurance companies, although the period of grace after renewal varies.

- 2. No.
- 3. Not applicable.

Mr. HALL (on notice):

- 1. How much has the State Government insurance office spent on advertising to date?
- 2. How many persons are employed in this organization?
- 3. Is it operating at a profit?

The Hon. D. A. DUNSTAN: The replies are as follows:

- 1. \$35,000. This amount represents 1.75 per cent of gross premium income to date.
- 2. 41.
- 3. Results at the end of the first four months of the financial year to October 31, 1972, disclose an underwriting profit.

**GARDEN SUBURB**

Mr. MILLHOUSE (on notice):

- 1. Does the Government expect that the Garden Suburb will be amalgamated with the city of Mitcham before the next State election? If not, why not?
- 2. If so, when and on what terms?
- 3. What action has the Government taken to effect this amalgamation?

The Hon. G. T. VIRGO: The replies are as follows:

- 1. No. The report of the committee of inquiry that became available when the previous Government was in office and was not acted upon by it, set out the problems involved in the amalgamation. These problems, despite negotiations, have not yet been resolved.
- 2. and 3. The honourable member would be aware that I am now seeking the views of all councils as to the desirability of redistribution of council boundaries by a Commission. My officers are in the process of visiting all councils to elaborate the pros and cons of boundary redistribution. If councils indicate a desire for redistribution and a Commission is appointed, the matter of the future of the Garden Suburb will be resolved. Therefore, pending determination of the appointment of a Commission no further action is contemplated.

**COUNCIL GRANTS**

Mr. CARNIE (on notice): How much in total was given to councils in road grants and debit order work for each of the financial years 1971-72 and 1972-73, respectively?

The Hon. G. T. VIRGO: The following amounts were paid to councils for the construction and maintenance of roads for the year ended June 30, 1972:

	\$
Ordinary grants . . . . .	3,828,834
Specific works (debit order allocations) . . . . .	5,626,826
	\$9,455,660

The following provision has been made for the allocation of funds to councils during 1972-73:

	\$
Ordinary grant allocations	4,201,080
Specific works (debit order allocations) . . . . .	4,706,379
	\$8,907,459

In addition, the unexpended balance of ordinary grants available to councils as at July 1, 1972, was \$1,116,365, making a total of \$10,023,824.

**HIGHWAYS DEPARTMENT**

Mr. CARNIE (on notice): What sums respectively, were made available to the Highways Department from Commonwealth and State sources for each of the financial years 1971-72 and 1972-73 up to the present?

The Hon. G. T. VIRGO: During the financial year 1971-72 the Commonwealth Government made available to the Highways Department \$25,850,000. The receipts from State sources amounted to \$22,088,568. During the first four months of the present financial year, the amount received by the department from the Commonwealth Government was \$9,333,333, whilst the receipts from State sources were \$6,719,881.

**ESTIMATES**

Mr. CARNIE (on notice):

- 1. What is the total of items listed in the Estimates of Expenditure for 1972-73, the cost of which is recoverable from the Commonwealth Government?
- 2. What is the total of items listed therein which attracts subsidy from the Commonwealth Government and what is the total amount of those subsidies?

The Hon. D. A. DUNSTAN: The replies are as follows:

- 1. The total of items included in the Estimates of Expenditure for 1972-73 the cost of which is fully recoverable from the Commonwealth is about \$1,200,000. These recoveries are primarily for carrying out Commonwealth

responsibilities in Northern Territory education, inspections under Commonwealth quarantine and commerce legislation, and administration of war service land settlement.

2. The total of items included in the Estimates of Expenditure for 1972-73 that attracts subsidy from the Commonwealth is about \$37,800,000, and the total amount of subsidy is about \$14,000,000. By far the largest part of this subsidized area is university and advanced education.

### ROAD ACCIDENTS

Mr. CARNIE (on notice):

1. What percentage of fatal road accidents involve—
  - (a) motor cycles; and
  - (b) other motor vehicles?
2. What percentage of all accidents involve—
  - (a) motor cycles; and
  - (b) other motor vehicles?
3. Is the percentage of motor cycles involved in accidents rising or falling?

The Hon. G. T. VIRGO: The reply is in three parts: the first two parts are completely statistical, and, following the reply to the third part, I will seek leave to incorporate the figures in *Hansard* without my reading them.

Mr. Hall: Can't you understand them yet?

The Hon. G. T. VIRGO: Because objection has been taken to my seeking leave, I will read the reply, but I regret that the House must suffer.

The Hon. D. N. Brookman: Don't be childish.

The Hon. G. T. VIRGO: An objection was taken.

Mr. Coumbe: You haven't asked for permission yet.

The Hon. G. T. VIRGO: I do not intend to incur the wrath of members opposite by not giving the information they seek. The replies are as follows:

1. Percentage of fatal road accidents involving:

(a) Motor cycles—	Percentage
1969 . . . . .	4.8
1970 . . . . .	3.7
1971 . . . . .	7.2

(b) Other motor vehicles—	
1969 . . . . .	94.8
1970 . . . . .	96.0
1971 . . . . .	92.5

2. Percentage of all accidents involving:

(a) Motor cycles—	Percentage
1969 . . . . .	4.0
1970 . . . . .	3.7
1971 . . . . .	4.4

(b) Other motor vehicles—	
1969 . . . . .	95.8
1970 . . . . .	95.6
1971 . . . . .	95.1

3. The three-year figures contained in replies 1 and 2 above show the trend in involvement of motor cycles in accidents in South Australia. These trends must be assessed in relation to the trends in the motor cycle registration figures for the same periods. In 1969, 3.1 per cent of motor vehicle registrations were motor cycles; in 1970, 3.2 per cent, and in 1971, it was 3.6 per cent.

### LANGUAGE TEACHING

Mr. CARNIE (on notice):

1. How many country secondary schools teach a language?
2. What languages are taught?
3. Is it intended to increase this facet of education in country areas?

The Hon. HUGH HUDSON: The replies are as follows:

1. Languages, other than the English language, are taught in 38 out of 40 country high schools. At present, languages other than English are taught in seven out of 43 area schools.

2. Latin, French, and German.

3. It is policy, where practicable, to offer in country secondary schools the same range of subjects as is available in metropolitan secondary schools. It is intended, therefore, to establish foreign languages where the need is evident, the teaching staff is available, and the provision of the course is reasonably economic.

### COMMUNITY WELFARE OFFICES

Mr. CARNIE (on notice):

1. How many offices of the Community Welfare Department are there in country areas?
2. Where are they situated?
3. What staff, in which categories, are there in each?

The Hon. L. J. KING: The replies are as follows:

1. There are 19 Community Welfare Department offices in country areas.

2 and 3. The offices are situated in the localities listed below and contain the staff as marked against each office:

Office	Social workers	Aboriginal welfare officers industry	Clerical
Ceduna branch office . . . . .	1	—	—
Cooper Pedy branch office . . . . .	2	—	—
Davenport Reserve office . . . . .	2	2	1
Indulkana Reserve office . . . . .	1	1	1
Koonibba Reserve office . . . . .	2	3	1
Leigh Creek branch office . . . . .	1	—	—
North-West Reserve office . . . . .	2	3	2
Oodnadatta branch office . . . . .	1	—	—
Port Augusta district office . . . . .	5	—	2
Port Lincoln district office . . . . .	2	—	1
Port Pirie district office . . . . .	3	—	1
Whyalla district office . . . . .	8	—	2
Berri district office . . . . .	3	—	1
Mount Gambier district office . . . . .	4	—	1
Point Pearce Reserve office . . . . .	1	—	—
Point McLeay Reserve office . . . . .	1	—	1
Murray Bridge district office . . . . .	3	—	1

**FLUORIDE**

Mr. CARNIE (on notice):

1. Has a survey of the effects of naturally occurring fluoride on children's teeth been made since the setting up of school dental clinics at Port Lincoln and Cummins?

2. If so, what does this survey show?

The Hon. L. J. KING: Since the dental clinics in Port Lincoln and Cummins opened early in 1971 and 1972, respectively, detailed records have been maintained of the dental health of the children attending the clinics, but no specific survey has been made of the effects of naturally occurring fluoride on the teeth of children in the area.

**WALLAROO PORT**

Mr. HALL (on notice): What are the Government's plans to develop the port of Wallaroo?

The Hon. J. D. CORCORAN: The Wallaroo area is being considered amongst other places in the department's long-term planning for a deep-draft bulk loading facility for Spencer Gulf. Evidently, the honourable member is not at present interested in another port, Ardrossan, although he may be interested in it later.

Mr. HALL: On a point of order, Mr. Speaker, under Standing Order 125 the Minister is not allowed to comment when replying to a Question on Notice. I draw your attention to the comment, which was extraneous to my question.

The SPEAKER: The honourable member for Bragg.

**NURSES**

Dr. TONKIN (on notice):

1. What is the policy of the Government relating to the accommodation of trainee and other nurses in Government hospital nurses homes?

2. What is the proportion of nurses in Government hospitals now living in nurses homes compared to those living out?

The Hon. L. J. KING: The replies are as follows:

1. The Government's policy generally is to provide nurses home accommodation at Government hospitals for such staff as wish to live in. Nurses are encouraged to live out, although young trainees are required to have parental consent before being allowed to do so.

2. In all Government hospitals a total of 1,660 nurses home beds is provided for 3,702 staff, of whom 936 live in.

Dr. TONKIN (on notice):

1. Are there waiting lists for nurse training at any Government hospital in South Australia?

2. What are the numbers on each waiting list, and what is the waiting time in each case?

3. Is there any shortage of trainee nurses at any Government hospital in South Australia?

4. What actions are being taken to overcome such situations?

The Hon. L. J. KING: The replies are as follows:

1. The only waiting lists for nurse training in any Government hospitals in South Australia (other than from applicants waiting to obtain age or educational qualifications) are at Royal Adelaide Hospital and Queen Elizabeth Hospital.

2. It would be unrealistic to quote numbers, because applicants almost invariably apply for entry to other teaching hospitals or to other avenues of employment. Provided the applicant is qualified for entry as to both age and education, the waiting time at Royal Adelaide Hospital would be within 12 months and at Queen Elizabeth Hospital within three months.

3. There are no shortages of any categories of trainee nurses in the metropolitan area but shortages exist in the country hospitals at Mount Gambier, Port Pirie, Port Augusta, and Wallaroo.

4. Press advertisements, constant recruiting programmes within schools of general education, and the appointment of a Nursing Information Officer to the central office of the Hospitals Department who will take up duties on November 27, 1972. Her duties will include the preparation of recruiting

propaganda; for example, School of Nursing prospectus, display materials for career exhibits, etc.

Dr. TONKIN (on notice):

1. How many trainee nurses gave up training before qualification at South Australian Government hospitals during the 12 months ended June 30, 1972?

2. What proportion of total trainee nurses does this represent?

3. Does this figure represent an increase on previous years?

4. What actions are being taken to overcome this loss to the nursing profession?

The Hon. L. J. KING: The replies are as follows.

1. Nurses who gave up training before qualification during the 12-month period ended June 30, 1972, in South Australian nurse-training schools are shown as follows:

	General nurses		Enrolled nurses	
	Total	Government hospitals	Total	Government hospitals
In training at July 1, 1971 . . . . .	2,725	1,809	472	237
Appointed during year . . . . .	1,026	720	813	373
Completed training . . . . .	564	295	273	120
Resigned . . . . .	570	381	321	157
In training at June 30, 1972 . . . . .	2,617	1,853	691	333
Reasons for resignations:				
Marriage . . . . .	72	27	33	9
Did not like nursing, homesick, personal, etc. . . . .	298	239	161	93
Inability to pass examinations etc. . . . .	200	115	127	55

2. From the above table, it can be seen that the proportion of resignations in relation to the total number of nurses who undertook training during the year is as follows:

Student nurses:	Per cent
All training schools . . . . .	about 15
Government hospitals . . . . .	about 11
Enrolled nurses:	
All training schools . . . . .	about 25
Government hospitals . . . . .	about 26

3. The above figures represent a slight reduction on previous years for student nurses, but a slight increase for enrolled nurses.

4. In an effort to overcome this loss to the nursing profession, several training schools have appointed nurse counsellors to their staff. In addition, improved selection techniques are being introduced by individual hospitals.

#### STOCK NUMBERS

Mr. CARNIE (on notice): What numbers of lambs, sheep and cattle, respectively, are brought from Eyre Peninsula to Adelaide for sale, compared to the numbers that go to Port Lincoln?

The Hon. J. D. CORCORAN: Details of the number of stock sent expressly to Adelaide from Eyre Peninsula for sale are not available. The following are comparative estimates of stock handled, based on an average year:

	Treated at Port Lincoln	Removed live from Eyre Peninsula
Lambs . . . . .	140,000	35,000
Sheep . . . . .	120,000	290,000
		(including 80,000 exported live to the Middle East)
Cattle . . . . .	5,000	6,000

#### UNDERGROUND RAILWAY

Dr. TONKIN (on notice):

1. What is the estimated yearly rate of increase in construction costs of the underground railway system for Adelaide originally proposed in the Metropolitan Adelaide Transportation Study Report?

2. When is it expected that a firm decision on the construction of the underground railway will be made?

The Hon. G. T. VIRGO: As these questions were not placed on the Notice Paper until Thursday last and were not available to departments until Friday afternoon, it has not been possible in the limited time available to provide considered replies.

#### TALIA WATER BASIN

Mr. GUNN (on notice):

1. What plans has the Government to develop the Talia Water Basin?

2. Are there any plans to provide Venus Bay and Port Kenny with water from this basin?

The Hon. J. D. CORCORAN: The replies are as follows:

1. A recent report from the Mines Department indicates that the Talia Water Basin could have a potential of 200,000,000gall. a year. However, this is a suggested capacity only and a definite assessment cannot be made until more accurate data is available.

2. If such a scheme is feasible, it must be some years before such works could be fitted into the Loan works programme.

#### RAIL CHARGES

Mr. HALL: I ask the next Question on Notice of the Minister of Roads and Transport.

The Hon. G. T. VIRGO: What is the number? The honourable member did not tell me what number it was, Mr. Speaker.

Mr. Hall: Aren't you following the Notice Paper?

Mr. Mathwin: You should keep your finger on it.

The Hon. G. T. VIRGO: Your trouble is you have had your finger on it too long now.

Mr. Mathwin: You take yours out.

The Hon. G. T. VIRGO: I beg your pardon.

Mr. HALL (on notice): What average percentage rise in rail freights and charges for passenger services would be necessary for the South Australian railways to cover its entire costs in this manner?

The Hon. G. T. VIRGO: Based on the dissection of costs given in the annual report for 1971-72, coaching revenue would have to be increased by 245 per cent, and freight and livestock revenue by 32 per cent to meet their respective total costs.

#### THIRD UNIVERSITY

Mr. HALL (on notice):

1. Has any planning or investigating body been appointed to initiate the construction of a third university in South Australia?

2. If so, who are its individual members?

The Hon. HUGH HUDSON: I did not think I would have sufficient time to get replies to these questions. However, as a result of diligent application I have been able to do so. The replies are as follows:

1. No.

2. See reply to No. 1.

#### GOVERNMENT CARS

Mr. HALL (on notice): What official restrictions are imposed on the use of all or any Government cars at the disposal of Ministers or members of Parliament?

The Hon. D. A. DUNSTAN: There are no specific restrictions applying to Ministers, or those members, including the Leader of the Opposition, who are provided with cars, for other than travel to other States. However, all are expected to exercise common sense and prudence to ensure that their programmes are so organized as to avoid unnecessary travelling expenditure.

#### DARTMOUTH DAM

Mr. HALL (on notice):

1. Has a tender been accepted for the major works involved in constructing the Dartmouth dam?

2. How long after that tender is accepted is it expected that the dam will begin to impound water?

The Hon. J. D. CORCORAN: The replies are as follows:

1. No tender has been accepted for any major works involved in the construction of Dartmouth dam, but tenders will be called for diversion works at the beginning of December.

2. It is expected that tenders for the main dam will be called in December, 1973, and that the dam will be available to begin impounding water in July, 1976.

#### ASIAN TRADE

Mr. HALL (on notice): What has been the total cost so far of maintaining South Australia's trade representatives in Asia, together with the cost of maintaining support services in this State?

The Hon. D. A. DUNSTAN: The cost of maintaining South Australia's trade representatives in Asia has been \$32,933 to date. The cost of maintaining support services in this State cannot be assessed accurately, because a number of officers provide support service through the discharge of the normal duties of their offices.



Mr. BECKER (on notice): What new business opportunities have been obtained by this State's representatives since their appointment in South-East Asia?

The Hon. D. A. DUNSTAN: The role of the trade representatives in South-East Asia is to provide market intelligence information to both South Australian exporters and the Government. It would be a breach of confidence with local exporters if I named individual companies that have benefited from this service or the commodities that are exported. I can, however, assure the House that new areas of export have either been established or are in the course of negotiation from work initially done by the agents. Amongst other examples are these: as a result of the department's activity in South-East Asia an export order was recently placed by a Japanese company for products valued at

\$150,000 to be supplied over a three-year period; another South Australian company advised only last week that it was confident of writing a contract in excess of \$350,000 in the manufacturing field as its initial venture into the South-East Asian market.

#### ABSCONDINGS

Mr. MILLHOUSE (on notice): During the last six weeks how many abscondings have there been, week by week, from the following institutions: (a) McNally Training Centre; (b) Windana Remand Home; (c) Vaughan House; and (d) Brookway Park?

The Hon. L. J. KING: During the last six weeks the following is a record of abscondings of youths placed in the centres. The abscondings have not necessarily occurred from the centres, some having been on escort to hospitals, etc. The following are the figures:

Week ended	McNally Training Centre	Brookway Park	Vaughan House	The Pines	Windana	Total
October 5, 1972 . . . . .	2	1	—	—	—	3
October 12, 1972 . . . . .	—	7	—	—	—	7
October 19, 1972 . . . . .	3	1	2	—	—	6
October 26, 1972 . . . . .	4	—	2	—	—	6
November 2, 1972 . . . . .	—	—	1	—	—	1
November 9, 1972 . . . . .	3	—	4	—	—	7

#### FREEWAYS

Dr. TONKIN (on notice):

1. What action, if any, is being taken in respect of the many properties currently owned by the Highways Department and acquired for freeway development under the Metropolitan Adelaide Transportation Study proposals?

2. Does the Government still consider that a north-south freeway, with western extensions to Port Adelaide and Glenelg, and another to Tea Tree Gully are still necessary?

3. By what name will such freeways be known, if not as high-speed transport corridors?

The Hon. G. T. VIRGO: As these questions were not placed on the Notice Paper until Thursday last and were not available to departments until Friday afternoon, it has not been possible in the limited time available to provide considered replies.

#### BUS ROUTES

Dr. TONKIN (on notice):

1. How many new bus routes have been established by the Municipal Tramways Trust since June 1, 1970?

2. How many new bus routes have been established by private bus operators since that time?

3. How many existing bus routes have been extended by the M.T.T. since that time?

The Hon. G. T. VIRGO: As these questions were not placed on the Notice Paper until last Thursday (when the Liberal Movement decided to engage in the escapade it has embarked on today) and were not available to departments until Friday afternoon, it has not been possible in the limited time available to provide considered replies.

#### RAILWAY SERVICES

Dr. TONKIN (on notice):

1. What extensions to railway services have there been in the metropolitan area since June 1, 1970?

2. Are any extensions intended in the period ending May 31, 1973?

The Hon. G. T. VIRGO: As these questions were not placed on the Notice Paper until Thursday last and were not available to departments until Friday afternoon, it has not been possible in the limited time available to provide considered replies.

Mr. RODDA (on notice): How many passengers travelled on the Adelaide to Mount Gambier rail service on day trains and night trains respectively, during each of the financial years from 1967-70 to 1971-72?

The Hon. G. T. VIRGO: As the reply comprises a statistical table, I ask leave to have the table incorporated in *Hansard* without my reading it.

Leave granted.

	Passengers			
	Day trains		Night trains	
	No. 281	No. 588	No. 905	No. 166
1967-68 . . . . .	14,230	14,280	4,840	4,309
1968-69 . . . . .	13,947	13,558	4,518	4,157
1969-70 . . . . .	13,249	13,044	4,081	3,919
1970-71 . . . . .	13,929	13,906	4,649	4,372
1971-72 . . . . .	14,051	13,624	4,699	4,067

**BOLIVAR TREATMENT WORKS**

Mr. HALL (on notice): On what date will the final stages of the Bolivar treatment works be completed to the point where no more offensive odours will penetrate surrounding areas?

The Hon. J. D. CORCORAN: The Bolivar Sewage Treatment Works has been fully operative for almost three years. Some limited odour is inevitable at the primary treatment section of the works and this is why wide buffer areas were provided. This odour is normally carried up into the upper atmosphere and dissipated without nuisance. However, on occasions it appears that the odour is trapped by an atmospheric inversion and, under certain conditions, is carried down into the nearby areas. However, to suppress odours completely would involve a large expenditure of funds.

**LAKE BONNEY**

Mr. HALL (on notice): At what date will clarifiers become operational to remove solids from the effluent discharged into Lake Bonney from the Apcel plant at Millicent?

The Hon. D. A. DUNSTAN: April, 1973.

**STRIKE EFFECTS**

Mr. MILLHOUSE (on notice):

1. How many man-hours have been lost in industry in South Australia in each of the last 12 months because of strikes?

2. In which industries have these man-hours been lost and how many in each industry?

The Hon. D. H. MCKEE: The replies are as follows:

1. The only statistics available are of working days lost and not man-hours. The latest available are as follows:

1971:	
September . . . . .	10,200
October . . . . .	5,600
November . . . . .	9,400
December . . . . .	800
1972:	
January . . . . .	400
February . . . . .	3,700
March . . . . .	300
April . . . . .	4,800
May . . . . .	8,800
June . . . . .	5,200
July . . . . .	10,000*
August . . . . .	11,500*

\* Subject to revision.

2. Figures on an industry breakdown are only available on a quarterly basis. For the last four quarters for which this information is available, the following working days were lost in the various industry groups:

	September quarter 1971	December quarter 1971	March quarter 1972	June quarter 1972	Total
Agriculture, grazing, etc. . . . .	—	—	—	—	—
Coal mining . . . . .	*	—	—	—	*
Other mining and quarrying . . . . .	—	300	—	—	300
Manufacturing—					
Engineering, metals, vehicles, etc. . . . .	28,100	2,800	300	9,500	40,700
Textiles, clothing, footwear . . . . .	—	1,300	—	—	1,300
Food, drink, tobacco . . . . .	3,300	9,500	1,500	400	14,700
Sawmilling, furniture, etc. . . . .	100	—	—	—	100
Paper, printing, etc. . . . .	*	—	—	—	*
Other manufacturing . . . . .	2,600	500	—	1,500	4,600
	34,100	14,100	1,900	11,400	61,500
Building and construction . . . . .	2,000	100	1,600	1,000	4,700
Railway and tramway services . . . . .	10,700	—	—	3,000	13,700
Road and air transport . . . . .	15,300	—	300	200	15,800
Shipping . . . . .	1,300	*	100	100	1,500
Stevedoring . . . . .	300	100	500	1,500	2,400
Amusement, hotels, personal services, etc. . . . .	*	—	—	—	*
Other industries . . . . .	1,600	1,100	100	1,600	4,400
<b>Total . . . . .</b>	<b>65,400</b>	<b>15,800</b>	<b>4,400</b>	<b>18,800</b>	<b>104,400</b>

\* Less than 50.

#### WEST BEACH

Mr. BECKER (on notice): What was the total cost of restoration work at West Beach?

The Hon. G. R. BROOMHILL: It is not clear to which works this question relates. Work is currently in progress near the Holdfast Bay Yacht Club, and other work has been done near Chetwynd Street. If the honourable member requires information in greater detail, he will need to be more specific.

#### GLENELG NORTH FORESHORE

Mr. BECKER (on notice): When will work be completed on the foreshore at Glenelg North, and what is the estimated total cost?

The Hon. G. R. BROOMHILL: The estimated completion date is February 8, 1973, and the estimated cost is \$150,000.

#### GOVERNMENT ADVERTISING

Mr. BECKER (on notice):

1. How much is allocated to departments under the control of the Premier for advertising this financial year?

2. How much was spent last financial year for this purpose?

3. Who are the advertising agents and when were they appointed?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. The sum of \$240,800. In addition to general advertising, the allocation includes the cost of production of books and brochures which are not being produced through the advertising agents.

2. The sum of \$214,944.

3. Hansen Rubensohn-McCann Erickson Proprietary Limited, which was appointed on July 1, 1970. In 1971-72 the sum of \$94,995 was spent on advertisements placed through the advertising agents, and in the current financial year \$17,097 has been spent through the agents to date.

Mr. BECKER (on notice):

1. How much is allocated to departments under the control of the Minister of Works for advertising this financial year?

2. How much was spent last financial year for this purpose?

3. Who are the advertising agents and when were they appointed?

The Hon. J. D. CORCORAN: The replies are as follows:

1. \$33,900.

2. \$29,372.

3. Hansen Rubensohn-McCann Erickson Proprietary Limited was appointed on August 21, 1972. Only display advertisements are channelled through the agents, and in 1971-72 the expenditure for display advertisements was \$1,039.

Mr. BECKER (on notice):

1. How much is allocated to departments under the control of the Minister of Education this financial year for advertising?

2. How much was spent last financial year for this purpose?

3. Who are the advertising agents and when were they appointed?

The Hon. HUGH HUDSON: The replies are as follows:

1. There is not specific allocation of funds for advertising expenses incurred by departments under the control of the Minister of Education. Advertising costs are a minor expense in each of the departments by comparison with other recurrent expenditure. Costs are debited against appropriate Treasury lines of expenditure in the Education Department, Library and Art Gallery Departments.

2. Expenditure during the financial year ended June 30, 1972, in each department was as follows: Education, \$20,600; Art Gallery, \$700; and Libraries, \$150.

3. Advertisements are handled in the following manner:

(a) Any advertisement which is to be featured in the classified columns or as a display advertisement for insertion in the classified columns is forwarded to the Publicity and Tourist Bureau.

(b) Any display advertisement which is placed in another part of a newspaper except in the classified columns is ordered from the firm of Hansen Rubensohn-McCann Erickson Proprietary Limited.

(c) Small advertisements, for example, publicizing adult education classes, are lodged directly with the Messenger Press and country newspapers.

Mr. BECKER (on notice):

1. How much is allocated to departments under the Attorney-General's control this financial year for advertising?

2. How much was spent last financial year for this purpose?

3. Who are the advertising agents and when were they appointed?

The Hon. L. J. KING: The replies are as follows:

1. \$52,890, which includes the estimated cost of \$41,000 of advertising the receipt and particulars of writs for the periodical and general elections in 1973 as required by the Electoral Act.

2. \$3,327.45.

3. Hansen, Rubensohn company was appointed on July 1, 1970. Advertising in accordance with the Electoral Act is arranged with the newspapers direct, as is also advertising by the Community Welfare Department. In this financial year, the sum of \$7,832 has been expended on advertisements placed through the agents in regard to enrolment by the 18-year to 20-year age group.

Mr. BECKER (on notice):

1. How much is allocated to departments under the control of the Minister of Environment and Conservation this financial year for advertising?

2. How much was spent last financial year for this purpose?

3. Who are the advertising agents and when were they appointed?

The Hon. G. R. BROOMHILL: The replies are as follows:

1. No specific amounts allocated.

2. Small amount mainly for public notices.

3. None appointed.

Mr. BECKER (on notice):

1. How much is allocated to departments under the control of the Minister of Labour and Industry this financial year for advertising?

2. How much was spent last financial year for this purpose?

3. Who are the advertising agents and when were they appointed?

The Hon. D. H. McKEE: The replies are as follows:

1. \$2,500.

2. \$1,841.

3. None; all advertising is legal notices for the Industrial Court and Commission.

Mr. BECKER (on notice):

1. How much is allocated to departments under the control of the Minister of Roads and Transport this financial year for advertising?

2. How much was spent last financial year for this purpose?

3. Who are the advertising agents and when were they appointed?

The Hon. G. T. VIRGO: The replies are as follows:

1. \$99,560.

2. \$58,232.

3. Advertising agents are employed as follows: Highways Department, nil; South Australian Railways, for advertising by the South Australian Railways—Monks and Blanks Proprietary Limited, Val Morgan and Co. (Australia) Proprietary Limited, Aldwych Advertising (South Australia) Proprietary Limited (these agents were appointed in 1967), and for advertising through Railways of Australia—G.F.P.A. Aldwych Advertising (New South Wales) Proprietary Limited since 1964; Municipal Tramways Trust, Hansen Rubensohn-McCann Erickson Proprietary Limited (appointed October, 1971); Road Safety Council, Hansen Rubenson-McCann Erickson Proprietary Limited (appointed October, 1971).

### POLICE FORCE

Mr. BECKER (on notice): Will members of the South Australian Police Force be granted the usual two bonus holidays' leave this Christmas as has been done in the past?

The Hon. L. J. KING: Yes.

### GLENELG NORTH LIGHTS

Mr. BECKER (on notice): Is it intended that portable traffic lights will be installed on Anderson Avenue bridge, Glenelg North? If not, why not?

The Hon. G. T. VIRGO: It is not intended to install traffic lights at the Anderson Avenue bridge, Glenelg North.

Mr. Becker: There was a fight there last week.

The Hon. G. T. VIRGO: I do not know how traffic lights would prevent a fight. Traffic lights at this location would not materially improve traffic flow in the two one-hour peak periods occurring each week, and would create significant delays in the off-peak periods. It is expected that the King Street bridge will again be available for use within a few months, and this will overcome difficulties now being experienced.

### WATER FILTRATION

Mr. HALL (on notice):

1. What is the latest programme for the filtration of the Adelaide water supply?

2. How much has been spent so far on this scheme?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The present planning for water filtration for metropolitan Adelaide provides for a 10-year construction programme commencing in January, 1974.

2. \$150,000.

### PARLIAMENT HOUSE

Mr. BECKER (on notice):

1. How much has been spent on improvements to Parliament House during the past two years?

2. How much has been allocated for this financial year for this purpose?

3. What improvements, including new fittings and furniture, have been added during the term of the present Government?

The Hon. J. D. CORCORAN: The replies are as follows:

1. Total from July, 1970, up to the present, \$120,600.

2. \$343,000.

3. Alterations to House of Assembly Chamber; alterations and repairs to provide additional accommodation for new members:

provision of digital speech timing device; additional air-conditioning facilities; Legislative Council lighting; conversion of second-floor bedrooms to offices; redevelopment (investigation and design); improvements to various rooms to provide additional accommodation; Parliamentary Library (improved lighting); modification to centrifugal air-conditioning chilled water plant; and replacement of counter-type refrigerator and provision of ice-making machine.

### JETTIES

Mr. HALL (on notice):

1. How many more jetties does the department administered by the Minister of Works intend to demolish?

2. Where are they situated?

The Hon. J. D. CORCORAN: The replies are as follows:

1. One.

2. The only jetty which it is presently intended to demolish is the old shipping pier at Wallaroo, but this will not be done until the new jetty has been constructed. It is much more economic to build a new jetty than to repair the old one.

### LAND AND BUSINESS AGENTS BILL

The Hon. L. J. KING (Attorney-General): I have to report that the managers of the House of Assembly attended the conference last Thursday, but no agreement was reached. I ask leave to make a statement about the conference.

Leave granted.

The Hon. L. J. KING: The conference gave its attention, virtually from the outset, to the amendments made by the Legislative Council to clause 61 of the Bill, which provides for the separation of the function of land agent and land broker. The managers for the Legislative Council were adamant in their opposition to this provision. I indicated on behalf of the majority in the Assembly that the principle of separation of function was vital to the provisions of the Bill which provided for the protection of the public in land transactions. I said that I felt sure that the Assembly would be prepared to have regard to arguments put in the Council that the provision might cause problems to country residents who might not have the same range of choice of independent brokers and solicitors as metropolitan residents. I indicated that in deference to these arguments it would be

practicable to exempt stock agents and also land agent firms in areas where the public would not have a sufficient range of choice of independent land brokers or solicitors.

I further indicated that, if the Council preferred, a provision could be inserted which would apply to all land agents whose place of business was in the country. This provision would enable such land agents, if they were land brokers at September 1, 1972, to continue to act as land brokers in relation to transactions in which they were acting as agent and would also enable land brokers employed by them at that date to continue in that capacity. The managers for the Council indicated that this suggestion did not provide an acceptable basis for agreement, and that they were not prepared to accept the principle of separation in either city or country. In these circumstances agreement could not be reached. I very much regret the failure of the Parliament to pass this Bill, which I understand has now been laid aside in another place. In my opinion, the protections for the public which it contained are vitally and urgently needed. Much work has gone into it over a long period of time and I express my appreciation of the efforts of all those who have been associated with it. It was, I believe, the most comprehensive measure for the protection of the public in relation to the sale and purchase of land and businesses that has been proposed in this country. The failure of the Parliament to pass it has deprived the public of protections which are vitally and urgently needed. I can only express the hope that this Parliament will have the opportunity of reconsidering its attitude in the not too distant future.

Dr. EASTICK (Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

Dr. EASTICK: The Attorney-General has given his view of the conference that was held. He pointed out, correctly, that it was indicated that clause 61 was vital to the Bill, but he failed to point out to this House and to the people of South Australia that the conference discussed at some length the possibility of the Bill going forward for the express purpose of creating a new situation and providing new legislation for land agents, so that subsequently other action could be taken in respect of land brokers. I make this point because the Attorney-General has failed to reveal both sides of the discussions held at the conference. It is extremely important to reveal that a situation could have evolved by which the major part

of the legislation would be sent back to this House for agreement, that other features of the Bill could be compromised, or that the Bill could be brought forward in another form.

#### MINISTERIAL STATEMENT: GRAFT ALLEGATION

The Hon. J. D. CORCORAN (Minister of Works): I seek leave to make a statement.

Leave granted.

The Hon. J. D. CORCORAN: I wish to begin this statement by completely and utterly refuting allegations by a member in another place that there is a possibility of graft involved in the allocation of water from the Bolivar Sewage Treatment Works. The *Oxford Dictionary* defines graft as follows:

A means of making illicit profit, dishonest gains or illicit profits, especially in connection with political or municipal business.

The member concerned would be aware of the meaning of the word, yet he deliberately chose to use it from a position of privilege, without any evidence to substantiate his claim. It was a cowardly and unwarranted attack on the integrity of the Public Service of South Australia. It is an allegation that the member, if he is a man worthy of his position, should withdraw unreservedly. Having had his claim thoroughly investigated, I say here and now that it does not contain one iota of truth. I am sure that former Ministers of Works on the Parliamentary benches opposite (and there are three of them) will join me in vouching for the integrity of the officers of the Engineering and Water Supply Department. Broadly speaking, Government policy on Bolivar effluent has been as follows:

(1) To investigate fully the practicability of supplementing the water supply available to small farm irrigators on the Northern Adelaide Plains using effluent water.

(2) To supply water under agreement for a charge to Property Management Proprietary Limited and the Copanapra pastoral company, and not precluding either company from negotiating extension of their system or planned system by exercising the right to do so as provided in the agreements, subject to Ministerial approval.

(3) To refuse any other use of effluent water, except on a minor or experimental scale, pending the outcome of investigations.

With regard to Copanapra, the Government entered into an agreement with the company in January, 1971 (this has since been revised) to allow eventually for irrigation to be distributed over 2,780 acres. The agreement

provides for the supply of effluent to land owned or leased by the company, with a provision for the sale of reclaimed water to adjoining owners. It is not possible to forecast what proportion of the land will be under irrigation at the one time. It is estimated that the total demand by the company will be 560,000,000gall. a year. The supplies negotiated with Property Management Proprietary Limited and the Copanapra pastoral company do not preclude the development of a reticulation system to serve small growers.

The 1966 report of the committee of inquiry stated that the effluent flow was estimated to be 25,000,000gall. a day by 1981. This can be equated to an irrigation availability of 5,060,000,000gall. a year. The present availability of water is 4,000,000,000gall., and present estimates set the 1981 figure at 5,000,000,000gall. a year. The requirements of Property Management Proprietary Limited are estimated possibly to rise to 300,000,000 gall. and the estimate for the Copanapra complex has been made at 560,000,000gall. This leaves more than 3,500,000,000gall. and probably 4,000,000,000gall. available, and this would adequately serve the development of an irrigation system.

In March, 1971, I told members of a deputation from representative growers of the Virginia and Northern Adelaide Plains area that they would not be denied the use of water and that no single group would use water from Bolivar. I reiterate this assurance. I replied recently to an application from a large organization by saying that the Government is committed to exploring fully the technical and financial implications of making the effluent available to the people of the Northern Adelaide Plains. This possibility will need to be resolved before entering into further arrangements to supply effluent.

From time to time suggestions have been made that Commonwealth backing should be sought for an irrigation scheme to serve the small growers in the area. To these suggestions I say that grants under the Commonwealth water scheme must be supported by complete details of the proposal, with full evidence of feasibility and practical benefit-cost information. A further requirement is a complete environmental impact statement. In the case of Bolivar water, it would be completely impossible to provide this information without a full and favourable report arising from the present tests being carried out by the Agriculture Department. This

indicates that, at present, no application could receive serious consideration by the Commonwealth.

*Questions resumed:*

MURRAY NEW TOWN

Dr. EASTICK: Can the Premier assure the House and the public of South Australia that the financial resources of this State will not be so applied in the creation of Murray New Town as to jeopardize the general advancement of the State? Although the Opposition appreciates the need for the provision of Commonwealth funds for the development of the new town, it realizes that some funds for this project must come from the State's resources. As the Opposition accepts the concept of a new town, it accepts the idea of the use of State funds for its creation, but I seek the assurance that, in an effort to have housing developed and occupied within three years, the situation will not arise where the State's resources will be so applied as to cause difficulty in the carrying out of projects already approved by the Government.

The Hon. D. A. DUNSTAN: The honourable Leader has that assurance. There is no need for us, in the planning for Murray New Town, to limit development of other projects to which the Government is already committed. As to the planning of the new town, we are already receiving inquiries from industry about the possibility of establishing in the area, and it will be possible, in the course of our normal housing programme, to provide housing for industry wherever it is established.

Dr. Eastick: What about the normal development of Housing Trust estates?

The Hon. D. A. DUNSTAN: They will proceed as it was originally intended that they should. The estates are built on the basis of local demand for housing in relation to employment in the area.

Mr. WARDLE: Will the Premier say whether, during the current financial year, the sum that the purchasing authority can spend on buying land in Murray is limited and, if it is, to what extent it is limited? I am delighted to be the twenty-fourth member to represent the District of Murray and also to be the first to represent the new city of Murray, and I assume that the Premier hopes that this state of affairs will continue for some years. Obviously, some people will be happy to sell land quickly to the authority, although others may be wondering whether

they will be required to move out as soon as their land is purchased shortly.

The Hon. D. A. DUNSTAN: Only a small sum is on the Estimates at this stage in relation to the city of Murray. However, if it was necessary for us to exceed that sum substantially, there would be sufficient provision in the Governor's authority for us to be able to do so. At this stage, we intend to approach local landholders to ascertain their wishes concerning acquisition, and I expect that we shall be able to negotiate on the basis of being willing buyers of properties, so that, if people need to make dispositions and to sell soon, we will try to meet them. If, however, they wish to remain on the land in question for a period and that is consistent with the planning processes (and in most cases it will be), we ought to be able to provide for that, too. It will be a matter of negotiation, but I do not expect any financial embarrassment regarding calls on the Government in relation to purchase prices.

#### HOLIDAYS

Mr. JENNINGS: Can the Premier say whether the Christmas holidays to be gazetted have yet been fixed? I point out that Christmas Day, which will fall on a Monday, is a public holiday; Boxing Day, on the following day, is not a public holiday; and Proclamation Day, on a Thursday, is a public holiday. Has Cabinet considered whether, by altering the days on which the holidays will fall, an extended period of free days could be made available for employees in shops and offices?

The Hon. D. A. DUNSTAN: No decision has been made.

#### WHYALLA DISPUTE

Mr. MILLHOUSE: I ask a question of the Minister of Labour and Industry, although if he were here, the Premier might prefer to take it. However, as he is not, I direct it to his colleague. Will the Minister make a statement condemning the actions of trade unionists, including officers of the Miscellaneous Workers Union, today and yesterday at the premises of James North (Australia) Proprietary Limited at Whyalla? I do no more than refer to the report in this morning's newspaper and the photographs of the actions of certain persons at that factory at Whyalla, and the further report this afternoon headed "Mothers go back to the big sit-in".

The Hon. G. T. VIRGO: I rise on a point of order, Mr. Speaker. Last week you ruled that a member on this side could not quote from a newspaper.

Mr. Millhouse: I did not quote.

The Hon. G. T. VIRGO: The member for Mitcham has just said that he intends to quote from a newspaper.

Mr. Millhouse: No, I did not say that.

The Hon. G. T. VIRGO: I direct my point of order to you, Sir, and not to the member for Mitcham, and I ask you to rule on it.

Mr. Millhouse: I did not propose to quote from the report: I said I would refer to it.

The SPEAKER: Order! I cannot uphold the Minister's point of order. My recollection is that the honourable member for Mitcham said he referred to the report, and that he did not try to read it.

Mr. MILLHOUSE: Thank you, Sir, and I am not going to. In any case I did not intend to quote from the report, as I said—

The Hon. G. T. Virgo: That's why you picked it up!

The SPEAKER: Order! Interjections are out of order, strictly.

Mr. MILLHOUSE: I have been informed this afternoon that Mr. Cavanagh (Secretary of the Miscellaneous Workers Union) has given the management of the company a deadline (which has now passed) of 3 o'clock to have the factory re-opened for work, otherwise he has threatened that he and his members will break into the factory and work it themselves. I understand that this morning the management has been physically excluded from the factory by workers or members of the union who have broken in, occupied it, and defied attempts by the management to enter the factory. Further, I understand that yesterday the manager was rushed by three of these people and that, while he was defending himself, punches were thrown. I need say no more about those events. I understand that left wing unions, of which this is one I believe, have said that they will do everything in this fortnight before the Commonwealth election to foment industrial trouble in order to make sure that Mr. Whitlam does not win the election. Therefore, I ask the Minister whether he will make a statement condemning the outrageous actions that have taken place at Whyalla in this matter and suggesting to other unionists who are of left-wing persuasion that they do not carry out the threat that has been made known so widely.

The Hon. D. H. McKEE: I make plain to the member for Mitcham that I do not condone violence in any form in respect of an industrial strike or of any other industrial action, but I point out that the honourable member would like to see the Government call



out the Army and the Police Force, use tear gas and smoke bombs, and have wholesale arrests made—

*Members interjecting:*

The Hon. D. H. McKEE: —in this situation, or in the situation that is alleged to exist in Whyalla. I have had a conversation with the police in Whyalla and with the management of the factory, and at present I am waiting on the General Manager, who arrived in Adelaide about 20 minutes ago in order to have a conference with me and the Premier. Until that discussion takes place, I have no further information to give the House. Apart from the fact that negotiations are continuing, we are about to meet Mr. Gibson from the head office in Sydney in a few minutes time.

Mr. COUMBE: Does the Minister consider that the situation at the North factory at Whyalla is conducive to attracting similar industries to South Australia, and in particular to Whyalla, especially in view of the action that has been taken by unionists and others who are not necessarily employed at the factory, and does he believe that this sort of action is likely to deter similar light industries from coming to South Australia, particularly to the new town of Murray?

The Hon. D. A. DUNSTAN: As I am the Minister in charge of industrial development, questions concerning this matter should be directed to me. The position at Whyalla is an unfortunate one arising from a series of causes. The company, James North (Australia) Proprietary Limited, with which we have been negotiating for a considerable time for possible expansion in South Australia, has been taken over. The English company that has taken it over is rationalizing its activities throughout the world and the closure of the factory at Whyalla was part of the rationalization programme.

In addition, we have been faced with difficulties in relation to industrial glovemaking because disposable gloves are available at a much cheaper price than the permanent gloves manufactured by the industry, and also the price of hides in Australia has skyrocketed. The latter is causing difficulties in all the leather goods trades in Australia at the moment. We are currently negotiating with tanners in Australia concerning this matter, because they have approached the South Australian Government as the Government most likely to assist them. In fact, a working party for the tanning industry has been established by the Government. I do not believe there is

any deterrent to industry to come to South Australia—

Mr. Millhouse: What is going on up there now? You must be mad.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: If the honourable member reflects on other people's sanity and points his finger, he should remember there are three pointing at him.

Mr. Millhouse: But it is ridiculous—

The SPEAKER: Order!

Mr. Millhouse: I can't believe that you would say a thing like that.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The distress of the people concerned in Whyalla at the loss of employment is obvious and understandable. It is obvious that members opposite give little thought to this area of distress to people in this State. Whenever any question is raised by members opposite in relation to working conditions or trade union membership, it is always bitterly critical of the working people in this State.

*Members interjecting:*

The SPEAKER: Order!

Mr. Coumbe: Are you going to answer my question?

The Hon. D. A. DUNSTAN: At the moment I am answering interjections coming from other Liberal Movement members.

Mr. Millhouse: Are you defending what has gone on up there?

The Hon. D. A. DUNSTAN: Does the honourable member want an answer to his colleague's question or not?

Mr. Millhouse: I should like to know whether you are defending the disgraceful things that have gone on up there.

The SPEAKER: Order! The honourable member is not going to continue to interrupt rudely. The honourable Premier is replying to the honourable member for Torrens. I insist that interjections cease.

The Hon. D. A. DUNSTAN: I believe negotiations should proceed in order to try to ensure some continuity of employment, if that is at all possible, in the area. I do suggest that members opposite do little to assist that situation by statements designed to do nothing other than exacerbate the situation.

#### BUSINESS DIRECTORY

Mr. HOPGOOD: Has the Attorney-General a reply to the question I asked on October 31 about persons receiving what seemed to be accounts for the insertion of information in a classified business directory?

The Hon. L. J. KING: Several complaints have been received about pseudo invoices being distributed by Brandon Publications soliciting entries in the Australian Classified Business Directory. The matter has been investigated by the Commissioner for Prices and Consumer Affairs and referred to the Crown Law Department for consideration of instituting a prosecution pursuant to the Unordered Goods and Services Act.

#### MOUNT GAMBIER HOSPITAL

Mr. BURDON: Has the Attorney-General a reply from the Chief Secretary to my recent question about the staff at Mount Gambier Hospital?

The Hon. L. J. KING: The Chief Secretary states that the number of graduates from the medical school at the University of Adelaide in recent years has been barely sufficient to meet the service requirements of the Royal Adelaide Hospital and the Queen Elizabeth Hospital. Although the new medical school now under construction at the Flinders Medical Centre will increase significantly the numbers of medical graduates from the end of 1979, there will be a further obvious short-fall in resident doctors in the State during the 1976-79 period, as the Flinders Medical Centre itself will require resident medical staff for the hospital service needs of the centre in advance of the first graduates of the centre becoming available. It will be noted, therefore, that no permanent assistance can be given to country hospitals as far as first-year resident medical officers are concerned until 1980, when the present number of graduates (about 105 each year) increases to an estimated 160 graduates each year.

In the meantime, some less permanent assistance to Mount Gambier could arise from two sources: first, by the attachment of final-year medical students to the hospital during elective periods of study; and, secondly, by the further development of training programmes conducted by the Royal College of General Practitioners which could involve some country hospital experience during the second and third years after graduation. In both instances the decision to gain further medical experience at Mount Gambier Hospital would be made by the individual choice of the applicant, subject to the approval of the respective examining bodies and not by any form of obligatory attachment to the hospital as is the case of first-year resident medical officers, who are required to undertake a compulsory 12-month

period of supervised practice in a teaching hospital prior to full registration.

#### PORT ELLIOT LAND

The Hon. D. N. BROOKMAN: Will the Minister of Environment and Conservation state the Government's attitude and intention regarding the land between Port Elliot and Middleton that has been the subject of recent publicity? Letters have gone to and from the Minister on this subject, and a copy of a letter written by the Minister to you, Mr. Speaker, as a result of one of your inquiries has been sent to me. In his letter dated November 7 the Minister stated that a development plan—

The Hon. Hugh Hudson: How did you get a copy of that letter?

The Hon. D. N. BROOKMAN: If the Minister of Education had listened carefully he would know that I pointed out that the Minister had sent to me a copy of the letter. The Minister of Education may not indulge in that sort of courtesy, but the Minister of Environment and Conservation does. It was reasonable to send me a copy of the letter, because the land is in my district. The Minister of Environment and Conservation has full marks in this respect and the Minister of Education has somewhat less. The Minister pointed out in his letter that a development plan was being prepared and, among other things, said:

I am sure you will realize from the above information that there is adequate provision to control development in this area if it does not meet the requirements outlined. However, I have referred Mr. White's suggestion regarding the Government purchasing this area to the Director of National Parks and Wildlife for his comments. I will write to you again as soon as more information is available.

It has been reported in the press that the land has been sold, and I believe the Government should now state whether it will consider the plans of the new purchasers, if there are any, whether it intends to purchase the land itself, or what other action it will take.

The Hon. G. R. BROOMHILL: I think I pointed out in the correspondence referred to that a development plan for this area was being prepared and that, if it was thought that development in that area should be limited, that principle would doubtless be taken into account by the planning authority when considering the future development of the area. The national parks and wildlife officers examined the area to see whether it was suitable for purchase as a national park, and they have advised me that it is not. Therefore, it appears certain

that the Government will not purchase the land for national park purposes. The future use of that land will be considered during the preparation of the development plan for consideration by the planning authority.

#### WILD LIFE

Mrs. BYRNE: Has the Minister of Environment and Conservation a reply to my question about the native wild life show held in October, the proceeds of which were to establish a permanent education centre in the form of a herpetarium-noctarium house, possibly at Cleland Conservation Park or Para Wirra Recreation Park?

The Hon. G. R. BROOMHILL: The herpetology group of the Field Naturalists Society of South Australia has for some time been interested in the establishment of a herpetarium and nocturnal house to foster the growth of their special interest. Discussions with the herpetology group have been held to consider various locations for such a venture. Cleland Conservation Park and Para Wirra Recreation Park have been suggested as suitable areas, but no firm decision or commitment has been made on such matter. The National Parks and Wildlife Service of the Environment and Conservation Department co-operated with the herpetology group in the staging of the wild life display in October. However, the responsibility for the staging of the display was that of the herpetology group. It is understood that the display far exceeded the objectives of the herpetology group and that about 15,000 people visited the display. The proceeds from this display are intended for use in establishing a herpetarium, but this is only part of the overall drive for funds. The construction of a suitable building with the necessary equipment, etc., would involve a substantial cost, possibly more than \$20,000. The success of the display was such that it may be worth while for the Environment and Conservation Department, in conjunction with various associations such as the herpetology group, to consider staging such a display, with a similar but wider appeal, on an annual basis.

#### TEACHERS' SALARIES

Mrs. STEELE: Can the Minister of Education say what percentage of the total money allocated to the Education Department in the latest Budget was represented by teachers' salaries, and can he also say to what extent the recent increases in teachers' salaries, as negotiated by him direct with the South Australian Institute of Teachers and announced last week, increased that proportion? A survey

prepared for me in 1969, when I was Minister of Education, showed that the salaries of teachers accounted for 81 per cent of the total money voted to the Education Department, and I should be interested to know what the comparative percentage would be as a result of the latest increases in teachers' salaries.

The Hon. HUGH HUDSON: I could not reply to the honourable member accurately off the cuff, but I think the percentage of the total Education Department vote represented by salaries would be at least the same as it was when the honourable member inquired some time ago. However, I point out that the proposed change in teachers' salaries does not apply to all employees of the Education Department and, therefore, does not affect—

Mrs. Steele: Teachers' salaries were 81 per cent.

The Hon. HUGH HUDSON: I do not think the teachers' salaries would be 81 per cent of the total. I think the figure to which the honourable member has referred is likely to be the total salaries bill of the Education Department, because I think I am correct in saying that at present teachers' salaries amount to about \$68,000,000 to \$70,000,000 a year, and that is certainly not 81 per cent of the total Education Department vote: it is less than 70 per cent of it. Certainly, the 9 per cent increase in salaries that has been negotiated will cost about \$6,300,000 in a full year. I will check the detailed figures for the honourable member, but I think she will find that I am correct in saying that the extremely high figure for salaries comes about only when we take account of all Education Department employees, not only teachers.

#### RURAL RECONSTRUCTION

Mr. NANKIVELL: Will the Minister of Works consult the Minister of Lands about advising the Postmaster-General's Department, the Electricity Trust of South Australia, and the Motor Vehicles Department of the names of those persons who are at present covered by the Rural Industry Authority? I understand that, in conformity with what has now become commercial practice, there is a delay of up to 60 days in the payment of normal accounts by the Rural Industry Authority. However, as the Minister knows, the Postmaster-General's Department and the trust will not tolerate such a delay. They threaten to cut off services and do cut them off if the account is not paid by the due date. Similarly, if a person does not pay for the registration of his motor vehicle, the vehicle is not validly

registered. Therefore, a person can be penalized unduly in any of those three situations if the account is not paid by the due date. I suggest that the solution may be to tell the trust and the departments concerned the names of persons for whom the Rural Industry Authority accepts responsibility for accounts.

The Hon. J. D. CORCORAN: I take it that the question is to be directed to the Minister of Lands?

Mr. Nankivell: Yes.

The Hon. J. D. CORCORAN: That Minister is responsible for administration of the scheme. I understood the honourable member to say that the Electricity Trust cut off supplies on the due date if the account was not paid, but that is not so.

Mr. Nankivell: There's a 60-day delay.

The Hon. J. D. CORCORAN: I think the points that the honourable member has made are good, and they will be investigated, but I do not want the impression given that the Electricity Trust, for one, arbitrarily cuts off the supply on the due date, because that just does not happen. I assure the honourable member of that, but I will check the matters that he has raised and certainly try to do something about them.

#### MURRAY RIVER SALINITY

Mr. CURREN: Can the Minister of Works say what action the Government has taken to examine and implement the recommendations in the Gutteridge, Haskins and Davey report on Murray River salinity? A report in the *Murray Pioneer* of November 2, 1972, headed "Scheme to Combat Water Pollution in South Australia", states:

A proposal for a multi-million dollar scheme to combat water pollution in South Australia was put forward by the endorsed Liberal and Country League candidate for Chaffey (Mr. Peter Arnold) at a meeting in Waikerie on Thursday night . . . . The scheme would require the removal of all existing evaporation basins along the Murray River from the border to Waikerie as part of an overall plan to solve or greatly reduce the pollution problem in the river in South Australia, he said. The lack of positive action by the State Government is a disgrace, and its policy of creating further basins along the river banks . . . .

As I know that the report to which I have referred has been examined, I ask the Minister whether he can explain the position to the House.

The Hon. J. D. CORCORAN: The honourable member told me, I think last week, that he would ask me for this information. A technical committee has been established in the

Engineering and Water Supply Department to examine the proposals of Messrs. Gutteridge, Haskins and Davey, the consultants employed by the River Murray Commission to make a study of the salinity problem in the river. As recommended by the consultants, investigation work has been initiated to determine the mechanisms of saline inflows to the river where there are significant increases in salinity levels and also to examine the feasibility of the solutions proposed in their report. The scheme suggested by Mr. Arnold for the removal of evaporation basins along the river, especially in the Berri, Barmera and Renmark areas, has been under consideration by the committee. Not all evaporation basins along the river have been established by the Government. I think the Renmark Irrigation Trust established that at Bulyang Island in 1968 and that at Disher Creek in 1966. Other evaporation basins, which were established during the term of the Playford Government, are not a recent addition to the system. Recently, drainage water was diverted from the Barmera district drainage scheme to Cobdogla swamp, but the water being diverted is of a lower saline content than that of the water already in the swamp. This action was taken to obviate the possibility of overflowing the Cobdogla evaporation basin and polluting the river.

The proposed solution offers some technical difficulties, as it is necessary to locate a disposal area in an impervious basin. The disposal of drainage water in a pervious area would result in a perched water table having contact with ground water and the increased hydraulic gradient to the river would probably lead to an increase in saline ground water flow to the river. Geological investigations now in progress are aimed at locating a suitable basin, but preliminary work indicates that impervious areas are not present close to the river and disposal would probably require long delivery mains. When sufficient information is available to enable reliable estimates to be prepared, this scheme will be considered along with other proposals for the solution of the long-term salinity problem. The suggestion that the saline water be disposed of to sea has already been given some consideration, but the preliminary estimate of cost is in excess of \$50,000,000, which makes necessary a more detailed study of less expensive solutions.

#### CLARE HIGH SCHOOL

Mr. VENNING: Will the Minister of Education say whether accommodation at the

new Clare High School is sufficient for the needs of the many students at that school and, if it is not, what plans the Government has for providing additional accommodation at the school? When this school was built, I understood it was to accommodate about 300 or 400 students and, as I understand that between 400 and 500 students now attend that school, accommodation is somewhat cramped.

The Hon. HUGH HUDSON: I will check on the matter for the honourable member. Concerning the number of enrolments and the extent to which accommodation at the school is taxed, I know that when I was in Clare some months ago no matter was raised with respect to accommodation other than the matter of developing a Commonwealth-standard library resource centre. In reply to the query raised on that matter, I pointed out that Clare High School would have to take its turn regarding the allocation of priorities for the building of such library resource centres and that the fact that the school was virtually brand new would mean that its priority in connection with a new library resource centre or an expanded library resource centre would be somewhat lower than that of a school that had less satisfactory accommodation than had Clare. However, as there may have been some change in the position since my visit to Clare, I will check the matter for the honourable member and bring down a reply as soon as possible.

#### WEEDS

Mr. McANANEY: Has the Minister of Works received from the Minister of Agriculture a reply to my recent question about eradicating African daisy in the Adelaide Hills?

The Hon. J. D. CORCORAN: The Government is following the requirements of the Act and is taking all practical measures to achieve control of African daisy in the Adelaide Hills areas. These include Crown lands in the council districts of Burnside and Mitcham. Methods being used are aerial spraying, hand-pulling and grubbing.

Mr. GUNN: Has the Minister of Works received from the Minister of Agriculture a reply to my recent question about the Government's reconsidering its decision to set up a weeds control board?

The Hon. J. D. CORCORAN: My colleague has informed me that the honourable member is entirely incorrect in stating that the Government has made a decision to set up a weeds control board. In order that he may be better informed on this subject, I shall explain in detail the history of the matter. During August

this year, my colleague requested the Weeds Advisory Committee to draft a new Bill to replace the present Weeds Act, which is considered now to be in need of drastic revision. The Minister of Agriculture asked the committee to consider and advise him on the following matters particularly:

- (1) the attitudes of landowners and local government towards the formulation of weed control boards;
- (2) the function and structure of the proposed boards;
- (3) additional suggestions to improve the Weeds Act;
- (4) the possibility of incorporating other pest plants in the Act to cover aesthetic, conservation and health problems; and
- (5) reconstitution of the Weeds Advisory Committee.

The Minister made it clear to the committee that he desired it to negotiate with the Local Government Association and primary producer organizations until a Bill satisfactory to the majority could be devised. The committee has already conferred with Local Government Association officers and delegates from the nine regional associations. He is aware of opposition from some councils to the suggestion for regional weed control boards but, as the Minister has not yet received a draft of a proposed new Bill, neither he nor the Government has made any decision on the formation of boards, nor does he know whether such a recommendation will be included in the draft Bill. The honourable member is equally incorrect in his statement that the Government "has done nothing" to eradicate African daisy in the Adelaide Hills. In any case, his criticism of the Government on this account seems curiously inconsistent with his request for reconsideration of the suggestion for setting up weed control boards, the specific purpose of which is, I am informed, to enable more efficient and effective control of noxious weeds throughout the State.

#### GEPPS CROSS ABATTOIR

Mr. ALLEN: Can the Minister of Works, representing the Minister of Agriculture, say whether, under the management of the new South Australian Meat Corporation, women will be employed at the Gepps Cross abattoir? Last week's issue of the *Farmer and Grazier*, in a report of a press conference held by members of the new corporation, states that the Chairman "told the conference that before considering whether additional killing works were necessary they would probably first try to increase output from existing facilities" and that "shift work and enlarging chains

were two possible ways this could be done". If shift work and enlarging chains were introduced, extra staff would be needed, and this would be an opportunity to employ women at the abattoir. Indeed, I understand that women are employed at the Noarlunga, Murray Bridge and Peterborough abattoirs. Last Friday, when the Leader of the Opposition and I had the privilege of inspecting the Peterborough abattoir, where 27 per cent of the staff are women, the management there expressed great satisfaction with the work being done.

**The Hon. J. D. CORCORAN:** Although I understand that women are already employed at this abattoir, albeit in the office and the canteen, I will refer the matter to my colleague and ask him to contact the new board and see what comments it may have.

#### MORPHETTVILLE PARK SCHOOL

**Mr. MATHWIN:** Has the Minister of Education a reply to my recent question about resealing the yard of Morphettville Park Primary School?

**The Hon. HUGH HUDSON:** The work of resealing the yard at Morphettville Park Primary School having not been accepted as satisfactory by the Public Buildings Department, the department has instructed the contractor to remedy the defective work as a matter of urgency.

#### QUARANTINE STATION

**The Hon. D. N. BROOKMAN:** Has the Minister of Works obtained from the Minister of Agriculture a reply to my recent question about establishing a quarantine station for the Commonwealth of Australia?

**The Hon. J. D. CORCORAN:** My colleague has reported that detailed preparations have been made for the establishment of a quarantine station on an island fairly remote from the shores of Australia and of a virus diseases laboratory somewhere on the mainland. The laboratory is to be a major establishment of maximum security level and will cost not less than \$20,000,000. The laboratory is an essential part of the scheme, as it will be necessary to screen any imported animals for every conceivable livestock disease. My colleague understands that the plans for the laboratory are well advanced. The quarantine station, on the other hand, would not be so costly and could be established at reasonably short notice. So far, the Commonwealth Government has not made any firm commitment for any locality.

However, the Commonwealth and States authorities have recommended that Norfolk Island would be most suitable. There has recently been active opposition on Norfolk Island to such a project and the matter was submitted to a referendum of electors last weekend. Unfortunately, the poll was lost by 385 votes to 440. It therefore appears that the Commonwealth will now have to seek an alternative site on an off-shore island. There is no indication at present what possible alternatives are offering. It is understood that a quarantine station suitable for the purpose could be fully documented by next March and could be completed by the end of 1975. It will therefore be some time before importations from overseas countries will be practicable under this scheme. However, it is possible for animals from European countries to reach Australia via New Zealand over a period of time. On the other hand, Australian proposals are aimed at the importation of cattle and other livestock from anywhere in the world. This is intended to satisfy the demands of the northern tropical areas of Australia for breeds of tropical origin.

#### VICE SQUAD

**Mr. BECKER:** Can the Premier say what Government policy has caused the number of members of the Vice Squad to be reduced from 15 to seven in the past 12 months? I understand that not only has the number of members of the Vice Squad been reduced but that, in addition, only two police officers are responsible for investigating illegal book-making activities throughout the whole State.

**The Hon. D. A. DUNSTAN:** This is a matter for the Chief Secretary. As I am not aware of the details of administration of the Commissioner of Police, I shall ask the Attorney-General, who deals with the business of the Chief Secretary in this House, to refer the matter to the Chief Secretary and to get a report for the honourable member.

#### STATUS OF WOMEN

**Mr. JENNINGS:** Can the Attorney-General say whether the Prime Minister has asked him to make available to the Commonwealth Government a Supreme Court judge from South Australia to preside over the proposed Royal Commission into the status of women? In Perth, the Prime Minister said yesterday that he was seriously thinking of appointing Justice Mitchell, the first woman judge appointed in Australia, to preside over this Commission. If the Attorney has not been approached about this matter, does he not

think that the Prime Minister's statement was therefore rather presumptuous, or does he think that there is no possible chance of the Prime Minister's being able to give effect to this brainstorm?

The Hon. L. J. KING: As far as I know, the State Government has had no communication from the Prime Minister. As Attorney-General, I have certainly had no request to make available for this purpose the services of Justice Mitchell or any other judge from South Australia. This does rather suggest that no great amount of thought or preparation has been involved in this suggestion, and that perhaps it is a somewhat belated attempt on behalf of the Commonwealth Government to cover up the fact that in the 23 years of Commonwealth Liberal and Country Party Government nothing practical for the status and opportunities of women in this country has been done.

*Members interjecting:*

The Hon. L. J. KING: Indeed, it might also be suspected that this is an attempt to cover up the fact that the very election programme put before the people by the Commonwealth Liberal and Country Party Government contains not one practical proposal to increase the status or opportunities of women, and that an attempt is being made to camouflage that situation by this proposal for a Royal Commission. I should have thought that, if the Liberal and Country Party Government—

*Members interjecting:*

The SPEAKER: Order! Honourable members will assist the Chair if they maintain silence. I cannot hear what the Attorney-General is saying.

Mr. Gunn: You're not missing much.

The SPEAKER: If there is any further interruption I will name the honourable member who interjects. I am disgusted at the way honourable members are carrying on. The honourable Attorney-General is replying to a question asked by the honourable member for Ross Smith, who deserves the courtesy of the House so that he can hear the reply. Interjections must cease so that the honourable Attorney-General's reply to the question can be heard.

The Hon. L. J. KING: I should have thought that, if the Commonwealth Government—

Mr. EVANS: Mr Speaker, I rise on a point of order.

The SPEAKER: What is the point of order?

Mr. EVANS: Standing Orders provide that a Minister shall not, in reply to a question,

debate a matter, but the Attorney-General has been debating the matter in his reply. I ask you to rule that during his reply to the question, contrary to Standing Orders, the Attorney-General has been debating the matter.

The SPEAKER: Honourable members will agree that it is impossible for me to hear, because of the interjections and conversation of honourable members, what the honourable Attorney-General is saying. The interjections and conversation were so bad that I have asked members to be quiet so that I may know what the Attorney General is saying. However, I point out to the honourable member for Fisher that the established practice has always been to allow Ministers reasonable latitude in replying to questions. I cannot uphold the point of order.

*At 4 o'clock, the bells having been rung:*

The SPEAKER: Call on the business of the day.

#### PLANNING AND DEVELOPMENT ACT AMENDMENT BILL (PORT ADELAIDE)

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Planning and Development Act, 1966-1972. Read a first time.

The Hon. D. A. DUNSTAN: I move:

*That this Bill be now read a second time.*

I regret the necessity to introduce this Bill, but I received the final request from the Port Adelaide City Council only this morning that the measure be introduced. The reason for its introduction is that, during the course of discussions between the Government and the Port Adelaide City Council in setting up the joint committee for the development of the Port Adelaide shopping centre, the council expressed dissatisfaction with the delays that would occur through the use of the provisions of the Local Government Act, which were the only provisions that would have applied regarding compulsory acquisition of a few sites involved in the Port Adelaide centre development. I indicated that, if agreement could be reached on development within the city of Port Adelaide, the Government would be disposed to introduce a measure to allow for more speedy acquisition powers, so that the measure could proceed as all the parties wished it to proceed.

Last week I outlined to the Port Adelaide City Council the time tables involved in

proceeding either under the Local Government Act or under a special provision, and I asked the council to let me know whether it wanted a special provision introduced in accordance with the undertaking I had given. The council informed me only this morning that it did want this, and that is why I now introduce the measure.

The purpose of this Bill is to provide the State Planning Authority with specific powers of acquisition in connection with redevelopment of the Port Adelaide centre. The Metropolitan Development Plan provides the background for this legislation. The plan at present provides that the Port Adelaide centre should be the hub of a district extending through the north-western suburbs. As such, the centre would comprise not only shops and commercial premises but also offices of local administration and cultural facilities. It was recognized in the Metropolitan Development Plan that redevelopment of substandard property would have to occur in order for the district centre to function effectively. Interest in redevelopment in the Port Adelaide centre has been shown by private interests, notably Port Adelaide Plaza Limited, following publicity of proposals made by the Myer organization for the redevelopment of a major shopping complex at Queenstown, 1½ miles distant. The Queenstown proposal was the subject of investigation by a special Government committee, and has also been the subject of various meetings between representatives of the Myer organization, Government and council. Its future still remains undetermined pending an official application under the planning regulations.

In the meantime, a joint council and Government committee has been established to consider the preparation and implementation of a scheme of redevelopment for the Port Adelaide centre. The Myer organization has indicated its consent to be involved in such redevelopment in the Port Adelaide centre. The Government has endorsed a recommendation of the committee that powers of compulsory acquisition should be available to the State Planning Authority in respect of land within the district business zone for the purposes of the Port Adelaide centre. It is expected that a great amount of redevelopment will be secured by negotiation between private interests and that the compulsory powers would only be invoked as a last resort.

The provisions of the Bill are as follows: Clauses 1 and 2 are formal. Clause 3 provides that the State Planning Authority may

acquire land, in accordance with a joint scheme between the authority and the council, within the Port Adelaide district business zone.

Dr. EASTICK secured the adjournment of the debate.

#### SUPERANNUATION ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Superannuation Act, 1969-1972. Read a first time.

The Hon. D. A. DUNSTAN: I move:

*That this Bill be now read a second time.*

It amends the principal Act, the Superannuation Act, and makes an amendment to that Act consequential on the enactment of the Act proposed by the Education Bill, 1972. The amendment proposed is to ensure that female teachers who are contributors to the Superannuation Fund and who desire to take advantage of an extended period of service past the age of 60 years, which is provided for in the Education Bill, will receive an appropriate lump sum in addition to their pension.

I now consider the Bill in some detail. Clauses 1 and 2 are formal. Clause 3 provides that a female contributor who continues in employment after attaining the age of 60 years will not be required to make any further contribution to the fund other than contributions referred to in subsection (4) of section 25 of this Act; these contributions are those necessary to complete a full year's payment for a unit. Her right to pension will, of course, be suspended until she actually retires, but if she continues past the age of 61 years she will be entitled to receive a sum in addition to her pension calculated by the board, having regard to (a) the length of the period during which her contributions have remained in the fund; and (b) the length of the period during which payment of the proportion of pension that relates to those contributions has been postponed.

It follows, therefore, that the longer she defers her retirement the larger will be this lump sum. To some extent this amendment follows the existing provisions in the principal Act relating to the position of persons who, though they have elected to retire early, have later decided to continue their service past the age at which they elected to retire.

Mr. BECKER secured the adjournment of the debate.



## LAW OF PROPERTY ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Law of Property Act, 1936-1972. Read a first time.

The Hon. L. J. KING: I move:

*That this Bill be now read a second time.*  
Earlier this year amendments, based largely upon a report of the Law Reform Committee of South Australia, were made to the Law of Property Act. The purpose of the amendments was to provide protection for mortgagors against harsh or unscrupulous conduct by mortgagees. This protection was afforded by providing, in effect, that, before a mortgagee proceeds to enforce rights that he has pursuant to the mortgage, he must give proper notice to the mortgagor. The Government believes that this legislation is very sound in principle. However, since the passing of the legislation certain bodies that are interested in the provision of credit have pointed to difficulties that may arise, especially where the mortgage is granted over a commercial undertaking. The purpose of the present Bill, therefore, is to limit the effect of the new legislation to mortgages given by natural persons in cases where the land is to be applied for the private use of the mortgagor.

In addition to the foregoing amendments the Bill makes a few amendments of a minor nature, some of which have arisen from a report of the Common Law Committee of the Law Society. The provisions of the Bill are as follows. Clauses 1 and 2 are formal. Clause 3 amends section 41 of the principal Act. The purpose of this amendment is to make it clear that section 41 requires that the signature of each party to a deed must be independently attested. In addition, it provides that the provisions of section 41 apply to the execution of a deed by an agent.

Clause 4 amends section 55a of the principal Act. The provisions of this section are restricted to the case of a mortgage under which the mortgagor is a natural person. In addition, where the mortgagor has made a statutory declaration that he does not intend to use the land as a place of dwelling for his own personal occupation and, in the case of land exceeding two hectares in area, that he does not propose to use the land for primary production, the provisions of section 55a do not apply. New subsections are inserted to enable a mortgagee to obtain a dispensation from the court from the requirement to give notice under the new provision.

Clauses 5 and 6 make minor drafting amendments to the principal Act.

Mr. MILLHOUSE secured the adjournment of the debate.

## ELECTORAL ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Electoral Act, 1929-1969. Read a first time.

The Hon. L. J. KING: I move:

*That this Bill be now read a second time.*

It makes a number of miscellaneous amendments to the principal Act. First, it provides for the appointment of an assistant returning officer to whom the Returning Officer for the State may delegate any of his statutory powers, duties or functions. At present, the principal Act provides for the appointment of a deputy returning officer. This position is, however, occupied by a Commonwealth officer in accordance with an agreement between the Commonwealth and the State. The deputy returning officer does not, in fact, exercise any statutory functions under the Electoral Act and, consequently, there is no need for provision to be made in that Act for his appointment.

The Bill expands the powers of an electoral registrar under the principal Act. Where a claim for enrolment or transfer of enrolment is made it frequently happens that the application is not in order, because the applicant has omitted a reference to the subdivision in which enrolment should be made, or has inserted a reference that does not accord with the applicant's place of residence. The purpose of the amendment is to enable a registrar to correct a wrong reference, or to insert a reference to the correct subdivision where this has been omitted. Where a claim has been amended under the new provision it may be dealt with in all respects as if it had been made by the claimant in its amended form.

A new provision is inserted dealing with the time at which enrolment takes effect. Where it is necessary for the registrar to investigate the entitlement of an applicant for enrolment to be enrolled, some considerable time may elapse between the time at which the application is made and the time at which the enrolment is actually registered. A new amendment is inserted to provide that, where the enrolment is subsequently registered, it shall date back to the time at which the application was received.

Provision is also made by the Bill to assist a candidate for election. Where the nomination is lodged with the returning officer, the returning officer is required by the Bill to inform the candidate as soon as practicable after receipt of the nomination whether the nomination is in order. The Bill slightly expands the grounds upon which a returning officer may reject postal votes. In the past it has happened that more than one envelope relating to the same elector has been received by the returning officer. No specific power exists at present in the Act to enable the returning officer to reject these votes. The Bill therefore inserts a specific provision enabling the returning officer to reject all such votes, except the vote contained in the envelope first examined by him.

The Bill amends section 110 of the principal Act. This is the section dealing with assistance to voters who are illiterate or who are subject to some physical disability or infirmity that prevents them from voting without assistance. At present, the section provides for the presiding officer to mark the ballot paper in accordance with the voter's direction. This provision has been criticized on the ground that it deprives the disabled voter of the privacy to which he is entitled. The new provision, therefore, enables the voter to take advantage of the services of the presiding officer or of some other person whom he has brought into the booth for the purpose of assisting him to exercise his vote.

Finally, the Bill provides for the exhibition of how-to-vote cards in polling booths. It is considered that this provision will be of valuable assistance to voters. The new provision provides for the form of how-to-vote cards to be prescribed. They must be lodged with the presiding officer at least 48 hours before the commencement of polling. The presiding officer is to be responsible for affixing the how-to-vote cards in the various voting compartments. It is envisaged that the relative position that the cards occupy will be determined by lot.

The provisions of the Bill are as follows. Clauses 1 and 2 are formal. Clause 3 makes a drafting amendment to the principal Act. Clause 4 provides for the appointment of an assistant returning officer for the State. Clause 5 empowers an electoral registrar to correct an application for enrolment by inserting a reference to the correct subdivision. Clause 6 provides that where the registrar is not satisfied of the validity of a claim for enrolment he is to refer the application to the Returning

Officer for the State. Clause 7 deals with the time at which enrolment is to take effect.

Clause 8 makes an amendment consequential upon the Age of Majority (Reduction) Act. Clause 9 provides that the returning officer is to inform a candidate as soon as practicable after receiving a nomination whether the nomination is in order. Clause 10 makes a metric conversion. Clause 11 makes an amendment consequential upon the Age of Majority (Reduction) Act. Clause 12 provides for the disallowance of postal votes where more than one envelope relating to the same elector has been received.

Clauses 13 and 14 make amendments consequential upon the Age of Majority (Reduction) Act. Clause 15 provides that a voter who is unable to vote without assistance may be assisted either by the presiding officer or by some other person to exercise his vote. Clause 16 makes a drafting amendment to the principal Act. Clauses 17 and 18 make metric conversions. Clause 19 provides for the exhibition of how-to-vote cards in polling booths.

Mr. MILLHOUSE secured the adjournment of the debate.

#### ACTS INTERPRETATION ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Acts Interpretation Act, 1915-1971. Read a first time.

The Hon. L. J. KING: I move:

*That this Bill be now read a second time.*

It amends the Acts Interpretation Act in so far as that Act relates to matters of nationality and citizenship. Its purpose is to give effect in State law to certain changes in Commonwealth legislation. All other States have passed legislation for a similar purpose. In 1969, the Commonwealth Government amended and changed the title of the Nationality and Citizenship Act, 1948. It is now the Citizenship Act, 1948-1969. The Commonwealth Government considers it desirable to give (progressively, and by whatever means that are reasonably possible) primacy to the status of Australian citizenship. One of the amendments made provided that a citizen of a Commonwealth country (including an Australian citizen) "shall have the status of a British subject"; that is, he shall have the status of, but shall not be declared to be, a British subject.

It was hoped that this terminological change would help clarify the idea of citizenship, which had in the past been confused by misunderstandings arising from the fact that Australian citizens were, under the Act of 1948, declared to be British subjects. It must be stressed, however, that neither the Commonwealth nor the States' legislation affects, in any way, the rights and duties of any person. Only a change in terminology has been made. I shall now deal with the clauses in detail. Clause 1 is formal. Clause 2 provides that the Act shall come into operation on a day to be fixed by proclamation.

Clause 3 alters the reference to Commonwealth legislation in the definition of "Australian citizen" contained in section 4 of the Acts Interpretation Act, an alteration made necessary by the change of title of that legislation. This clause also strikes out the definition of "British subject" from that section. Clause 4 enacts and inserts in the Acts Interpretation Act a new section, section 33c, that gives effect, for the purposes of the legislation of this State, to the intentions that underlie the Citizenship Act, 1948-1969, of the Commonwealth. A reference to a British subject in a law of this State shall in future be read as a reference to an Australian citizen, and to any other person who has the status of a British subject or has the status of a British subject without citizenship; and a rule of law applying to a British subject shall have a similar application.

Mr. MILLHOUSE secured the adjournment of the debate.

#### PSYCHOLOGICAL PRACTICES BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to provide for the registration of psychologists, the protection of the public from unqualified persons and certain harmful practices, and for other purposes. Read a first time.

The Hon. L. J. KING: I move:

*That this Bill be now read a second time.* It is introduced in order to provide for the registration of psychologists and, consequently, to offer to the general public protection from the dangers of the misuse of psychological practices by unqualified persons. No legal barrier exists at the present time in South Australia to prevent unqualified persons styling themselves as psychologists and offering services to the public to which the established psychological sciences relate. Disciplines of psychology at our universities, however, provide courses for the training of psychologists

and set high standards of assessment to be met by students for qualification.

"The practice of psychology," in the words of the Report of the South Australian Committee of Inquiry into the Registration of Psychologists, "involves rendering to individuals, groups, organizations or the public any psychological service involved in the application of principles, methods and procedures of understanding, predicting and influencing the behaviour of people. These principles may pertain to learning, perception, thinking, emotion and interpersonal relationships. The methods used include counselling, conditioning and measurement. Measurement will involve constructing, administering and interpreting tests of mental abilities, aptitudes, interests, attitudes, personality characteristics and emotion." Clearly the practice of psychology in any of the various fields in which psychological services are offered requires considerable training and acquired skills, and, as the very nature of its concern is the psychological well-being or assessment of the individual, it is this Government's policy to prevent untrained and unskilled persons practising as professional psychologists.

The public is entitled to protection from possible unethical psychological practices, and it is believed that only by legislating for the registration of qualified persons as psychologists can protection be afforded. The legislation proposed provides for the establishment of a board entitled the South Australian Psychological Board responsible for the administration of the Act, and for the appointment of a registrar of psychologists. The registrar shall under the Act keep a register in which the names of professional psychologists (those persons who are properly qualified and adequately experienced) are entered. No other person shall, for profit or reward, assume the title of psychologist, or any other title likely to mislead one to believe that he is a psychologist, or practise as a psychologist. It is not intended, of course, that legislation should relate to any personal counselling or guidance offered by one person to another for which no fee or reward is sought.

The proposed board has power to investigate, upon the application of any person or of its own motion, the conduct of any psychologist under the Act. It may also regulate the practice of hypnotism, which is a psychological practice for the purposes of the Act, but which may, with the approval of the board and subject to any conditions which the board may stipulate, be practised by persons other than registered psychologists. Clause 1 is formal.

Clause 2 provides that the Act shall come into operation on a day to be fixed by proclamation. Clause 3 provides for the division of the Bill into its various parts. Clause 4 contains the definitions necessary for the interpretation of the Bill. Clause 5 is an exemption clause: legally qualified medical practitioners are, in the ordinary course of medical practice, exempt from the application of the Act; so, also, are students and teachers in the course of study or research at any proper institution. Clause 6 empowers the Governor to exempt any person or class of persons from the application of the Act, and to revoke or vary that exemption.

Clause 7 creates the South Australian Psychological Board, a body corporate with powers, duties and functions under the Act, and provides for the judicial recognition of the common seal of the board. Clause 8 provides for the constitution of the board. The board shall consist of seven members, appointed by the Governor and nominated, as the case may be, by the Minister or the Australian Psychological Society (South Australian Branch). Where the society fails to appoint a member within the allotted time, the Minister may nominate a person to fill the vacancy. Members of the board are not subject to the Public Service Act, 1967, as amended, unless they are already Government officers. Clause 9 states the terms and conditions under which board members hold office. A term of office shall not exceed three years, but members may seek reappointment on the expiration of this time. When a member fails, for any reason, to act in his capacity as a member of the board, the Governor may appoint a deputy, who assumes all the rights and duties of the replaced member. The Governor may remove a member from office for certain reasons, and the office itself may fall vacant in stated circumstances. In these situations the Governor may appoint a new member. However, if the office has become vacant before the full expiration of its term, the new member shall be appointed only for the balance of the term of his predecessor.

Clause 10 provides that four members of the board shall constitute a quorum and that no business shall be contracted at any meeting unless a quorum is present. All decisions shall be reached by a majority. Where there is a deadlock in voting the Chairman has a casting vote. If the Chairman is absent from a meeting the board shall elect one of their number to act in his place. This member assumes the full powers and duties of Chair-

man for that meeting only. Clause 11 provides that any vacancy in any office of the board, or defect in any appointment to the board, are not grounds for challenging the validity of any act of the board. Any acts performed in those circumstances are valid. No member of the board shall be personally liable for anything he does or is done on his behalf, when the act is done or purported to be done in good faith and in the discharge of his powers and duties. This immunity also applies to acts done under the same conditions by or on behalf of the board.

Clause 12 provides that the common seal shall be used only following a resolution of the board, and witnessed by any two members of the board. Clause 13 empowers the board to appoint a registrar and employ all the staff it considers necessary to administer the Act. Government employees may be seconded with the approval of the Minister for their department. Clause 14 sets out the powers of the board. Clause 15 is an evidentiary clause. A certificate to the effect that a person is, or has been for a certain period, registered as a psychologist, and signed by the registrar shall be *prima facie* evidence of that fact, as is the production of the register or a certified extract.

Clause 16 provides for the composition of the funds and assets of the board, and the ways in which these funds may be used. Clause 17 provides for an annual report to be prepared by the board and tabled in Parliament by the Minister to whom the administration of this measure is committed. Clause 18 provides for the keeping of proper accounts and the annual audit. Clause 19 empowers the board to delegate any of its powers or functions to any member of the board, excluding only the power of delegation. No delegation can prevent the exercise by the board of any of its powers or functions. Clause 20 provides for the keeping of a register of psychologists. Clause 21 provides for the issue of certificates of registration to registered psychologists. Clause 22 sets out the qualifications an applicant must obtain to be entitled to registration. All registrations must be renewed annually.

Clause 23 sets out the circumstances in which an applicant may be refused registration. Clause 24 empowers the registrar, in certain circumstances, to remove names of registered psychologists from the register. Clause 25 empowers the registrar to make all inquiries that he or the board consider should be made into any application, or other matter, before the board. Clause 26 empowers the board to

inquire into the conduct of any registered psychologist. It sets out the circumstances which constitute a proper cause for disciplinary action, and the forms which such disciplinary action may take. Clause 27 sets out the procedure to be used in inquiries into the conduct of psychologists. Clause 28 sets out the powers of the board in all such inquiries. Included are the powers of requiring attendance, inspection of books, and asking questions to be answered on oath. Any person who fails to submit to the exercise of these powers commits an offence, but no person shall be required to answer any question, the answer to which would tend to incriminate him.

The Hon. D. N. Brookman: Are these the powers of a Royal Commission?

The Hon. L. J. KING: That is so. Clause 29 gives a right of appeal to the Supreme Court, against any order made by the board. Clause 30 enables the suspension of an order of the board, when an appeal against the order has been instituted. The suspension remains until the determination of the appeal. Clause 31 orders the surrender of his certificate of registration by any registered psychologist against whom an order of cancellation or suspension of registration has been made. Failure to comply is an offence. Clause 32 sets out the rights of registered psychologists, including the recovery of fees, and right to practise. Clause 33 sets out the effects of registration. Clause 34 makes it an offence for anyone, except a registered psychologist, to practise psychology for a fee or reward. Clause 35 forbids the advertising of psychological services by any person unless he is a registered psychologist or has the consent of the Minister. Clause 36 forbids the employment by registered psychologists of unregistered persons to practise psychology, except in prescribed circumstances. Clause 37 limits a registered psychologist, in relation to advertisements or descriptions concerning himself, to the description inserted in the register.

Clause 38 imposes restrictions on the use of names that can be used by companies or associations which consist wholly or partly of registered psychologists. Clause 39 makes it an offence for an unregistered person to use any titles or descriptions, which are likely to create the impression that he is a registered psychologist. Clause 40 concerns the titles of educational institutions recognized by the board for the teaching of psychology. There are no limits in the choice of title or description for these institutions. Clause 41

permits certain persons approved by the board to practise hypnotism. Clause 42 concerns minors. Any person who practises hypnotism on a person under 18 without the consent of the board is guilty of an offence, as is any minor who practises hypnotism. Clause 43 limits the practise of hypnotism to cases under the direction of a legally qualified medical practitioner and a dentist in the practise of dentistry. Approval of the board may be given in other circumstances as it sees fit. Clause 44 provides that all proceedings for offences under this Act shall be dealt with summarily. Clause 45 empowers the Governor to make regulations.

In view of the effect which this measure will have on professionally qualified persons other than psychologists, such as social workers, mental health visitors, occupational therapists, psychiatric and mental deficiency nurses, ministers of religion and marriage guidance counsellors, I intend to propose that the Bill be referred to a Select Committee to enable submissions from such persons and other interested people to be made on the provisions of the Bill.

Dr. TONKIN secured the adjournment of the debate.

#### SCIENTOLOGY (PROHIBITION) ACT, 1968, REPEAL BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to repeal the Scientology (Prohibition) Act, 1968. Read a first time.

The Hon. L. J. KING: I move:

*That this Bill be now read a second time.*

It repeals the Scientology (Prohibition) Act, which was passed by this Parliament in 1968. As members are aware, that Act prohibits the teaching and practice of scientology and prohibits the use of an instrument known as an E-meter, which is used by scientologists in the course of practising scientology. The Act requires scientological records to be delivered to the Attorney-General, who is empowered to destroy those records. The Attorney-General is empowered to issue warrants authorizing the searching of premises where he has reason to believe scientological records are kept and the seizure of such scientological records.

The Government of the day stated, on the introduction of the Bill, that the beliefs of the scientologists were misguided ones and that the system was essentially ill-conceived and as such was capable of inflicting, and had inflicted, untold distress and harm on the mental health

and social fabric of the community. This Government believes that, whatever complaints may be made about scientology (and it may be that some were well grounded), the approach adopted in the Scientology (Prohibition) Act was entirely misconceived. People in the community should be allowed to practise what they believe in, even if we disagree with it. Even if they are in the minority, they should have the right to their own views and the practice of them, so long as those views do not interfere with others in society. Where such interference occurs, it should be proscribed by a rule of law relating specifically to the harm involved and not to a system of belief or its private practice.

What is suggested against scientologists is that they have provided services in the nature of psychological services for reward, that they are unqualified to do this, and that this has been harmful to those who have been involved in the practice of scientology. The Government's view is that psychological services should be provided for fee or reward only by people who are qualified so to provide them, and only by people who have registered and are subject to the discipline of a properly constituted tribunal. I have today introduced a Bill to provide for the registration of psychologists and also to provide for the regulation of psychological practice for fee or reward.

In the view of the Government, that is the only proper approach to the matter in a society which abides by the principles of freedom and professes to protect the rights of minorities to hold and practice their beliefs, no matter how obnoxious or ridiculous some of us may consider those beliefs to be. If scientologists regulate their activities so that they do not infringe any law applying generally to all people, the Government believes it would be wrong that they should be prohibited from professing their beliefs and carrying on their activities.

Clause 1 of the Bill is formal. Clause 2 provides that the Act proposed by this Bill will come into operation on a day to be fixed by proclamation. Subclause (2) of this clause is intended to ensure that the Act will not be brought into operation until the Governor is satisfied that an Act regulating psychological practices, of the nature referred to earlier, has been passed and is in force. Clause 3 repeals the Scientology (Prohibition) Act, 1968.

Mr. CUMBE secured the adjournment of the debate.

## POLICE OFFENCES ACT AMENDMENT BILL (LOITERING)

Returned from the Legislative Council without amendment.

### MINING ACT AMENDMENT BILL

In Committee.

(Continued from November 15. Page 3136.)

Clause 6—"Penalty for illegal mining, etc."

Mr. MILLHOUSE: I move to insert the following new subsection:

(3a) No order shall be made under subsection (3) of this section after the expiration of twelve months from the commencement of the Mining Act Amendment Act, 1972, nor shall any order be made under that subsection after the expiration of that period.

This provision ensures that no order under clause 3 can be made after 12 months; in other words, it limits to 12 months the effect of the power we are giving to the Minister to make an order. As I have said previously, that power is wide and arbitrary. I must say that I am not happy with it but, if it is to be given to the Minister only for 12 months during what I am told is an emergency, at least it is not as bad as if the power were given indefinitely.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): In view of what the honourable member has said and of further amendments to be moved to this clause, I believe that, by accepting the amendment, we are safeguarding the rights of everyone concerned. I therefore accept the amendment.

Amendment carried.

Mr. GUNN: I move:

To strike out new subsections (4), (5), (6) and (7) and insert the following new subsection:

(4) An order shall not be made against any person under subsection (3) of this section unless that person has been convicted—

- (a) of an offence against this section;
- (b) of an offence involving larceny of minerals or attempted or intended larceny of minerals;

or

- (c) of an offence, committed on a precious stones field, involving an assault upon the person of another, and the order is, in the opinion of the Minister, necessary to restore or safeguard good order on a precious stones field.

In normal circumstances a person has a right to appeal against a court conviction before the Minister can prohibit him from entering a precious stones field. However, in view of the serious situation that exists, especially at Coober Pedy, a person should not have that

right of appeal. If he is not satisfied with the decision of the Minister, the person in question can always approach the Ombudsman or see his member of Parliament. I do not believe that it would be in the best interests of the people concerned if there were a right of appeal against the decision of the Minister. As a group of organized criminals is holding miners at Coober Pedy to ransom, I believe that this provision is necessary. A press report only last weekend stated that a person was complaining that the present provisions in the Act were not sufficiently strong and that any person who committed one of the offences in question should be barred from the opal fields for all time.

The Hon. G. R. BROOMHILL: The Government was of two minds in respect of its approach to this matter: the first alternative coincided with the current provisions in the Bill, and the second coincided with this amendment. Since the Bill was introduced, miners and members of the local progress association have stated that the provision contained in the amendment should be inserted so that, once a person has been convicted, he shall be prohibited by the Minister from entering a precious stones field, there being no appeal against such a provision. I accept that an order can be made only after a person has been convicted of an offence. After this legislation has been in force for 12 months, Parliament will have an opportunity to review the situation and to ensure that these provisions are working in the best interests of the community.

Amendment carried; clause as amended passed.

Clause 7 and title passed.

Bill read a third time and passed.

#### EDUCATION BILL

Adjourned debate on second reading.

(Continued from November 15, Page 3111.)

Mr. GOLDSWORTHY (Kavel): This Bill makes major changes to the education system in South Australia and introduces some new aspects. The whole measure impinges on the broad sweep of primary, secondary and technical education and on the education system provided by the independent schools in South Australia. However, I believe that the Minister has introduced the Bill at a most inappropriate time. I believe it is completely ridiculous for the Minister to expect us to deal, in the last week of the session, with a Bill which is of such major proportions and about

which Opposition members and the public have little knowledge. From inquiries, I know that the Minister has consulted some of his officers at least, and some representatives of the South Australian Institute of Teachers. However, Opposition members have had no real opportunity to study the Bill, which was only ready in its printed form a few days ago.

The Hon. Hugh Hudson: You've had six days. What more do you want?

Mr. GOLDSWORTHY: Yes, six days! The situation is completely farcical. When the Victorian Minister of Education (Mr. Thompson) sought to introduce a Bill which dealt only with the registration of teachers and which did not deal with other major areas affecting education in Victoria, the Labor Opposition member for Albert Park (Mr. Doube) said, on November 13, 1971:

In order to consider the measure competently, the Opposition will need more than a fortnight, especially as it will not be possible to read the Minister's speech until *Hansard* is issued next Saturday.

I point out that, owing to the pressure of work, we have had much difficulty for some time in getting *Hansard* pulls. However, I had one copy of the Minister's speech six days ago. Mr. Doube, complaining that the adjournment of the debate was to be for only a fortnight, said:

Because of the circumstances, I ask the Minister to reconsider the period of adjournment.

Mr. Thompson replied:

The Government is prepared to review the position at the end of a fortnight. Meanwhile, I shall be happy to make available to honourable members the services of Mr. Moore, the Assistant Director-General of Education, who has sat in on all the conferences with teacher organizations and has helped to formulate the legislation.

With other members, over the weekend I have had to attend the sorts of function that members are expected to attend. Only on Sunday evening was I first able to direct my attention to the Bill, which I did then and which I again did all day yesterday and until 2 a.m. today. In addition, similar legislation in other States has to be considered, and an effort has to be made to contact officers of the Education Department and the Institute of Teachers, and other interested people. To have to deal with the Bill in this way makes a travesty of the democratic process as it should be followed. There have been other instances of this type of thing, although I think this is the most glaring case. On one occasion, the Minister of Local Government

introduced a Local Government Act Amendment Bill even before the Bill was printed.

**The DEPUTY SPEAKER:** Order!

**Mr. GOLDSWORTHY:** This sort of thing is an insult to members of this House, to the public, and to members of the Upper House, through whose efforts much faulty legislation is corrected. I believe it is ridiculous for the Minister to proceed with the Bill at this time. In the time available, I have done my best to come to terms with the legislation. I do not know how many Government members have examined the Bill, although perhaps they were privy to discussions about it before it was introduced. How much contact has there been with representatives of independent schools, who are most concerned about these measures, some of which impinge heavily on them? From the brief contacts we have made with these representatives, we learn that not much contact has been had with them. They are especially concerned with the provisions relating to the registration of teachers. The Bill proposes some major changes to the education system in this State. In commencing his second reading explanation, the Minister said:

Detailed work on the revision of the existing Education Act has been in process for a number of years.

From inquiries I have made of a former Minister of Education, I understand that this revision has taken place over six to eight years, yet the Minister expects us to consider the Bill in six days, as well as dealing with our other commitments. The public has an interest in this Bill, and we are the spokesmen of the public. It does the Minister no credit to proceed with this Bill now. The Government has not made up its mind in relation to two matters in the Bill: first, religious education; and secondly, the proposal for the registration of schools, which has been deferred. As the Minister is not ready in those areas, I wonder how he would feel about working things out in six days. These matters will have to be dealt with over a period of years. If, by some misfortune, the Labor Government continues to stay in office, I suppose that we can expect similar treatment in future.

Another change proposed in the Bill relates to the appointment of senior officers concerned with the administration of the department. From the Minister's explanation, this appears to be on a somewhat experimental basis. We have just not had time to consider this legislation fully, and there are some areas about which the Minister has not had time to make his own inquiries. With regard to the appointment of members of the administra-

tion, there seems to be an arrangement with the Public Service Board whereby committees will make these appointments. The Minister says that if this proves to be successful the scheme will be extended. Therefore, one can see that it is in the experimental stage.

Several major changes are set out in the Bill. The right of appeal is extended so that it will lie against any disciplinary action, be it an action for dismissal or some lesser action. That is a fairly major extension of the operations of the appeal board. Probably the most sweeping change is the provision that seeks to implement the registration of teachers. I consider that the provision relating to the education of handicapped children is also important. Other changes relate to religious instruction and to a common retiring age for men and women. There are some changes proposed in the long service leave provisions. However, a perusal of the present legislation shows that these changes are minor. As I have pointed out, some changes are to be made in the method of appointing senior members of the administration of the Education Department.

I now refer to provisions in the existing Act omitted in this Bill. The Educational Policy Board has disappeared, although there is general provision in the Bill for the Minister to establish committees, and probably some of these committees will cover some of the operations of the board. However, no authority seems to be provided for in the Bill to cover all education policy.

This legislation seems to be dictated by the Karmel report, which I believe is the guiding star regarding administrative changes. The major changes in this Bill are a result of the Karmel committee's recommendations. The old provision applying to the training of teachers is deleted. The existing provision is not large, but I would expect some changes to occur because teachers colleges are to become colleges of advanced education and to be autonomous. The new provision is not dissimilar from one of the two sections in the present legislation. Clause 9 (5) provides:

The Minister may establish such institutions and make such other provision as he considers necessary or expedient for the proper education and training of teachers.

How will this provision apply having regard to the autonomy to be afforded teachers colleges? The Minister is still responsible for seeing that we have adequate supplies of suitably trained teachers for our primary and secondary schools. Part II refers to delegation, and I believe that the provision is far too sweeping. Clause 8 (1) provides:



The Minister may, by instrument in writing, delegate to the Director-General or any other officer of the department or the teaching service any of his powers, duties, responsibilities and functions under this Act except his power to dismiss an officer of the teaching service.

This provision seems almost to be a denial of Ministerial responsibility. I do not believe that any Minister can delegate his responsibilities: I do not believe that he can delegate many of his duties. The present legislation empowers the Minister to delegate the authority to appoint, transfer and promote teachers, and this delegation is to a specific group of officers in the department, but clause 8 (1) is far more sweeping. I believe that it is completely unnecessary and that it is a denial of Ministerial responsibility. The Minister is responsible to this Parliament and to the people of South Australia for the administration of his department and, in terms of this clause, he would be able to shed this responsibility. I object to the clause, which I believe should be amended. The clause concerning the delegation of power by the Director-General is also too sweeping. Clause 13 (1) provides:

The Director-General may, by instrument in writing, delegate all or any of his powers or functions to any other officer of the department or any officer of the teaching service.

This is too sweeping, especially as the Director-General can delegate all his powers. If he is absent, the Bill provides that a Deputy Director-General shall act in his stead. The delegation provision is completely untenable. I consider that the delegation by the Director-General should be with the approval of the Minister.

The Bill implements other areas of substantial change, the most radical being that contained in the clause dealing with the registration of teachers. This was recommended by the Karmel committee: I refer to page 147, under the heading "Registration of Teachers", as follows:

New South Wales and Queensland have recently introduced legislation to provide for the registration of teachers, and similar legislation is being drafted in Victoria.

From inquiries I have made, I believe that statement is incorrect. I understand that legislation in New South Wales and Queensland has not been enacted, although it may have been introduced. I understand that Queensland and New South Wales do not have operative the registration of teachers. However, if I am misinformed, I should appreciate being corrected. I believe the only State where registration of teachers in Government schools

applies is Victoria, and that is the result of recent legislation. From 1906 legislation has been applied in Victoria covering teachers in non-State schools, but legislation has been applied in Victoria only since 1971 regarding registration of teachers in State schools. Therefore, I believe that that part of the report to which I have referred is misleading, although it is not necessarily incorrect. I suggest that all members read the Karmel committee report, because it gives a good background to the argument for the registration of teachers.

I now refer to the recommendation that a teachers registration board be established under Act of Parliament. The report recommends that the board consist of an independent chairman and eight members selected from a panel of names submitted by the groups to be represented, and that these eight members should be qualified for registration: in other words, the people on the board should be registered as teachers. The provision concerning the membership of the board is not dissimilar to what is suggested in the Karmel report. A submission from the Australian College of Education appears in the report, as follows:

The Australian College of Education affirms its belief that teaching, to be recognized as a fully professional vocation, must require of its members a body of knowledge on which its professional skills depend, a body of techniques that distinguish it from other professions, and a body of ethical principles to guide the activities of those members. In order to ensure the development of such a fully professional calling, it is necessary that basic qualifications for practice should be laid down.

The college is aware of the variety of qualifications possessed by teachers, and that there is a significant proportion of teachers who cannot claim what the college regards as the minimum appropriate professional qualification. It appreciates that this situation is in part the result of periods of stress when it was not possible to attract sufficient qualified teachers, and of others when it has not been possible to provide adequate facilities for the preparation of teachers. It is clear to the college, therefore, that the provision of facilities for the professional preparation of teachers adequate in extent and quality, will be essential to the achievement of the goal which the college has in mind: namely, that only qualified teachers should be registered to teach in schools.

We are well aware that the supply of teachers for the teaching service is improving steadily, particularly in the primary division. It seems from what I have heard the Minister say recently that this problem has been almost overcome and that competition for places in the institutions of advanced education will be

much keener. However, there is still the problem of reducing class numbers; the problem of independent schools and their ability to pay the required salaries; and the problem of gaining specialist teachers for secondary teaching. I wonder whether the scope of the inquiry that led to this legislation has taken into account all factors that must be considered in relation to demanding registration and a level of qualifications for teachers. The Bill provides that teachers in the employ of the department for two years will qualify for registration, but I cannot help thinking that perhaps not enough inquiry has been made concerning independent schools. Their problems will be more acute than will those of the department.

Correspondence I have clearly sums up the position with regard to registration of teachers in other States. These letters have come from the Parliamentary Librarian or his deputy in other States, and I quote from a letter from the Parliamentary Librarian in Tasmania, as follows:

With reference to your request for information on the Tasmanian system of teacher registration, the following is the position:

- (1) The relevant legislation is Part IV of the Education Act, 1932, as amended by Act No. 30 of 1966.
- (2) Subordinate legislation is Statutory Rules No. 240 of 1967, Education (Teachers and Schools Registration) by-laws.
- (3) The main function of the Teachers and Schools Registration Board is to establish academic and professional requirements, and to control the standards, for teaching in non-State schools. Following the establishment of the board in 1906, there was a large reduction in the number of private schools in the State.

I think that sentence is significant. The letter continues:

- (4) I am informed that the Chairman of the Tasmanian board visited Brisbane and had discussions with the Queensland Government within the past two years, and that information on the Tasmanian scheme has been supplied to your Education Department.

Concerning the position in New South Wales, a letter dated November 22, 1972, and addressed to the Acting Librarian in the Queensland Parliament, states:

I refer to your letter of October 31 concerning the registration of teachers. I am informed by the New South Wales Education Department that teachers are not registered in this State. Since the constitution of the Education Advisory Commission in 1970, all teachers are appointed under the provisions

of the Teaching Service Act, No. 4, 1970, sections 19-25.

I have outlined the position in Victoria, but a recent letter states:

With reference to your inquiry of October 31, 1972, regarding registration of teachers in Victoria, the Government Publications Officer in this library has provided the information in the attached table. The second reading speech on Education (Teacher Registration) Act, 1971, should provide the ideas behind the legislation. Provision for the registration of teachers and of schools other than State schools has been in the Education Act (No. 6240) for many years.

I draw the Minister's attention to the time table of the passage of this legislation in Victoria. The first reading of the Bill was on October 27, 1971; the second reading debate commenced on November 9, 1971, and continued until November 24, 1971; and the second and third readings were on December 1, 1971. So, for about six weeks the Bill was debated in the Lower House.

The Hon. Hugh Hudson: Come on!

Mr. GOLDSWORTHY: That period is well in excess of the six days in which the Minister hopes to see this new legislation passed in South Australia. The Bill went to the Victorian Legislative Council on December 2, 1971, and passed that House. The report of the debate on the provision concerning the registration of teachers occupies about 47 pages of double columns in *Hansard*, but I doubt whether the Minister will allow members here anywhere near as long to discuss this vast and larger Bill. A letter referring to the position in Western Australia states:

In reply to your letter of October 31, I am able to advise you that teachers in this State are not registered at the present time. However, this subject is at present under discussion between officers of the Education Department and the Teachers' Union.

Victoria is the only State that has registration of State school teachers, and we in South Australia are breaking new ground. The Minister proposes provisions that are somewhat different from those in Victoria. The Victorian Act established three Teachers Registration Boards, one being concerned with the technical section, one with the secondary section, and the other with primary education. These three boards come together to form the Teachers Registration Council.

I have examined the Victorian Act and it seems that, under that system, a more specialist view could be given in the various areas of education. Each board would be competent to give specialist information in its field, and the council has power regarding matters of

review and appeal. Each board has nine members and the council comprises 27 members. I think the Minister contemplates a board comprising eight members in South Australia, and such a board will be somewhat broader than the Victorian system. It will embrace the whole area of Government education, primary, secondary and technical, as well as the whole area of private school education. Although our provision is similar to the Karmel report recommendation, it is considerably different in scope of responsibility from the Victorian provision for three boards.

The Hon. Hugh Hudson: You're not suggesting that we adopt the Victorian provision, are you?

Mr. GOLDSWORTHY: No. I have not had time to contact officers in Victoria.

Mr. Coumbe: Why haven't you had time?

Mr. GOLDSWORTHY: I think I have explained that. The Education Department officers that I contacted seemed either to be too busy or not to know much about the measure. Perhaps I contacted the wrong officers. We have not been extended the courtesy similar to that extended by Mr. Thompson in Victoria in making the Director-General available.

The Hon. Hugh Hudson: You haven't asked for that, have you?

Mr. GOLDSWORTHY: I suggest that we delay the passage of this Bill and have a senior officer available to discuss its ramifications. If that is what the Minister wants, I make that request now. It is unrealistic to continue this debate, with hardly any member, let alone a majority of the House, knowing what the Bill is about. I consider the change being made in the Teachers Salaries Board to be desirable. The board will be reduced in size, whereas the composition of most other boards is being enlarged, in the name of democracy. More and more people with an axe to grind want to get on to boards. As I have said previously, I consider that the Council of the University of Adelaide has become completely unwieldy, with 30 members.

I think the Minister has said in his explanation that the change being made to the Salaries Board could help expedite the settlement of claims before the board, and probably that is so. Previously it was difficult to get a board comprising five members together to hear claims expeditiously. I do not think one could object to the changed constitution of the board. A judge is to be Chairman and the board will include a representative of the

Education Department and a representative of the South Australian Institute of Teachers.

I am not referring to members of this place, but many people are puzzled about the operation of the board, particularly regarding the negotiations the Minister conducted with the Institute of Teachers on the recently-announced salary adjustments for teachers in this State. I have read the provisions in the Act regarding the functions and deliberations of the board, and they seem to be similar to the provisions in this Bill. However, I cannot read into the provisions an interpretation similar to that which the Minister thinks should obtain. Clause 38 (1) provides:

The Salaries Board may, of its own motion, or upon application by the Minister, or by the Institute of Teachers, make an award under this Division.

Clause 38 (4) provides:

If reasonable notice is not given and the Minister and the Institute of Teachers agree to waive the requirement of notice, the board may, if satisfied that no prejudice is likely to result to any other person who may be entitled to be joined as a party to the proceedings, proceed forthwith to hear and determine the proceedings.

Many people, including the taxpayers and people conducting independent schools, have an interest in the deliberations of the Salaries Board and I assume that these are the people to whom the phrase "any other person who may be entitled to be joined as a party to the proceedings" refers. The Act contains a similar provision. It seems to me that the board will become almost redundant because of the Minister's intention to engage in the sort of operation that he has seen fit to engage in recently. Although I am not for one moment arguing about the justice of the claims, I ask what is the function of the board if the Minister is to negotiate with the institute direct, announce a *fait accompli*, and tell the board to ratify the agreement.

Dr. Tonkin: Do you think he knows what he is doing?

Mr. GOLDSWORTHY: What he is doing makes the board largely redundant. In reply to a question I asked last week, the Minister said that this was a fairly simple matter, although, according to the press announcement, it involved the State wages bill in an additional \$6,000,000 to \$7,000,000 a year. From the explanation given, this award would probably have been made by the Teachers Salaries Board which the Minister by-passed in this regard but which, constituted for the purpose of hearing evidence from everyone entitled to be

a party to proceedings, makes a determination on that basis. It seems to a lay person that the Minister is trying to make a good fellow of himself.

Mr. Coumbe: I wouldn't suggest that.

Mr. GOLDSWORTHY: It has been suggested to me that, regarding this sort of negotiation, the Minister is by-passing the legally appointed tribunal and usurping the authority of the Teachers Salaries Board.

Mr. Wardle: What did it cost him?

Mr. GOLDSWORTHY: I do not know, but it will cost the State \$6,000,000 or \$7,000,000.

The Hon. Hugh Hudson: Are you opposed to that?

Mr. GOLDSWORTHY: No, but I am opposed to the Minister's course of action. The Minister obviously has been asleep, because I have made clear that neither the public nor I can judge whether or not this rise is appropriate. However, if the Minister had been listening he would appreciate the point I was making.

The Hon. Hugh Hudson: I appreciate it. You have a bureaucratic mind.

Mr. GOLDSWORTHY: I do not think the Minister can get around it by making that sort of snide interjection. I think the change effected in the Bill regarding the Teachers Salaries Board is one for the better, because it will expedite the hearing of claims and the determination of just and proper salaries for South Australian teachers. Therefore, I support these provisions. Appeals have previously been made in relation to an appointment to a defined special position within the Education Department, and appeals have been possible regarding a position on promotion lists. The Bill seeks to widen somewhat the operation of the appeal board and to encompass a range of disciplinary measures concerning which a teacher is allowed a right of appeal. I have no complaint with the philosophy in these provisions giving teachers a right of appeal. However, the Bill does not specify initially who shall be members of the board: although I think that the provision relating to the Chairman is good, I point out that the provision concerning the other members of the board seems to be indefinite.

The Bill establishes two panels but does not specify the size of these panels or the nature of membership. The provisions contained in clause 45 (2) (b) and (c) should be more specific. I think the whole idea regarding an appeal board is that it should give an indepen-

dent view, at the same time ensuring that it is so constituted that the appellant is satisfied that he is not being prejudiced in any way. However, an appellant should not be in a position whereby he considers that he will gain an advantage through certain personnel being on the board. I am certainly not in favour of having large panels and, as the Bill does not indicate how large they will be, I foreshadow an amendment regarding the size of these panels. Regarding the departmental panel, I will later refer to the area from which two of the members shall be drawn.

One important change relates to handicapped children. During the last session, the Opposition moved a motion seeking to have the Government bear the cost of transporting handicapped children. Unfortunately, the Government did not support that motion, even though the sum involved was not large. However, I recall the member for Elizabeth expressing sympathy with the Opposition's remarks on that occasion. Then, within a few months, the Government saw fit to undertake to pay these costs, as it has done since July.

Mr. Clark: That was promised at the time.

Mr. GOLDSWORTHY: Yes, when the funds became available. The Opposition is certainly pleased that this policy has been adopted. The Karmel committee made the following recommendation with regard to the education of handicapped children:

Section 47 of the Education Act should be amended so that the provisions of the Act relating to compulsory attendance apply to handicapped children as they now do to all other children, with appropriate powers of exemption.

When I first read the report some time ago, I thought then that section 47 of the present Act was unrealistic, as it placed the onus squarely on the parent of the handicapped child to provide for its education. Parents of handicapped children have higher medical bills and more strain and worry than have the parents of normal children, so it is unrealistic to expect them to provide completely for the education of their children. As I said during the debate on the motion to which I have referred, these parents are the least suited to providing fully for the education of their children. Fortunately, the State has for a fairly long time accepted about 80 per cent or 90 per cent of the responsibility for educating these children. I think all members welcome this new provision, which closely follows the recommendation of the Karmel committee.

This morning the mother of a handicapped child telephoned me saying that she was worried about what she had read in the *News* about the provisions of this Bill. I reassured her from my knowledge of the Bill. However, I point out that education is a topic of major interest in the community; many people have many questions about the provisions of this Bill. Teachers who entered the profession since the Second World War may be puzzled by the provisions in the Bill relating to the retrenchment of teachers. Some people in the profession may remember the position during the depression years, but I certainly do not remember it. However, I understand that during those years teachers coming from the teachers colleges were not offered appointments for some time, and that there was a proposal for either retrenchment or a reduction in salary. In these days of expanding educational requirements, where the shortage of teachers has caused great problems for the department, the reference in the second reading explanation to a break in long service because teachers could not be employed at a certain time may be puzzling to some people. However, I believe these provisions could be necessary, as retrenchments may become necessary again in the future.

Some provisions in this Bill are similar to those in the present legislation, while other provisions have been omitted. One provision relates to the registration of private technical schools. Although I have not had time to study it in depth, this appears to be similar to provisions that already exist. During the life of this Parliament, we have passed legislation enabling school committees and councils to be incorporated. Under this Bill, primary school committees will become school councils. In the earlier legislation, we dealt with the borrowing power of councils. In the new provisions, auditing of the accounts of the school councils is to be undertaken by the Auditor-General at any time, whereas the present legislation spells out that the inspector of schools is to examine the books of councils at least once a year. As I believe that an audit should be made at least once a year, I will refer to this matter in Committee. School councils are now able to borrow and spend many thousands of dollars, and it is only proper that their books should be audited at least once a year.

Some of the provisions in this Bill are different from those in the present legislation. However, I believe the Bill has much in it to commend it. I have made every effort to

come to grips with the contents of the Bill. However, I should like to have far more time to study it than the Minister intends to give, yet I believe there is much in it that is to be commended. We have had insufficient time to study it and to make the inquiries we should make, nor has the public had time to make the inquiries it should make and put the submissions it should put to members of this House. For these reasons I hope that the Minister can find some means of deferment and some time to allow him to complete his negotiations regarding religious instruction. The Minister says that these negotiations are not yet complete. The sections in the Bill applying to this subject are scant and are non-specific, and the Minister recognizes this. Regarding the registration of independent schools, the Minister has had the sense to negotiate with the independent schools. I do not know what contact has been made regarding the registration of teachers, so I hope that consideration of the Bill will be deferred.

I cannot see any justification for the introduction of the Bill at this time. Certainly a Bill of such major significance to the South Australian community should not be given the time table that the Minister seeks to give it in this House. I cannot see what drastic effect a deferment would have on the operation of the Education Department or on the operation of independent schools. I support the Bill at this stage, but I will make further comments in Committee.

Dr. TONKIN (Bragg): I support the aims of the Bill as introduced but I, too, regret that this Bill has been introduced in the dying hours of this Parliament. It has been rushed into the House (proof being that we have been presented only with a duplicated copy of the Bill). Apparently there is an urgent necessity to push this measure through. I suppose the Minister will say that we are fortunate to have been given the Bill as early as we have been and that, if we had not got it in this form, we would not have received it until it was properly printed, and that we have had it two or three days longer to look at it than we otherwise would have had it.

Mr. Mathwin: We would have got it today.

Dr. TONKIN: True. However, it does the Minister no credit that this Bill, which is designed to rewrite the education provisions of this State, or part of them, should be introduced at this stage of this Parliament, that this Parliament should be set a time table (whether official or unofficial), and that members on both sides should be expected to debate it and

grasp every detail in such a short time. Perhaps that is why it has been introduced at this stage, although I cannot see that there is any catch in it, at least not on the surface.

My main complaint, other than that concerning the timing of the introduction of the Bill for reasons of urgency of which I am not aware (and perhaps the Minister will be kind enough to take the House into his confidence on this matter), is that it is totally impossible to obtain an overall picture of how this legislation is to tie in with the legislation which has been foreshadowed by the Minister in his second reading explanation and which deals with the Further Education Department and the registration of non-government schools. In his second reading explanation, the Minister said:

The details of the scheme for such registration have not been finalized, and full consultation with independent school organizations has not been possible. As a consequence, the proposals for the registration of independent schools have been deferred until next year.

Apart from the fact that the Minister is showing an understandable attitude (he hopes he will be the Minister of Education next year, when Parliament meets again), I believe that he is indulging in what this Government has done on several past occasions with potentially contentious matters: he is introducing split legislation. It is a great shame that he should have chosen to introduce such split legislation not only late in a session but in the last session of a Parliament.

Is the late introduction of this legislation really due to the volume of work that the Education Department has had to do? I understand this is the reason given: that there has not been sufficient time to finalize all the proposals. I find this hard to understand. The Karmel report, which is the basis of this legislation, was presented a considerable time ago and I should have imagined that officers of the Minister's department had worked solidly on the recommendations since then. There has been ample time for consultation with the people concerned. Has this late introduction anything to do with the need to regularize the activities of the Further Education Department? Certainly, that was a thought, but I understand from the Minister's explanation that it has not been possible, in the time available, to complete the preparation of the Further Education Bill.

We cannot consider the registration of teachers, as good and as forward a move as that may be, unless we consider at the same time the registration of schools, so that we

can consider the impact these joint measures will have, especially on the future of independent schools in this State. I do not believe that we can come to any firm decision about the rights and wrongs of this without considering the matter *in toto*. Regarding the registration of teachers, I have no quarrel with this provision whatsoever. It is a good idea and is something that is long overdue. I approve of this measure, and there is no doubt (and I am sure that the Minister will correct me if I am wrong) that the proposal is that registered teachers be employed in registered schools and that a registered teacher in whatever registered school he may be employed (whether Government or non-government) shall be paid the same salary and the same allowances as his counterpart receives elsewhere.

I am unable to think otherwise. Indeed, the Minister may well raise his eyebrows, but he has given the House no indication that this is not the case. If this is to happen, I believe that independent schools in this State will go out of existence within the next two or three years.

The Hon. Hugh Hudson: You must have something better to say than that.

Dr. TONKIN: If the Minister regards independent and non-government schools with so little concern, I do not believe he should hold the portfolio that he does.

The Hon. Hugh Hudson: You just made up a fairy story.

*[Sitting suspended from 6 to 7.30 p.m.]*

Dr. TONKIN: Before the adjournment the Minister said that I had been telling a fairy story (I think that was his term) when I said that many independent and non-government schools in this State would not survive the next few years. This was not Hans Christian Andersen: it is a "grim" fairy tale, if it is a fairy story at all. Once again we are seeing moves to remove a freedom of choice, because I believe—

The Hon. Hugh Hudson: This is just a load of lies, and you know it.

Mr. Coumbe: That's terrible.

Dr. TONKIN: I take exception to that remark, Mr. Speaker, and I should like the Minister to withdraw it.

The Hon. HUGH HUDSON: I will withdraw the word "lies" and substitute "untruths".

Dr. TONKIN: I think that language is far more Parliamentary, but I am surprised at the Minister's descending to the use of the other term. Obviously, somewhere along the line—

The Hon. Hugh Hudson: I am surprised at your making it up: that's what you are doing, and you are a disgrace to this Parliament.

*Members interjecting:*

The SPEAKER: Order! Interjections are out of order.

Mr. Venning: Why not name him?

The SPEAKER: If the honourable member for Bragg would confine his remarks to the Bill, honourable members on the Government side need not interject.

Dr. TONKIN: Thank you, Mr. Speaker, I am grateful for your protection, but I must say that I am very much surprised, indeed. As I said, the whole point about this legislation is that we do not know the full and potent sum of what is intended. The Minister knows, but he is not going to let us know about it. I presume Government members know, but Opposition members do not know and we have a right to know what the Minister has in mind. I repeat, that I believe that if, as I suspect, the provisions for the registration of non-government schools are the way we can only believe they may be, non-government schools will go out of existence.

The Hon. Hugh Hudson: An untruth again, and I wish you would stop making up these stories designed to get publicity for yourself.

Mr. Goldsworthy: Order! Cool it!

The SPEAKER: Order!

Dr. TONKIN: I cannot understand why the Minister should be so touchy about this subject, because if he is touchy and worried why does he not take the proper action—

The Hon. Hugh Hudson: Why not tell the truth?

Dr. TONKIN: —to let this House know exactly what he has in mind, and be honest with this House and the people of this State. If he did this, he would have no need to descend to snide objectionable interjections in this Chamber.

The Hon. Hugh Hudson: You are being snide and untruthful, and it is a disgrace.

The SPEAKER: Order! Interjections are out of order.

The Hon. Hugh Hudson: It is an absolute disgrace.

Dr. TONKIN: I should have thought that the Minister would make his speech to close the debate, rather than now. This to me seems to be the present position until I am convinced otherwise.

The Hon. Hugh Hudson: It is impossible to convince you.

Dr. TONKIN: I am a reasonable man—

The Hon. Hugh Hudson: Ha, ha!

Dr. TONKIN: —when the facts put to me are reasonable, but I am not having any facts put to me.

Mr. Venning: You are not getting a fair go in your speech, either.

The SPEAKER: Order! The member for Rocky River would assist the member for Bragg if he ceased these interjections.

Mr. Venning: Phooey!

Dr. TONKIN: The member for Rocky River is not worrying me, nor is the Minister, but the Minister is taking up more time of the House. It seems to me, in the absence of evidence to the contrary, that the Government is trying to obtain a stranglehold on education in this State. We have seen the Minister's attitude in the matter of the South Australian School of Art, although I will not pursue that matter as it has been the subject of a previous debate. However, we have seen the Minister's attitude to this sort of thing. Once he gets an idea in his head he seems hell bent on carrying it through, but I believe parents should have the right to select an independent school for their children, if they wish (but perhaps the Minister would disagree to that statement) whether for religious, sentimental, or other reasons, and I believe that several members of this House do this for one reason or another. Some teachers wish to work for independent schools rather than for the department, and one can understand this attitude. One has much sympathy for parents who go without some of the luxuries they may regard as their due in order to send their children to independent schools, but this does not mean that independent schools are better than Government schools. I believe that Government schools have much to offer, and in many cases have more to offer, because they have more funds at their disposal, and have better equipment and better resources, but it is still the right and freedom that we enjoy to be able to decide whether to send our children to independent schools. If this legislation—

The Hon. Hugh Hudson: Can you point to a single thing in this legislation that does this?

Dr. TONKIN: That is the point I am making: I cannot point to anything in this legislation—

The Hon. Hugh Hudson: If the honourable member cannot point to a single thing in this legislation, he is out of order and is not confining his remarks to the Bill.

The Hon. D. N. Brookman: That is not a point of order at all.

The Hon. Hugh Hudson: He is telling lies.

The SPEAKER: Order! This is the second reading debate on the Bill, and the Minister can reply to the member for Bragg when he closes the debate. The member for Bragg must speak to the Bill.

Dr. TONKIN: Thank you, Mr. Speaker. I am speaking to the Bill, and to add force to my remarks I quote from the Minister's second reading explanation, when he said:

Members will be aware that the Government proposes to provide for the registration of non-government schools. The details of the scheme for such registration have not been finalized and full consultation with independent school organizations has not been possible. As a consequence, the proposals for the registration of independent schools have been deferred until next year.

This is the question I am debating: that they have been deferred until next year. Why? Why have they not been brought in now, or why has this legislation not been deferred until it can be brought in later as a whole? That is what I am trying to find out, and I am forced to one conclusion only, that this legislation is being introduced in a piece-meal fashion because there is something to hide. I do not know what it is, but I can guess. If the Minister wishes to correct me, he is able to do so. If he will let us know what is proposed, I am sure that people in this State, particularly those who have a keen interest in the future of non-government schools, will be relieved to hear what is happening because they will know where they stand.

I believe that these proposals will make it extremely difficult for independent schools to survive, but I believe the Minister does not care much about that. I shall be interested to hear whether he does. I have heard him say that independent schools have a special contribution to make to our community.

The Hon. Hugh Hudson: Therefore, why are you spreading these fibs?

Dr. TONKIN: I consider that independent schools have a special contribution to make over and above the contribution they make to relieving the education load on the State. I do not consider that the Minister cares much about this. That is obvious. I suppose that one may say that, if independent schools receive Government money, they should be under some form of Government control, but that does not seem to apply to universities, and I suggest that the Minister would be the first to shout loudly if there was any question

of curtailing the independence of universities. If this and, as I suspect, subsequent legislation that is being proposed is passed in the form that I suspect, only a few of our independent schools will be left in five years. This is what the Minister wants, because it is a matter of his dogma.

The Hon. Hugh Hudson: You have no evidence whatsoever for that statement. You know you are peddling an untruth, and that makes it even more disgusting.

The DEPUTY SPEAKER: Order! The Minister cannot make a second reading speech now.

Dr. TONKIN: It seems that the Minister protesteth rather much. Consideration of this legislation should be deferred and all aspects should be dealt with. I cannot see the need for this indecent haste. We should consider this matter honestly and it should be presented to us honestly. The Minister should disclose all that the Government intends so that we can judge those intentions and their worth. I agree with most of what is planned, but I consider that the Government is being less than honest.

The failure to introduce legislation relating to non-government schools is deliberate and is related to the forthcoming State election. The Government is afraid to disclose its intentions before that election. After all this time, I cannot believe that proposals have not been prepared for the registration of non-government schools and I cannot believe that those proposals are not ready for presentation. This is no reflection on the officers of the Education Department, who are able officers and have worked solidly to put forward the proposals for this legislation.

If these other proposals are not to be made available now, the Bill should be withdrawn until all matters can be debated and we can take a good look at the future of education, both in Government and non-government schools, to see exactly where it is leading us. At present the Minister is asking us to buy a pig in a poke, and that does the Government little credit.

Mrs. STEELE (Davenport): I do not want to say much on this Bill. Like all other honourable members, I have been waiting a long time for it to be introduced. I well remember that, when I became Minister of Education in 1968, almost one of the first things I was told on taking office was that the revision of the Education Act was in progress. As far as I know, it had been in progress all



through the time of the Minister who preceded me (a member of the Minister's own Party) and it could well have been going on in the time of the previous Minister, the Hon. Sir Baden Pattinson.

Then we have the extraordinary situation, after the Minister has been asked many times in this House when the new Education Bill will be introduced, that the Bill is debated in the last week of the session. The Bill is of immense importance and repeals an Education Act that dates from 1915. When one looks at the old Act, one realizes how much it needed revision and bringing up to date.

I frankly cannot understand the Minister's attitude. I have heard in the last week that even senior members of the department are extremely anxious that this Bill should be passed before the session ends, yet it has been under consideration for many years. The Minister's attitude so far has been fairly undignified for a member of the front bench and for one who holds the august office of the Minister of Education. To me, he is not setting a good example, and he is extremely touchy on many points that honourable members have introduced in the debate.

If ever an Act needed repealing and redrafting, it was the Education Act. I know the tremendous amount of work that has gone into preparing a Bill of this magnitude and I know the number of people who have been concerned with it and have served on committees to bring about the revision. The Karmel committee made recommendations on several matters in the Bill. The Minister has been at some pains to draw attention to some aspects on which the Karmel committee recommendations have not been adopted. The Bill is far reaching and of immense importance, not only as it concerns Government schools but ranging into the field of independent schools.

It is extraordinary that we have had so many Bills dealing with the Education Department, such as Bills creating new departments, based on the Karmel committee report. Heaven knows what this Government would have done if it had not had that report! Most of its education policy since it received the report in 1971 has been based on that committee's findings. We also know that this is not the only Bill on education that has been introduced with much haste. In the past few weeks we have had many Bills that have been under consideration for a long time. In fact, Bills had to be introduced to validate actions taken.

Who is responsible for this tardiness in the Education Department? I do not know, but the Minister, as the responsible Minister, must accept responsibility. The Education Act dates back to 1915, and it almost gives one the horrors to have to refer to all the amending Bills that have been introduced since that time. I must say that the present Bill streamlines considerably some provisions in the old Act that took many words to explain. I have nothing against the introduction of the new Education Bill but I resent the discourtesy of its being debated with less than three days left before the session ends. In the past, Bills containing amendments to such legislation as the Mining Act, the Companies Act and the Planning and Development Act have been introduced in the dying hours of the session but, because they have been of such immense public importance, they have been stood over during the recess so that interested people could peruse them. However, I have had principals of independent schools in my district telephoning me to ask whether they can have a copy of this Bill: having heard that consideration of the measure is to be completed before the end of the session, they are disturbed to think that, although it affects them, they have no knowledge of the Bill's contents. This is not good enough.

The Bill has been dealt with effectively by my colleague the member for Kavel who, with little time at his disposal, put considerable effort into preparing a speech to this important measure on behalf of the Opposition, and he has dealt with most of the aspects in some detail. I wish to refer to only a couple of matters, the first involving the fulfilment of a promise made some time ago by the Minister of Education when I asked him whether men and women teachers would retire at the same age, that is, whether women, if they wished, would be able to continue teaching after reaching the age of 60. This measure is long overdue and is provided for in the Bill, and I am sure that most people will welcome it. Often when people are at an age between 55 and 65, they have great maturity and much to impart, and at that age they are often able to exert the greatest influence on their students. Therefore, I am glad that the nonsense of women having to retire five years before men retire has been removed under this Bill.

I am also interested in the provisions relating to handicapped children. In the past, children have been directed by the Minister to attend a school if, by reason of a handicap, they have not been enrolled at a normal

school. Those days have gone, and everyone associated with educating handicapped children knows that, the earlier a child is enrolled and given the advantage of preliminary education, the better it is for that child. This certainly applies to deaf children, some of whom in the last quarter of a century have been enrolled at pre-school centres in South Australia at as early an age as 18 months or two years. In relation to handicapped children, the Bill specifies no age, and that is most appropriate in an enlightened community, because, as I have said, anyone associated with educating handicapped children knows that, the earlier the child receives some type of informal education, the sooner and more effectively that child will be able to receive formal education.

I reiterate that the Bill after, say, eight years of being considered by the best brains in the Education Department has been introduced with almost unseemly haste in the dying hours of the session, when members are trying to absorb various measures being introduced and to deal with all sorts of legislation on the Notice Paper. We are being asked to deal with this Bill of such a magnitude in a short time, for I understand that the Government intends to have the measure passed in this place this evening. That hardly gives anyone a chance to give of their best in regard to the moulding of a Bill that will have so much effect on the lives of the children in this State. I support the second reading.

Mr. CUMBE (Torrens): I agree with the remarks of other members who have canvassed the late introduction of this important Bill. This measure involves the education of the children who are the future citizens of this State, and it contains embracing powers, yet it is being rushed through Parliament at this stage and involves the consideration of 107 clauses. The measure has been six years or more in preparation, and I know of the work that has gone into preparing it. The existing Act has been amended countless times, as evidenced in the *Government Gazette* and *Education Gazette*. Under this Bill, the Minister's powers are set out, and the member for Kavel referred to these powers.

I think the most important matter is that dealing with the registration of teachers, and I completely agree that this is a desirable feature. However, I am concerned about the rights of those teachers who have given faithful service but who may not be academically qualified, even though they have expertise and methodology in teaching. These people in the

past have more or less been the backbone of the teaching service, especially at the primary school level.

We realize that, with the effluxion of time, the so-called unqualified teacher will disappear. I support the principle of registering teachers to ensure that they are academically and practically trained. However, I am the first to say that it is not necessarily the most academically qualified teacher who makes the best teacher. Most of us who have children or who have served on school councils know that in practice the academician is not always the best teacher. The Teachers Registration Board will supervise the registration of teachers, and apparently later the independent sector will be involved. As other members have said, the Bill has several gaps in it. I should have liked to see all these matters covered in one Bill. The matter of further education will be dealt with next year. The Minister has made some hints about the registration of independent schools. It is certain that these schools will be registered and that then the registration of teachers at those schools will also be involved. These matters should have been dealt with in this Bill.

The Teachers Classification Board will consist of a Chairman appointed by the Governor on the nomination of the Minister; two persons appointed by the Governor on the nomination of the Institute of Teachers, after the normal election system there has been undertaken; and two other persons. I should like to know whether these other two members will both be from the Education Department, or both from the Public Service Board, or whether each of those organizations will have one member. As I think this matter is important, I should like the Minister to deal with it in his reply. I presume that the Chairman will be an independent person, although he could be a senior officer of the department. A short while ago we saw rather unbecoming behaviour by the Minister that reminded me of his behaviour when he was in Opposition and when he made long statements on every possible occasion. He should confine his speeches to the appropriate occasion. However, I should like him to deal with these matters when he replies, which he will undoubtedly do at some length.

Most members are familiar with the operations of the Teachers Salaries Board, which is to consist of a Chairman, who shall be a judge of the Industrial Court or a special magistrate. The present Chairman is Judge

Olsson of the Industrial Court. This board will also have a member appointed by the Governor on the nomination of the Minister. I presume this member will once again be either a member of the Public Service Board or a senior officer of the Education Department. The third member of this board is to be nominated by the Institute of Teachers. I point out that, of the 10 Ministers, the Minister of Education is the only Minister who has a special representative to appear before a tribunal; other Ministers work through the normal channels of the Public Service Board. However, as teachers are not members of the Public Service, the Minister of Education has this type of representation. I am interested to see that clause 39 (4) provides that no date shall be fixed under subclause (3) earlier than the date on which the proceedings were instituted before the board, unless there are special circumstances for fixing an earlier date. I think that provision is desirable, as it is in line with industrial practice, and in line with legislation recently passed by this House. However, another provision in the Bill seems to be somewhat at variance with this measure.

The Teachers Appeal Board is the board to which teachers can appeal against any injustice that they believe might have been done to them with regard to failure to get a promotion, and so on. The Chairman will be a person holding judicial office under the Local and District Criminal Courts Act or a special magistrate. In addition, there will be the members of a panel of officers of the department and of the teaching service, and members of a panel of officers who have been nominated by the Institute of Teachers. I believe that this panel should be reduced to a workable size. I suggest that the Minister should limit the panel to three members, which is a workable number; otherwise, it will be unwieldy, with all types of people being able to sit on it. I should like the Minister to comment on this. An appellant has a right to nominate a member of the panel to sit on the board to hear his case.

As I have said, I support the principle of registering teachers. I want to see the rights of teachers who are not academically qualified (especially those in primary schools) protected. Although I think these rights are protected, I should like to hear the Minister spell this out. I should like that assurance, because many of these people form the backbone of the service, although with the effluxion of time they will disappear.

The constitution of the Teachers Registration Board is provided in clause 55. The board shall consist of a chairman appointed by the Governor (and I assume he is to be independent), two persons appointed on the nomination of the Director-General, two persons representing the Institute of Teachers, one person appointed on the recommendation of head teachers of non-government schools (that is, Protestant independent schools), one person from Catholic schools, and one from the South Australian Board of Advanced Education. I should like the Minister to explain the reason for the inclusion of the last-named member on the board. What is the position applying to teachers employed in teachers colleges which, on January 1, 1973, will become divorced from the Minister and the Education Department when they become autonomous colleges of advanced education, responsible to their college council or board? I have no objection to that inclusion, but I should like to know the reason for it.

The Minister in his second reading explanation referred to the registration of non-government schools perhaps being introduced next year. Perhaps that is why the Teachers Registration Board has at least two members representing independent schools. Will the teacher registration system flow through to independent schools? I understand that ultimately every teacher in this State, whether in a Government or a non-government school, will be registered. I do not argue with that, but is it the function of the Minister of Education to interfere with the running of an independent school in this way? Apart from the quality of teachers, an independent school is charged by its own council and is supported by parents who pay fees and who must have some say as to whether or not they want teachers to be qualified under the Teachers Registration Board. This principle can be looked at from both sides. Should the Minister, being in a completely secular occupation, interfere with a religious school? Should all teaching brothers and teaching sisters in Catholic schools be registered?

That is an important point, because I understand that, since the beginnings of this State, the church and State have been separate, unlike the situation applying in England where there is an established church. It was clearly indicated in those early colonial days that there should be a clear line of demarcation between the State and the church regarding education. In referring to independent schools, it does

not matter whether they be Protestant, Catholic or, in the instance in my district, a Jewish school, because I use the term broadly. The Minister is not on the board (and rightly so), but his department is represented. However, the question is whether the Minister should exercise his right.

Several other matters are contained in the Bill, some of which I agree with. I agree with the provision providing the right for a teacher to elect to retire at an earlier age, as well as the important right of a teacher to continue serving until the end of the year in which he or she reaches retiring age. As all members know, the disruption caused in schools when a headmaster or teacher retires halfway through the year or even sometimes in mid-term is a source of much aggravation and inconvenience. This problem has been alleviated when retiring teachers have stayed on to the end of the term, but it is important that the opportunity of election be given to complete the school year, thereby causing much less disruption.

Division 8 provides that the Institute of Teachers shall be the only teaching organization or association of teachers capable of applying to the board for an award. This situation has not always applied. I believe the institute to be a most responsible body, unlike its Victorian counterpart where a division has unfortunately occurred. This situation can apply because the South Australian Institute of Teachers has now a second division within its ranks consisting of representatives from independent schools. This is a recent innovation, but I believe it to be a good innovation and, if it did not exist, this situation could not apply because the institute would not be representing all of that sector.

As under the present legislation, the Minister has the power to establish advisory committees. There are numerous advisory committees in the Education Department, and I refer specifically to the Curriculum Advisory Committee. Clause 82, which concerns the determination of courses of instruction, provides:

(1) The Director-General shall be responsible for the curriculum in accordance with which instruction is provided in Government schools.

(2) For the purpose of assisting the Director-General to determine the curriculum in accordance with which instruction shall be so provided, the Minister may appoint an Advisory Curriculum Board for Primary Education, and an Advisory Curriculum Board for Secondary Education, and such other advisory committees as the Minister may deter-

mine on the recommendation of the Director-General.

I emphasize that it is the Director-General who will be responsible. I understand that successive Ministers of Education have always upheld the principle that the Minister should not influence the contents of the curriculum taught in schools. I believe that this has been the practice of the present Minister, the member for Davenport and me as Ministers of Education, and of other Ministers before us. I recall a controversial case that came before me in which I decided to take no action because I believed the Minister should not be involved in this aspect, as he would leave himself vulnerable on the question of patronage or some such term. Several private technical schools teach various subjects, and they should be licensed. I do not know what the position is concerning coaching colleges. Does the Minister intend to license them?

The Hon. Hugh Hudson: That is bound to come in on the registration of independent schools.

Mr. COUMBE: I was fishing and I got an answer.

The Hon. Hugh Hudson: Some people who are offering by advertisement several courses to teach people everything about something for \$500 have to be caught up with, too.

Mr. COUMBE: Does this matter come within the jurisdiction of the Minister? We have heard so much from the Attorney-General about consumer protection legislation, and I think the Minister should tread carefully because, apparently, next year he will try to catch all people who set up this type of college. Is the private tutor to be registered? I am sure that some members have engaged a private tutor to help their children cram for examinations. I am one, but I do not know how successful that method was, and my father engaged one for me before an important exam. Most of these tutors are high school teachers.

Mr. Clark: They will be registered.

Mr. COUMBE: Of course, but I hope no restriction will be placed upon them, because they are first rate. This Bill is long overdue. The principal Act, together with the Road Traffic Act and the Local Government Act, has been amended many times, so that it is difficult to obtain the latest reprint. An enormous number of regulations have been made under this Act, and I am sure that Mr. Host in the Parliamentary Library has much difficulty in keeping up with them, and members have the same problem. From that aspect alone, the Bill has much to commend it, but what I have

said in no way reduces my criticism about this Bill, which has been five years or six years in conception, has now been delivered, and is to be nurtured and receive full adulthood within three days. However, the Minister admitted in his second reading explanation that two or three major matters have been omitted until next year. The Further Education Department is operating without validating legislation. That is an important department that will increase in size because it encompasses technical, tertiary, and adult education. The Minister has said that a provision for the registration of private teachers has not been completed.

The Hon. Hugh Hudson: You mean private schools.

Mr. COURCEL: No, private teachers in independent schools have still to be considered. It would have been better not to introduce the Bill, however important it is and whatever the advantages to be gained, but to wait until everything had been completed. We are being asked to consider the provisions of this Bill in isolation, without having the chance to consider what the Minister may have in mind for a Bill to be introduced next year. We cannot imagine what will be contained in that legislation, but we are being asked to consider what the Minister (or his successor) hopes to introduce concerning the Further Education Department and teachers in private schools.

The Hon. Hugh Hudson: They're covered by the registration provisions in this Bill.

Mr. COURCEL: I know what the Minister has said. We shall be discussing registration of independent schools and all teachers, whether at independent schools or at Government schools, will be registered. It has been put to me that not all independent schools have been consulted on this matter, and objections have been raised. This is an important matter. I have mentioned the division between church and State. The Minister is a secular person, a body corporate, and possibly will be dealing with persons spiritual, if I may use that term. I would have preferred that the whole matter was dealt with. The Minister may have preferred that, too, but he has run out of time.

There must be cogent reasons why we are being asked to consider this matter now, and immediately the setting up of the new board springs to mind. When the Minister replies (doubtless at length), he ought to tell the House why he is doing what has been done. Some of the matters I have raised are not covered adequately in the explanation and my points are worth answering. Of course,

some matters can be discussed in Committee. It should always remain a firm principle that parents of schoolchildren have the inalienable right to choose where they want their child to be educated.

Mr. GUNN: Do you think a Socialist Government believes as you do?

Mr. COURCEL: I cannot speak for the Socialists, but I believe in that right. We must forget all about snobbery and jingoism, because, although I attended the same school as the Premier attended, the tremendous advance in some of our high schools and technical high schools has been such that in many cases a child can get a far better education at such a school than at an independent school. However that may be, it does not apply in all cases and there should be a choice. I hope that no Government in South Australia destroys that right of choice.

Mr. GUNN (Eyre): I support my colleague's remarks. I repeat the statement of other members that it is a deplorable set of circumstances when we are expected to debate, in such a short time, a measure such as this and one so important to the welfare of our schoolchildren. Obviously, the Minister would have been preparing this Bill for some months and he should have given us more opportunity to research and examine it and get opinions from people on it. I have not had the opportunity to discuss the matter with any schools or schoolteachers in my district, and the Minister is treating the House with sheer contempt. The Government's actions in the past few weeks with legislation have left much to be desired, and the Minister must feel guilty, because he is not interjecting. His attitude now is similar to his attitude on the Torrens College of Advanced Education Bill, when he appointed an officer—

The ACTING DEPUTY SPEAKER (Mr. Burdon): I draw the honourable member's attention to the fact that he cannot refer to previous debates.

Mr. GUNN: It is obvious from his reaction to the remarks made by the member for Bragg that the Minister is easily embarrassed and his reaction has validated what that honourable member has said. I have similar sentiments. We know that some Labor members, not only in this House but also in other State Parliaments and in the Commonwealth Parliament, do not believe in private schools. It is well known that they do not believe in State aid. That is why they want to set up a schools commission.

Mr. Hopgood: You must give me —

Mr. GUNN: The honourable member can read, and I suggest that he read some of the garbage that his Commonwealth colleagues have been distributing. Mr. Kennedy (Commonwealth member for Bendigo) is a critic of private schools.

The ACTING DEPUTY SPEAKER: I direct the honourable member's attention to the debate before the House. He must not bring in irrelevant matters.

Mr. GUNN: Thank you, Mr. Acting Deputy Speaker. I am always pleased to comply with your impartial requests. I thought that what I was saying was pertinent to the matter under discussion. We are dealing with the far-reaching matter of education in South Australia, including education at independent schools.

The ACTING DEPUTY SPEAKER: I suggest that the honourable member will not be speaking at all if he continues on that line.

Mr. GUNN: I will not refer to that matter again. When I entered this Chamber, the then member for Glenelg was castigating the Minister of Education about the crisis in education, but the crisis seemed to stop overnight when, unfortunately, a Labor Government was elected. The villain of the situation has become the good Commonwealth Government that we now have and will have for the next three years. The Commonwealth Government has become the terror. I believe that in that regard the present Minister of Education and the Government tried to pull the wool over the eyes of the people of this State. Since I have been a member, the Government has bitterly attacked the Commonwealth Government at every possible opportunity, giving that Government no credit whatsoever.

Mr. Clark: Is this related to the Bill?

Mr. GUNN: We are talking about education; what is wrong with the member for Elizabeth? Surely a member can refer to relevant matters!

Mr. Clark: Only if he has nothing to say about the Bill.

The ACTING DEPUTY SPEAKER: Order! I direct the honourable member's attention to my previous request to debate the Bill before the House.

Mr. GUNN: This is a far-reaching measure, involving many areas to which one could link up one's remarks. Although I do not wish to go beyond the bounds of reasonable argument, I think the financing of education in this State is relevant. My first reaction to seeing the provision dealing with the Salaries Board is that it is hardly necessary to set up such a

board if the Minister continues to ride roughshod over a board as he did last week, and I shall be interested to hear what he has to say about this.

The Hon. Hugh Hudson: He has the right in the Bill, if he wishes —

Mr. Venning: Order!

The ACTING DEPUTY SPEAKER: If the member for Rocky River continues to direct the House from the back benches, I will direct him elsewhere. The honourable member for Eyre.

Mr. GUNN: I think the Minister had reasons for taking the action he took, but I will leave that to people's imagination. My first thought, when seeing the provision dealing with the registration of teachers, was to query why a teacher would be registered for only 12 months, and I am pleased to note that the member for Kavel will seek to amend this provision.

Mr. Clark: A teacher pays a fee for registration every 12 months.

Mr. GUNN: I am well aware of that. Although I intended to refer to the problems confronting children in outback areas, in deference to your ruling, Mr. Acting Deputy Speaker, I will save those comments for a later occasion. I support the Bill and reiterate that it has been introduced in haste, that it is ill conceived in many respects, and that members should have had far more time to consider it.

Mr. MATHWIN (Glenelg): I rise, first, to object to the way in which the Minister of Education introduced this Bill. We are told that the Bill, which comprises 52 pages of important provisions, must be passed this evening. What opportunity has the Minister given members on this side to receive representations on the measure from the public and from school authorities, which is necessary in respect of any legislation considered in this place? Members should have had at least six weeks to consider this important Bill. Bearing in mind that the measure relates largely to private schools, I suggest that, under this measure, the Minister is showing contempt towards those schools. The headmaster of one of the schools concerned found it difficult to believe me when I told him that, if he wanted to peruse the Bill and talk to me about it, he would have to do so before today, because the Minister wanted the measure passed through this place this evening and to be law by Thursday.

This sort of thing will continue, because the Government has the numbers, and this

is the biggest numbers game in the world: if one has the numbers, one can do anything at all. This is a busy time not only for us but also for teachers, because examinations are being conducted at present and teachers are involved in this aspect as well as in their daily duties. Even the Minister admitted that there was little time, for in his second reading explanation he said:

It has not been possible in the time available to complete the preparation of the proposed Further Education Bill. . . . Members will be aware that the Government proposes to provide for the registration of non-government schools. The details of the scheme for such registration have not been finalized, and full consultation with independent school organizations has not been possible. As a consequence, the proposals for the registration of independent schools have been deferred until next year.

Under clause 8, the Minister is obviously farming out his responsibilities, and that is completely opposite to the provisions in the present Act. I believe that the Minister must be responsible for his department, and I hope that he will see fit to accept an amendment to the Bill in this respect. Clause 25 (3) provides:

On or before the appointed day every female officer who is, or will be, of or above the age of forty-five years on the appointed day shall elect whether she desires to retire at the conclusion of the school year in which she attains the age of fifty-five years or any subsequent school year prior to the year in which she attains the age of sixty years and if she makes such an election she shall be entitled to retire in accordance with the election.

That provision would probably be difficult to implement. How does a person, in this case a female, know for how long she will live? How will a person know whether he wishes to retire at an earlier age when he has to speak of a time 10 years hence? People may decide to retire and then change their minds. I think that this is a rather stupid provision. I believe that the persons referred to in paragraphs (d) and (e) of clause 55 (2) as members of the Teachers Registration Board should be replaced by nominees of the Association of Independent Schools of South Australia.

The Hon. Hugh Hudson: I have a proposition in line with that, but I will leave paragraph (e).

Mr. MATHWIN: I have not seen the amendment.

The DEPUTY SPEAKER: Order! I suggest that the honourable member discuss the amendment in Committee.

Mr. MATHWIN: The Association of Independent Schools embodies non-Catholic

schools and Catholic schools. Paragraph (e) refers to one person appointed by the Governor on the nomination of the Director of Catholic Education. This provision relates mainly to representation with regard to the small parish schools throughout the State. Instead of having the representation proposed in paragraphs (d) and (e), I think it would be better to give the Association of Independent Schools two nominees. If this course is not taken, it will force people to set up another association. This would be most unreasonable, for the association to which I have referred has operated well for the last three years and has a good name throughout South Australia. Organizations concerned are the association of independent school headmasters, the association of non-Catholic school headmistresses, the Catholic senior schools association, and the department of Catholic schools, as well as the Association of Independent Schools. Another organization on top of these organizations would be undesirable.

Clause 62 (2) provides that a registered teacher shall have his registration renewed on January 31 each year. What will happen in the case of those who first register in the middle of the year? Will there be a pro rata calculation made? As no fee is referred to in the Bill, I should like the Minister to say what the fee will be. I do not like this clause. Under its provisions, about 18,000 teachers in South Australia will have to register each January, and the clerical staff needed to handle this will be more like an empire.

Mr. Venning: Think of all the work it makes.

Mr. MATHWIN: Yes. This is not a good thing. I understand that in Victoria a nominal registration fee of 50c is charged, and it is for life. When the teacher is registered, he is given a number, and there is no need to reregister each year. I understand that a similar procedure applies in the United Kingdom. A person is given a number when he registers, and that applies for life. If he takes a holiday to Australia, for instance, and then returns he still has his registration number and does not have to reregister each year. If the Minister wishes to set up an empire to handle these registrations, it is his prerogative to do so, but I do not think reregistration is necessary. If the Minister intends to use for education purposes the money raised by these fees, I suppose that is not a bad thing but, if the money is not used for education, this will not be good at all. Under clause 74 (1) the

Minister may, by instrument in writing, establish such secondary school districts as he thinks fit. I should like the Minister to elaborate a little on this provision. Clause 75 (1) provides:

A child of compulsory school age (other than a handicapped child) who is not resident within a school district must be enrolled at a primary school, or secondary school (according to the educational attainments of the child).

I think that this provision should state "who is resident within a school district" and not "who is not resident within a school district". I again express my disapproval of the short time allowed to members on both sides to consider this Bill and to discuss it with people in the community who are interested in and affected by it. We should be able to come with our ideas and the suggestions of the public to register our disapproval and the disapproval of the people we represent, the minority. I support the Bill.

Mr. EVANS (Fisher): I wish to refer to the matters referred to by my colleagues, because it is important that, on an issue as important as this, one does not cast a silent vote. I am concerned, as are other members, that such an important Bill is only available to the general public for a period less than one week before it is debated and taken through its final stages, which I am led to believe is the Government's intention. I should like to draw a comparison between the time provided for this Bill and the situation applying to the Metropolitan Adelaide Transportation Study plan. That matter was left before Parliament for six months to give the public an opportunity to raise any objections it may have had. In terms of priority this Bill should have a greater priority in the community than did the M.A.T.S. plan, yet the Government of the day in introducing the M.A.T.S. plan was prepared to leave that plan for public scrutiny and any criticism that could be levelled against it before taking the appropriate legislation through the final stages.

No member can argue that the Education Bill has less influence on society than has the M.A.T.S. plan. The Government states its belief in the rights of the people, it says this Bill offers the greatest benefits to the people, yet it expects it to be debated and finalized within seven days. The Minister has already submitted three pages of amendments even though the second reading debate is not completed. If the Minister can find fault to this extent before this debate is completed, what guarantee is there that, before the Bill is passed by this House and by another place,

other major errors will not be found in it? At this time many educationists have started their holidays, but these are the people who must apply this legislation and who will be controlled by it. All concerned would have an opportunity during the Christmas vacation to scrutinize the Bill, to study it in detail, and to make representations to members of Parliament, both of the Government and of the Opposition.

Perhaps they will all approve, and then the Government will have no worries and can say that it has done the right thing by the community and by education in South Australia. However, to push forward such an important measure at this speed is completely wrong. When my own Party was in Government, members heard me speak about the passing of legislation too quickly, but at least my own Government never tried to push through such important legislation as this in seven days. It has taken the department and several Ministers years to produce the Bill we have before us this evening, but it is only part of the goal we wish to achieve. Yet, if we approve this part (and we do not know what is tied up in the next section to be placed before us), we will have it said to us in the early part of next year, "You approved the first stage; the second stage is tied up with it, and one is supplementary to the other. If you approved the first part, why don't you approve the second part?"

The Minister may base his arguments on part of the Karmel committee's recommendations. The Liberal and Country League Government can, however, take the credit for the establishment of that committee. Nevertheless, that committee's report does not get the Minister out of his difficulties when he says we must approve one section at a time, because one section has a great effect on the following sections that will be introduced.

The Minister should consider seriously what has happened in this Parliament in earlier years. In 1969 (less than three years ago) this Parliament sat in the first week in February. In March, 1971, it sat in the first week, and again in the first week of March, 1972. So there is no reason why this Parliament should not come back in the first week of February to deal with one specific issue. At that time Government backbenchers could have the opportunity of making their comments on this important matter, too. Surely in a House representing all sections of



the community a Minister and one back-bencher should not talk on an issue as important as education and then tell other Government members that they need not speak. I am sure that other Government back-benchers have an opinion on education and its effect on the community. Shame on them if they do not!

We know from the form in which the Bill was introduced that Government back-benchers have probably not had the time to research the Bill in detail, and to take it to schools, teachers, and other interested groups in their districts in order to obtain opinions on it. If they did have time to do this, they had an advantage over Opposition members, and Opposition members should be shown at least that much courtesy on behalf of the people they represent. The two most important issues in Government administration are health and education. Yet we are asked to debate and accept a complete rewrite of the Education Act or part thereof in seven days. I can visualize the situation that would apply if an L.C.L. Government sought to do this and the type of comment that the present Minister of Education would make if that were attempted. I can say with some sort of pride that, in the past, where there was an area of major controversy, the L.C.L. has said to the community that it had six months to make representations. That may explain why the L.C.L. Government fell: it was prepared to be democratic and honest, which is more than can be said of the Minister who is seeking to have this Bill passed in seven days.

I ask the Government to consider returning in February next year to debate the issue fully and, if possible, to have the next section included in it, so that we can consider a complete parcel and know what we are debating, not just piecemeal legislation, where our heads are in a noose from which they cannot be withdrawn later.

Mr. SIMMONS (Peake): I do not think I have ever seen a more glaring example of the ineptitude of Opposition members than we have seen here this evening. It is just over 2½ hours debating time since they commenced on this second reading debate. Opposition members have had the floor for the whole of that time, and they have spent at least 50 per cent of the time complaining about the lack of time they have had to research the Bill.

Mr. Evans: To give the people in the community the opportunity to make representations.

Mr. SIMMONS: This is a new line, because it is obvious how little research has been done by Opposition members.

The Hon. D. N. Brookman: Some criticisms have been made.

Mr. SIMMONS: It is desirable that Bills of this sort should have as much time as possible allotted to them.

Mr. Goldsworthy: We couldn't have much less time.

Mr. SIMMONS: Opposition members have had six days: if they cannot do any better, six months would not help.

Mr. Goldsworthy: You are being completely unrealistic.

Mr. SIMMONS: During the previous 2½ hours one ex-teacher, with unlimited time, and two ex-Ministers of Education have spoken, but no-one has tried to analyse the Bill.

Mr. Mathwin: You haven't done anything better, either.

Mr. SIMMONS: I am exposing the sham that Opposition members are putting up about this measure. The member for Torrens said that the Bill was long overdue, and he is correct. It seems from what the Opposition is recommending that it should become several more months overdue. About eight years ago it was decided to re-write the Education Act, during the time of a Liberal Government under Sir Thomas Playford. The necessary research was undertaken during the term of the previous Labor Government, but in 1968, when the Labor Government unfortunately fell on a gerrymander, the incoming Minister of Education decided that she would speed up the process. In April of that year the High Schools Councils Association, of which I was President, received a letter from the Director-General asking for submissions on a revised Act and regulations. We submitted these details by August, 1968, and we can now see the result of the work then carried out.

Although we were asked at the beginning of the reign of the Liberal Party to make submissions, nothing happened in the next two years. True, another two years has passed before this Bill has been introduced, but in the first few months after the Labor Party took office many amendments to the Act were introduced, and they have been incorporated in this Bill. Much of the Opposition criticism has been directed to the question of independent non-government schools, which are barely referred to in this Bill. The Minister has indicated that provisions for the registration of non-government schools will be introduced later, and I cannot understand how the present

provisions prejudice these schools. All they are required to do is to keep records of attendance and to furnish attendance returns. They also have the privilege (and I hope Opposition members do not want to delay this opportunity) of an inspection on their request by an inspector, or attendance by a doctor or a dentist for medical or dental examination of the students.

Clauses 72 and 73 refer only to non-government schools. The member for Torrens, when speaking of registration of teachers at independent schools, was corrected by the Minister, who pointed out that the registration of teachers would apply to any person holding a position in a Government or a non-government school. When corrected, the honourable member raised the objection that all independent schools had not been consulted. This is a hollow criticism. I believe that the principle that teachers should be registered and have recognized qualifications is sound. Does the member for Torrens suggest that that principle should not apply to independent schools until they have all been consulted? It should have operated many years ago, and I should like to see the Act operate immediately so that no more unqualified teachers would be admitted to the teaching service, whether in an independent school or a Government school.

Mr. Gunn: You misconstrued what the honourable member said.

Mr. SIMMONS: I understood what the honourable member said. One important provision removes some of the inequalities of treatment between men and women teachers, and I refer to the common retiring age provided for by clause 25. This is most desirable, and I have never understood why women, who generally live longer than men, are required to retire five years earlier. This long overdue reform will be welcomed by women teachers. Another matter that has not been provided for in the Bill is the delicate and contentious subject of religious education, and a committee under the chairmanship of the Assistant Director-General (Mr. Steinle) is preparing a report on this matter. I believe Opposition members would have cause to complain if this matter had been thrust upon them. One point made by Opposition members I wish to refute: that is, the argument that this Bill, because it does not provide for the registration of independent or non-government schools, represents a threat to these schools. I remind members that in the

policy speech of the man who will be Prime Minister in another 11 days—

Mr. GUNN: I rise on a point of order, Mr. Deputy Speaker. During my speech I was not allowed to canvass this aspect, and I ask you to direct the honourable member to confine his remarks to the Bill.

The DEPUTY SPEAKER: All members are bound by Standing Orders, which provide that they must speak to the Bill being considered. The member for Peake is no exception and must abide by Standing Orders.

Mr. SIMMONS: I will continue to speak to the Bill. The point at issue was whether independent schools were threatened with closure because this Bill was introduced. The policy of the Labor Party is set out in many documents, and members of the Opposition may improve their minds by reading them. The Leader of the Opposition in the Commonwealth Parliament stated recently:

Education should be the great instrument for the promotion of equality. Under the Liberals it has become a weapon for perpetuating inequality and promoting privilege. For example, the pupils of State and Catholic schools have had less than half as good an opportunity as the pupils of non-Catholic independent schools to gain Commonwealth secondary scholarships, and very much less than half the opportunity of completing their secondary education. The Labor Party is determined that every child who embarks on secondary education in 1973 shall, irrespective of school or location, have as good an opportunity as any other child of completing his secondary education and continuing his education further. The Labor Party believes that the Commonwealth should give most assistance to those schools, primary and secondary, whose pupils need most assistance.

Mr. GOLDSWORTHY: I rise on a point of order. Earlier in the debate, the member for Eyre was called to order for making passing reference to the Commonwealth Government and Commonwealth policy on State aid. I submit that the member for Peake likewise is canvassing that material and, in terms of that ruling, that is irrelevant and out of order.

The DEPUTY SPEAKER: The honourable member for Peake must link up any remarks that he makes with the Bill under consideration. If he goes outside the ambit of the Bill, he will be called back. His remarks must be confined to this matter. I think honourable members will realize—

Mr. Goldsworthy: He—

The DEPUTY SPEAKER: If the honourable member for Kavel disputes my ruling, he has a legal right to do so, but honourable

members must realize that a Bill of this importance, dealing with education, does enlarge the normal procedure of debate. At the same time, the honourable member for Peake must confine his remarks to the Bill.

Mr. SIMMONS: I was doing that, Mr. Deputy Speaker, by pointing out that this Government, which members opposite have accused of wanting to destroy independent schools—

Mr. Gunn: That's what your Commonwealth colleagues have been saying.

Mr. SIMMONS: I am speaking about what this State Government has done in education, and that is relevant to the Bill. In 1971-72 this Government voted aid of \$885,000 to independent schools and in 1972-73 it voted \$1,525,000. It is remarkable that a Government that wants to crush the independent schools has nearly doubled the allocation in one year! If anyone believes that this Bill is a threat to independent schools, that person will believe anything. The claim is ridiculous. What worries Opposition members is not that this Government in due course will do anything to harm the great mass of independent schools but Opposition members are afraid that the perpetuation of privilege that the Commonwealth Leader of the Opposition has referred to may be infringed. The Opposition arguments are so much eyewash and in 2½ hours they have contributed nothing to an examination of the Bill.

The Hon. D. N. BROOKMAN (Alexandra): I wish to speak not on the detail of the Bill but on the insult to this House that the Minister has perpetrated by introducing the Bill at such short notice. Other members have mentioned this and have given cogent reasons for supporting the attitude. The Bill is important and it is no way to treat Parliament to ask it to debate the Bill in the last few sitting days. The Bill was introduced six days ago and, before it has been read a second time, the Minister has circulated pages and pages of amendments. Some of those amendments do not make sense. They do not even refer to the correct pages.

The DEPUTY SPEAKER: The honourable member for Alexandra should know that there is no amendment before the House at this stage and that amendments therefore cannot be discussed.

The Hon. D. N. BROOKMAN: The Government cannot make up its mind about what it wants. We have been given complete nonsense in some cases, as I shall point out in Committee. An argument was put forward

in the Commonwealth Parliamentary Association papers earlier this year that the Opposition tended to be overlooked in the preparation of legislation. No-one discusses legislation with the Opposition until it has been introduced. Then, if the Government wishes to use its numbers, the Opposition gets no chance to consider matters.

It is standard practice for this Government to produce pages and pages of amendments, while the Opposition is expected to discuss an obsolete second reading explanation. If the Government wants to give an appearance of statesmanship, it will allow Opposition members to consider legislation for a longer time. I do not say that every Bill should be left for several months or until another session, but the Opposition should be given as much notice as possible. Otherwise the legislation is meaningless, and that is what this Bill is. I ask the Minister to check his amendments carefully, and I bet there will be many more amendments, including amendments to those on the sheet of amendments circulated.

The Hon. HUGH HUDSON (Minister of Education): I shall deal, first, with the numerous burlblings of members of the Opposition to the effect that insufficient time has been allowed to consider this Bill. On many occasions during the life of this Parliament and previous Parliaments major legislation has been introduced on the Thursday of one week and the Opposition has been expected to proceed with the debate on the following Tuesday. On this occasion, the Bill was introduced last Wednesday, and stencilled copies were provided, because the work of the Government Printer was behind at that stage. The Opposition is being asked to debate the measure six days hence. The member for Kavel first took up this theme when he said that he started work on the Bill on Sunday evening: I do not know what he was doing between this evening and last Wednesday afternoon shortly after Question Time began, when he first received a copy of the Bill and the second reading explanation.

Mrs. Steele: What if he had other engagements?

The Hon. HUGH HUDSON: In that case, the Leader of the Opposition would have been well advised to consider having lead for the Opposition some other member who had more time to consider the Bill properly. At this stage of the session, the Opposition is carrying on in its usual way and, having little to say, it is complaining that it has not had sufficient

time. In fact, the time it has had in this case is par for the course in relation to many major pieces of legislation. This Bill confers on teachers rights which are of some significance and which could mean substantial losses to certain teachers if the measure were not introduced now and passed before the end of the session.

The Hon. D. N. Brookman: They always use that argument.

The Hon. HUGH HUDSON: Maybe "they" always do, and maybe the member for Alexandra should have spent the last six days doing more work. Perhaps it should be expected of members at this stage of the session that they do more work on legislation and less on attending functions. The Bill deals especially with one disability under which female teachers have suffered for a long time: it provides for a common retiring age. In fact, female teachers in promotion positions are due to retire under the existing legislation at the end of this year.

The Hon. D. N. Brookman: You know that can be dealt with easily.

The Hon. HUGH HUDSON: It cannot, and if the honourable member cares to listen he will find out why. Under the existing provisions, a teacher in a promotion position, once he or she reaches the age of retirement, can return to the service only as a temporary assistant, taking the complete cut in salary involved in the drop, say, from the position of headmistress or infants mistress back to an assistant teacher. That position has often applied. Some members opposite will recall the former headmistress, Miss Morris, a very able teacher who, I think, was in charge of the Adelaide Girls High School and who had to retire at the age of 60. Wishing to continue teaching, she was employed as a temporary assistant at Brighton High School for about five years subsequent to her retirement. If any honourable member wishes me to refer to names of women teachers who are affected by this situation, let me say merely that, if this Bill does not pass, several female teachers will be required to retire at the end of this year and, if they wish to continue next year, they will have to be employed as temporary assistants and lose the promotion position they previously achieved.

The Bill provides other rights that could well be significant. These are substantial reasons for introducing the legislation this session. I am aware that the Bill was introduced in the second-to-last week, but I hoped that members would still be willing to debate it

and to put extra time into their work on the measure so that we could deal with it in time, because I think it is important and I think that the changes it makes are, in the main, sufficiently non-controversial to be accepted generally and to represent an advantage concerning education in this State.

I shall deal especially with a charge made in one of the most unscrupulous and disgraceful speeches I have heard for a long time. The only defence that the member for Bragg has, concerning my attitude or that of the Government, is that we have gone on record saying that we agreed that people had the right to send their children to the school of their choice, and we agreed that people had the right to maintain independent schools. Further, the record of this Government in relation to non-government schools surpasses the record of any previous Liberal and Country League Government in this State. Within three years, the amount of aid to non-government schools has been more than trebled. The provision in the 1970 calendar year, under the previous L.C.L. Government was \$520,000. The provision for the 1973 calendar year is \$1,630,000, yet the member for Bragg, without any evidence, chose to say that the reason why registration of independent schools was not being introduced now was that the Government wanted to do certain things in order to get rid of those schools within two or three years, and he suggested that this Bill would succeed in doing that.

The remarks of the member for Bragg were untrue, not based on facts, and were figments of his own imagination raised in this debate in an endeavour to gain publicity and perhaps do some damage to the Labor Party. I should have expected that the member for Bragg, as a professional and as one who has taken a certain oath at least in relation to the practice of medicine, would have more regard for the truth than he has demonstrated in this debate, and I completely and entirely throw back his remarks in his face. The truth is as I have stated.

The member for Bragg is not the only one who has offended in this respect: the member for Eyre has chosen to tell untruths about a Commonwealth colleague of mine, namely, the member for Bendigo (Mr. David Kennedy). The member for Eyre may be interested to know that I happened to be on the same platform with the Commonwealth member for Bendigo last Friday evening. The Commonwealth member for Bendigo is an advocate

of aid to independent schools on a means basis. The argument that he has put time and time again is that the Government's responsibility is basically to raise the minimum standards of education in our schools to a reasonable level; it is not a responsibility to supply funds to those schools which are already sufficiently well off, in order to make their standards higher than those that apply in other schools. He takes the point of view that in circumstances where there are such inequalities in education aid should be concentrated where the need is greatest. That does not make him as the member for Eyre suggested, an opponent of State aid. Honourable members opposite may disagree with the point of view the member for Bendigo puts, but they do not have the right to misrepresent his point of view, just as the member for Bragg disgracefully attempted to misrepresent the Government's point of view on this matter.

Dr. Tonkin: Perhaps it would help if you told us what you had in mind for later on.

The Hon. HUGH HUDSON: The honourable member has heard me talk about this. There is nothing in the registration of teachers which spells the end for independent schools. Apparently the member for Bragg, who was in the Chamber when the member for Kavel was speaking, did not hear the member for Kavel say that Tasmania has had the registration of teachers in independent schools since 1906, and Victoria has had it for many years. Has this meant the end of independent schools in those States? Why is the member for Bragg so dishonest as to suggest it means the end of independent schools here? If the honourable member spread this kind of garbage anywhere else he would be told where to get off. The draft that reached me with regard to the registration of independent schools provided that the Minister should do the act of registration. I have never accepted that point of view. It has been my view that a broadly representative board should do the job of registering independent schools, as this is not something that should be a political act taken by a Minister. Because I held that view and because it was not possible to get effective consultation in relation to the establishment of such a board and the determination and limitation of its functions, I decided it was necessary to postpone this until next year.

I point out to the member for Kavel that, with regard to teacher training, the provision in the Bill is simply to give the Minister the right to establish teacher-training institutions

if that proves necessary. In the main, it can only prove necessary in an emergency. In normal circumstances we would establish any further teacher-training institutions in the existing colleges of advanced education or in the colleges of advanced education to be established in future. However, it seemed wise to provide this power for the Minister and the department to establish teacher training should an emergency arise. I am amazed at the attitude of some members with regard to the question of the delegation of authority. I should have expected that, after following, as one or two members did, the line of the Commonwealth Minister for Education and Science on the schools commission, those members would adopt a less bureaucratic attitude in relation to the Bill. However, they are saying that in all circumstances the Minister must assume his full responsibility. They say he should not delegate responsibility even in routine matters.

Mr. Gunn: You were criticizing bureaucratic control with regard to the schools commission.

The Hon. HUGH HUDSON: I am used to sensible interjections. If the honourable member cannot make sensible interjections, I suggest that he keep quiet.

Mr. Goldsworthy: Obviously you didn't hear him.

The Hon. HUGH HUDSON: If the honourable member believes that the interjection of the member for Eyre was sensible, he should keep quiet, too. We are not debating on the same standard. The fact is that the member for Kavel demonstrated a bureaucratic attitude, and I am surprised. It seems to me that we have an education system where decentralization and delegation of power have already commenced, and this practice must be pushed further than it has been pushed. I agree that in determining policy it is necessary that the Minister make certain decisions. I also agree that it is necessary that people be able to appeal to the Minister against decisions taken. However, generally where decisions can be delegated and authority decentralized that should take place, and the rationalization of our education system, which has already commenced, should be pushed further. One or two other matters that were raised can be dealt with in Committee. I thank members who considered the Bill for the consideration they gave it.

Dr. Tonkin: According to you, you have only one on your side.

The Hon. HUGH HUDSON: One or two points were made, but unfortunately not by the member for Bragg, who did not consider the Bill. He was thinking about what publicity he could get in the *Advertiser* tomorrow morning.

Bill read a second time.

Mr. GOLDSWORTHY (Kavel): I move:

That Standing Orders be so far suspended as to enable me to move without notice "That this Bill be referred to a Select Committee".

In view of what Opposition members have said about the nature and magnitude of the Bill, I move my motion. I understand that this motion can be debated.

The DEPUTY SPEAKER: Under Standing Orders, the honourable member is allowed 10 minutes to debate his motion to suspend Standing Orders.

Mr. GOLDSWORTHY: I believe that this is the only way we can gain time for this measure to be considered properly, and the Bill is of utmost importance with regard to all facets of education. We have pointed this out at some length.

The Hon. HUGH HUDSON: On a point of order, Mr. Deputy Speaker. I am worried that we will have two debates on the matter. The honourable member seems to be debating why we should have a Select Committee. However, if the motion to suspend Standing Orders is carried, he will then proceed to debate again why we should have a Select Committee.

The DEPUTY SPEAKER: Relating to the suspension of Standing Orders, Standing Order 463 provides:

The mover shall in every case be limited to ten minutes in stating his reasons for seeking such suspension and one other member may be permitted to speak, subject to a like time limit but no further discussion shall be allowed.

Therefore, the honourable member may debate the motion to suspend Standing Orders, but he may not debate the matter of referring the Bill to a Select Committee.

Mr. GOLDSWORTHY: I have briefly outlined my reason for moving the motion. I think this is the only way we can gain the necessary time to study this matter.

Motion carried.

Mr. GOLDSWORTHY: I move:

That this Bill be referred to a Select Committee.

The reason for the motion is obvious to all members. Members of the Opposition feel especially strongly about this matter, which is

of considerable magnitude. This is the only way open to the Opposition to ensure that sufficient time is given to members of this House, members of another place, and the public at large to find out just what this Bill is all about. The Minister has explained that this Bill is the result of many years of detailed investigation. I believe a proper function of this House is to inform members of the concepts involved in any Bill. This Bill is of special significance. It covers the whole area of education in South Australia, save one or two matters which the Minister has stated will have to be deferred because of lack of preparation, lack of time and lack of agreement regarding one or two points.

It is completely unrealistic to expect that an informed debate on a measure of this magnitude can possibly take place in the time made available not only to a member of the Opposition but to any member of the House. It is all very well for the Minister to say that this matter should have been handled by someone without any other engagements, but all members are busy with engagements other than the study of legislation. I suggest that the vast majority of members are busy outside this House on other engagements. Indeed, members on this side certainly are. I refer to the situation applying in Victoria where a Bill on education was introduced in November 1971, simply to introduce registration of teachers in Government schools, yet about six weeks elapsed before that legislation was passed.

A member of the Victorian Opposition, Mr. Doube, bitterly complained that members of the Legislative Assembly had only a fortnight in which to study the Minister's second reading explanation and to come to grips with that legislation, which dealt with only one thing—the registration of teachers in Government schools in Victoria. However, we have here the Minister saying that we have had five clear days since the introduction of this Bill, that members have had adequate time to study this Bill (although it is far wider and covers the whole aspect of education), and that we have had sufficient time to develop informed opinion, not only from a personal study of the legislation but also from submissions made by people who are concerned about this legislation.

This is a completely unrealistic approach. It is all very well to say that the matter has been considered for eight years, but we have not taken part in any of the decisions. In

Victoria. Mr. Thompson (Minister of Education) made available for two weeks his Deputy Director-General of Education in the service of members of the Opposition, so that they could inform themselves on the measure. I think the Minister in this place may be paying members a backhanded compliment in suggesting that we could come to terms with the Bill on such short notice. I believe that members could come to terms with the matter considered in Victoria in a short time, but it is entirely unrealistic to expect members to understand this Bill, to study interstate comparisons and finally to obtain submissions from the public and inform members of the public about this measure. Also, the introduction of the Bill at this time means that members of the Legislative Council will have little, if any, time in which to consider the Bill.

The DEPUTY SPEAKER: Order! The debate cannot continue along these lines. The honourable member has moved "That this Bill be referred to a Select Committee". He specifically referred to another place, but any reference to another place cannot be considered in this debate. The motion "That this Bill be referred to a Select Committee" is the only matter now before the House.

Mr. GOLDSWORTHY: I believe that reference to a Select Committee is the only way proper consideration can be given to this Bill, because in this way all members and the public at large, not simply those who are privy to the Minister's discussions, will have an opportunity to become acquainted with the subject matter of the Bill. I believe that the procedures here instituted by the Minister are an insult to members of this place, an insult to the legislative process, and an insult to the public of South Australia. This procedure is the only recourse open to the Opposition.

Mr. GUNN seconded the motion.

The Hon. HUGH HUDSON (Minister of Education): I oppose the motion. The rights of people affected by this Bill will be delayed and will not be exercised and, so far as some individuals are concerned, that will cause considerable damage. I refer especially to the equality of treatment regarding women teachers. In many respects this Bill is not new: it is a rewrite of the existing Education Act. The provisions that are new and are of any substance are in the main concerned with the proposed Teachers Registration Board. The other provisions in the Bill that are new are mainly modifications of the provisions in the current Act.

The DEPUTY SPEAKER: Order! The matter under debate is the referral of the Bill to a Select Committee, and the Minister must confine his remarks to that matter. I will not allow a debate on any clauses of the Bill. The honourable Minister must restrict himself to the matter of the Select Committee.

The Hon. HUGH HUDSON: I am explaining that, as the extent to which any major change included in the Bill is limited, this means that there is not sufficient cause to refer the Bill to a Select Committee and thus delay its implementation. The House is in a position to debate the Bill properly. Although that may be difficult, nevertheless it should be able to do so. I consider that the motion to refer the Bill to a Select Committee is designed purely to delay its implementation and will mean that the rights of many teachers, especially women teachers, will not be exercised.

The House divided on the motion:

Ayes (20)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy (teller), Gunn, Hall, Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (24)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hoppood, Hudson (teller), Jennings, Keneally, Langley, McKee, McRae, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Majority of 4 for the Noes.

Motion thus negatived.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Interpretation."

The Hon. HUGH HUDSON (Minister of Education): I move:

To strike out the definition of "salary".

The present Act does not include a definition of salary, and the matter of salaries is effectively covered in the awards of the Teachers Salaries Board which differentiate between salaries and allowances. The definition includes allowances but excepts allowances for service in special areas. The board is given power to determine salaries and allowances, and there is a common meaning in the award of the board. It has been suggested and agreed that this definition is unnecessary.

Amendment carried.

The Hon. HUGH HUDSON: I move:

To strike out the definition of "teacher" and insert the following definition:

'teacher' means any person who gives, or is qualified to give, instruction at any Government or non-government school:

Some confusion arises in relation to another provision in which the Minister is given power to appoint any teacher to the service. Under the present definition a person does not become a teacher until he is in the service, and that provision should be amended.

Amendment carried; clause as amended passed.

Clauses 6 and 7 passed.

Clause 8—"Power of delegation."

Mr. GOLDSWORTHY: I move:

In subclause (1) to strike out "any of his powers, duties, responsibilities and functions, under this Act except his power to dismiss an officer of the teaching service" and to insert "such of his powers, duties, responsibilities and functions under this Act (except his power to dismiss an officer of the teaching service) as may be prescribed".

Obviously, some delegation is necessary, because the Minister cannot fulfil every function for which he is responsible, but the clause is far too wide and I hope the Minister sees the wisdom of specifying the powers of delegation. The only delegation allowed in the Act is in relation to promotion, transfer and appointment of teachers, and this clause goes from a fairly limited and specific power of delegation to a broad situation, denying the tenet of Ministerial responsibility.

The Hon. HUGH HUDSON: The difference between the amendment and the provision in the Bill is not great, and effective responsibility can be delegated in either case. The Minister is responsible for approving long service leave and he merely initials the papers in most cases. Before the right was given to delegate power regarding the transfer, appointment and promotion of teachers, the Minister received large schedules, having no opportunity to check them and merely initialing them.

Where policies are laid down by the Minister, he should be able to delegate power to deal with them and nothing is gained by requiring that the delegation be by regulation. The delegation gives added responsibility and the opportunity for exercise of initiative by those in lower positions. Secondly, it reduces the amount of clerical work involved in booking documents into the Minister's office or another office.

We are experimenting with the delegation of power to Regional Superintendents, but we do not know how far we should go in asking the Regional Superintendents to carry out policies that are laid down. It is important

to have flexibility in regard to delegation and I prefer that the delegation be by instrument in writing. In the case of approving leave, regardless of whether the papers come before the Minister, if a teacher's rights are affected he will soon ask the Minister to reconsider the matter and the Minister can then revoke a delegation and review the case.

Amendment negated; clause passed.

Clause 9—"General powers of the Minister."

The Hon. D. N. BROOKMAN: Can the Minister say whether the powers given him in the Act have been widened and whether he is given power to do anything that only the Governor now has the power to do?

The Hon. HUGH HUDSON: It is generally a rearrangement of the same thing, except for subclause (9). As we were not sure whether the definition of "technical education" was sufficient to cover all of the activities of the Further Education Department, subclause (9) was inserted in general terms, but it is purely a temporary measure.

Clause passed.

Clause 10—"Advisory committees."

Mr. GOLDSWORTHY: Can the Minister say whether there is any link between this clause and the Educational Policy Board, which is now disappearing?

The Hon. HUGH HUDSON: Clearly, we will need advisory committees, and we should have a general provision in relation to this matter, but I do not really say that this can replace the Educational Policy Board because, although I know that legislative provision has existed for that board, I am not even aware that the board ever functioned or was ever constituted.

Mr. GOLDSWORTHY: I move:

In subclause (5) to strike out "he thinks fit" and insert "may be prescribed".

It does not seem to me to be appropriate that the Minister shall pay allowances as he sees fit. I think that in most cases this is done by way of regulation, which properly comes under the scrutiny of the Parliament.

The Hon. HUGH HUDSON: I am happy to accept the amendment.

Amendment carried; clause as amended passed.

Clauses 11 and 12 passed.

Clause 13—"Delegation, etc."

Mr. GOLDSWORTHY: I move:

In subclause (1), after "may", to insert "with the consent of the Minister, delegate"; and to strike out "delegate all or".

There is no argument that some delegation is necessary. As I think that provision is made for the Deputy Director-General to



assume the functions and the responsibilities of Acting Director-General if the Director-General is absent, it seems that there will be no circumstances in which the Director-General should properly delegate all of his powers or functions. Therefore, to my mind, the argument is somewhat more compelling than that previously advanced. I think there should be Ministerial approval if the Director-General does seek to delegate his powers and functions.

The Hon. HUGH HUDSON: I accept the amendments. Even in the amended form the provision enables the Director-General to delegate any of his powers. I am not sure that the honourable member has succeeded in all his intentions.

Amendments carried; clause as amended passed.

Clause 14 passed.

Clause 15—"Appointment, etc., to offices in the teaching service."

The Hon. HUGH HUDSON: I move:

In subclause (4) to strike out "twelve months" and insert "two years".

We have people on probation at present who have been appointed on a probationary basis when they have just obtained a degree but who have no teaching qualifications and who are doing a Diploma of Education course part time, while they are teaching. As they cannot complete their diploma course in one year, we need to extend the probationary period to two years. The Institute of Teachers agrees to this.

Mr. COUMBE: Does it not also make this provision conform to later provisions?

The Hon. HUGH HUDSON: Not entirely. The later provision of two years is a special function, but there will be some uniformity. If the Teachers Registration Board grants provisional registration, it will still be possible for the Minister to appoint on probation for two years.

Amendment carried; clause as amended passed.

Clause 16—"Retrenchment of officers of the teaching service."

Mr. GOLDSWORTHY: Can the Minister foresee circumstances in which the retrenchment of teachers will become necessary?

The Hon. HUGH HUDSON: I find it difficult, but I imagine that there would have to be some sort of reversion to the conditions of the 1930's before retrenchment was required. Under the present Act, the Minister could retrench teachers, whose only appeal was to the Chairman of the Public Service Board. The Institute of Teachers wanted to see some rights

for teachers who were being retrenched. The provision of 12 weeks notice or 12 weeks salary in lieu of notice means that a teacher will have a chance to seek alternative employment, whereas under the present Act a retrenched teacher effectively has no rights.

Clause passed.

Clauses 17 to 19 passed.

Clause 20—"Pro rata long service leave."

Mr. GOLDSWORTHY: Why has this provision been changed slightly from what was provided in the current Act?

The Hon. HUGH HUDSON: We came across anomalies in administering the pro rata long service leave provisions introduced in 1970. For example, if a teacher resigned, on account of being pregnant, after five years service but before 10 years service, she was entitled to pro rata leave. However, if she took her right to go on accouchement leave instead of resigning and then resigned after a period of accouchement leave, but before coming back into the service, she was no longer entitled to pro rata leave. Similarly, an anomaly arose in the case of a teacher who resigned on a given date and became pregnant before the actual date of resignation took effect. Under the old provision she had to resign on account of her pregnancy, and in those circumstances she was not entitled to pro rata leave. We made *ex gratia* payments in these cases. We also decided we should cover the case of a person who resigned to care for an adopted child under two years of age. A person who resigned on account of pregnancy was entitled to pro rata leave, but a person who resigned to care for an adopted child under two years did not get it.

Clause passed.

Clauses 21 to 23 passed.

Clause 24—"Rights of persons transferred to the teaching service."

The Hon. HUGH HUDSON: I move:

In subclause (3), after "leave" first occurring, to insert "has been granted".

This is purely to improve the expression of the clause.

Amendment carried; clause as amended passed.

Clause 25—"Retiring age."

Mr. MATHWIN: Clause 25 deals with the retiring age of a female teacher. The difference between the retiring age of a male teacher and that of a female teacher seems to be 10 years. Could a female teacher change her mind within the 10-year period? Can the Minister explain this clause?

The Hon. HUGH HUDSON: The current position is that women teachers have an option to retire at any time at the end of any school year from the age of 55 years. This is the provision in the current Act. Men may retire at any time between 60 and 65 years, so long as they retire at the end of a year. Clause 25 (1) alters the position in respect of the female officer, so that she will be able to retire at any time between 60 and 65 years. The right to retire at 55 is therefore removed except for teachers over the age of 45 years who, before an appointed day, elect to retire at 55 years. This amendment requires a consequential amendment to the Superannuation Act, and this was introduced earlier today by the Treasurer. If I determine the appointed day as June 30, 1973, that will mean that every female officer must decide by June 30, 1973, whether or not to elect to retire at 55 years. If the election has not been made by then, the right to retire at the age of 55 years will disappear. Any female teacher not 45 years of age at June 30, 1973, would not have the right to make that election.

If the election is made to retire at age 55, or if any teacher has made such election, he or she can always go back on that, just as a man or woman under this provision, who elects to retire at age 60 under the Superannuation Act and who contributes at the rate applicable to 60, can go beyond the age of 60. There are special provisions in the Superannuation Act to cater for such circumstances.

Mr. Coumbe: We have to rely on the Act applying to males, because it is not included elsewhere.

The Hon. HUGH HUDSON: The right to retire is in this Act. Clause 25 (1) provides:

An officer may retire on the last day of the school year in which he reaches the age of sixty years, or on the last day of any subsequent school year but he must retire not later than the last day of the school year in which he reaches the age of sixty-five years.

Mr. Coumbe: I am talking about when he has to elect to retire at age 60.

The Hon. HUGH HUDSON: The Superannuation Act provides that a person may elect to retire at age 60 or at any time before that age. That is in the other Act.

Mr. Goldsworthy: Can he still be re-employed after the retiring age?

The Hon. HUGH HUDSON: Yes. That is in the Public Service Act.

Clause passed.

Clause 26—"Disciplinary action."

Mr. GOLDSWORTHY: I have heard of few cases of disciplinary action regarding

teachers. How frequent is such disciplinary action? How many cases of disciplinary action against teachers in the service are dealt with over a year?

The Hon. HUGH HUDSON: Regarding cases which get to the stage of disciplinary action, no more than a couple are handled in any one year. Certain cases involving various types of offence (for example, alcoholism) arise with some degree of frequency in a service of 13,000 teachers and a few thousand other employees, and it is not surprising that they should do so. More often than not, if a teacher is going to leave the service, he is permitted to resign; but the existence of these ultimate disciplinary powers allows the resignation to take place and to be accepted. There are few cases of dismissal. I have formally dismissed two teachers since I became Minister. The power is rarely exercised.

Mr. Goldsworthy: What about reprimands?

The Hon. HUGH HUDSON: A couple of reprimands have been administered in cases where teachers have not agreed to resign; under this provision they would have been dismissed.

Clause passed.

Clauses 27 and 28 passed.

Clause 29—"Power to apply for reclassification of office."

The Hon. HUGH HUDSON: I move:

To strike out subclause (3) and insert the following new subclause:

(3) Where an officer is aggrieved by a decision of the Classification Board under this section, or by a decision of the Director-General not to implement a recommendation of the Classification Board, he may appeal to the Appeal Board against that decision.

This amendment makes clear that the appeal lies against the decision of the Classification Board or against the decision of the Director-General when he acts on the recommendation of the board or contrary to that recommendation. Either way the teacher can appeal.

Amendment carried; clause as amended passed.

Clause 30—"The Teachers Classification Board."

Mr. Coumbe: Can the Minister elaborate on the members to be appointed?

The Hon. HUGH HUDSON: The normal procedure is that the Director of Teacher Training Services shall be the Chairman and the Directors of Primary and Secondary Education, or their nominees, shall be members. The Chairman and persons appointed by the Governor would be officers of the department,

and members of the Public Service Board would not be appointed.

Clause passed.

Clauses 31 to 34 passed.

Clause 35—"Terms and conditions on which members of the Board hold office."

The Hon. HUGH HUDSON: I move to insert the following new subclause:

(6) A member of the Salaries Board shall be entitled to receive such allowances and expenses as may be determined by the Governor.

This provision was omitted from the original Bill.

Amendment carried; clause as amended passed.

Clauses 36 and 37 passed.

Clause 38—"Institution of proceedings."

The Hon. HUGH HUDSON: I move:

In subclause (4), after "proceedings", to insert "or to be heard in relation to the proceedings".

This is a clarifying amendment.

Amendment carried; clause as amended passed.

Clauses 39 to 44 passed.

Clause 45—"The Appeal Board."

Mr. GOLDSWORTHY: I move:

In subclause (2) (b), after "and", to strike out "of" and insert "consisting of three of"; in subclause (2) (b), after "service", to insert "(of whom at least one is engaged in the administration or provision of courses of primary education and at least one is engaged in the administration or provision of courses of secondary education)"; and in subclause (2) (c), after "officers", to strike out "of" and insert "consisting of three of".

There should be a definite number from whom the selection of members should be made, because the concept of the Appeal Board is that there is an independent review of the situation and that, whilst the appellant is accommodated, he will also have confidence in the board. The appropriate number seems to be three members, especially as the Governor may appoint temporary members.

The Hon. HUGH HUDSON: I cannot accept these amendments, because an appellant teacher may feel restricted if he can select only one person as a member of the board. Unlike other boards, provision is not made for deputy members of this board.

Mr. Goldsworthy: The selection is made by the Director-General.

The Hon. HUGH HUDSON: The principle would flow on. One representative may be on leave.

Mr. Goldsworthy: How many have you in mind?

The Hon. HUGH HUDSON: I should think there would be about six on each panel. If the number we determine proves wrong, we can limit the number. We are not sure what size of panel will be necessary to give the Director-General and the teacher an effective choice. The right to appoint a temporary member should be exercised only in extreme circumstances.

Mr. GOLDSWORTHY: I think it would be appropriate to decide how many would be on the panel and I decided that three was a reasonable number. I criticize the Minister for not having made up his mind.

Amendments negated.

The Hon. HUGH HUDSON: I move:

In subclause 2 (b) to strike out "and of the teaching service".

This corrects an error in the draft. It is intended that the departmental panel of officers shall be a panel from the Education Department, not one including members of the teaching service.

Mr. COUNBE: This is an important amendment that establishes a principle. We will not have teachers being judged by other teachers, except from the panel approved by the teachers.

Amendment carried; clause as amended passed.

Clause 46—"Terms and conditions upon which members of the Board shall hold office."

Mr. GOLDSWORTHY: If the panel comprises six persons, I cannot contemplate circumstances in which a temporary member could be appointed, except a temporary Chairman.

The Hon. HUGH HUDSON: If the Institute of Teachers held an election, the validity of which was challenged in a court, the board could not be constituted until the case was determined. It may be necessary to constitute a board to dispose of an appeal and the provision for temporary members is to cater for only that kind of situation.

Clause passed.

Clause 47—"Allowances, etc., of members."

Mr. GOLDSWORTHY: Is it contemplated that all six persons nominated by the Institute of Teachers shall be entitled to allowances and expenses, or will only those actively sitting on the board be entitled? It seems to me that in these circumstances it is not appropriate to determine whether all members receive a fixed remuneration for allowances and expenses when sitting to hear an appeal.

The Hon. HUGH HUDSON: The provision will probably allow for allowances on the basis of each meeting, as in the typical case of

Government boards, anyway, where an allowance of so much for, say, half a day is approved.

Clause passed.

Clauses 48 to 52 passed.

Clause 53—"Appeals against recommendations."

The Hon. HUGH HUDSON: I move:

In subclause (2), after "position", to insert "in a Government school established for the purposes of providing primary or secondary education".

This amendment is necessary to tie in the provision with a future provision in the separate Further Education Act. Members will be aware that in the 1970 amendment to the existing Education Act appeals regarding positions in technical colleges, adult education centres or teachers colleges were removed from the Act, and we need this amendment to ensure that this Bill does not reinstate those repeals.

Amendment carried.

Mr. GOLDSWORTHY: As I am puzzled about the provision contained in subclause (2), will the Minister explain the reason for it?

The Hon. HUGH HUDSON: That provision and the provision contained in clause 54 (1) (a) effectively provide for the appeal rights conferred earlier in the Bill and the appeal rights under the existing Act, and there is also a right of appeal in clause 54 (1) (b) "against any administrative action or decision affecting the officer in relation to which a right of appeal is conferred by the regulations". The existing rights of appeal against exclusion from a promotion list, against appointment to a defined special list, or against exclusion from or a position on a special promotion list are all covered effectively by clauses 53 and 54. I assure the honourable member that we have been through it carefully.

Mr. GOLDSWORTHY: I take it, then, that the regulations will prescribe a promotion list and also a special promotion list?

The Hon. HUGH HUDSON: Yes.

Clause as amended passed.

Clause 54 passed.

Clause 55—"Constitution of Teachers Registration Board."

The Hon. HUGH HUDSON: I move:

In subclause (2) to strike out paragraph (d) and insert the following new paragraph:

(d) one person appointed by the Governor on the nomination of the Association of Independent Schools in South Australia (which nomination shall be made after an election has been held in accordance with the regulations);

This amendment has been discussed with various representatives of the Association of Independent Schools who I understand support it. The Director of Catholic Education pointed out to me that paragraph (d) as at present worded is subject to difficulty, because it is not possible to define exactly the schools subject to his control and oversight.

Mr. MATHWIN: I support the amendment.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (2) (f) to strike out "a College of Advanced Education" and insert "an institution"; and after "instruction" to insert "at a tertiary level".

At present, a member appointed to the board could only be a member of the academic staff of a college of advanced education and could not be a member of the university staff concerned with the training of teachers.

Amendments carried.

Mr. GOLDSWORTHY: Does the Minister consider that this board will be competent to administer effectively the registration of the wide range of teachers who will be covered by its operation?

The Hon. HUGH HUDSON: No doubt the board will establish various subcommittees and seek advice in other ways. I think it is important to keep a board such as this fairly small so that its executive function can be carried out effectively.

Clause as amended passed.

Clauses 56 to 59 passed.

Clause 60—"Functions of the Board."

The Hon. HUGH HUDSON: I move:

In subclause (1), after "with a view to", to strike out "ensuring that" and insert "safeguarding"; in subclause (1) to strike out "is safeguarded"; in subclause (3) to strike out "as far as practicable"; in subclause (3), after "and" first occurring, to insert "as far as practicable with authorities exercising similar functions"; and in subclause (3) to strike out "achieving as far as practicable" and insert "promoting".

The amendments to subclause (1) are designed to improve the language. Regarding the amendments to subclause (3), the need for uniformity is fairly significant here, especially in relation to the Catholic orders of brothers and sisters, where there is some movement from State to State, and where, if there was not reasonably tight uniformity, the position could constantly arise of giving exemptions to Catholic schools in relation to brothers who transferred to South Australia and who did not exactly qualify under South Australia's regulations. The need for uniformity needs to be emphasized.

Amendments carried; clause as amended passed.

Clause 61—"Qualifications for registration."

The Hon. HUGH HUDSON: I move:

In subclause (1) (b) (i) to strike out "the qualifications required by the Board for registration" and insert "prescribed qualifications".

This amendment and my subsequent amendment to insert a new placitum (ii) in subclause (1) (b) are designed to lessen somewhat the position with regard to qualifications necessary for a teacher to be registered. The position is that there may be teachers who may now be overseas, for example, and who may come back to South Australia who will have had sufficient experience to be registered. The amendments are designed to avoid the situation where the system in South Australia becomes too rigid in comparison with the situation in other States.

Amendment carried.

The Hon. HUGH HUDSON moved:

In subclause (1) (b) to strike out placitum (ii) and insert the following new placitum:

(ii) he has obtained qualifications and has had experience as a teacher adequate in the opinion of the Board for the purpose of registration;

Amendment carried.

Mr. GOLDSWORTHY: I move:

In subclause (1) to strike out "the prescribed fee" and insert "a fee of one dollar".

I do not think any fee for registration is charged in Victoria, and the only fee I have been able to find is in, I think, the Tasmanian legislation, and it is 50c for the registration of teachers and of schools. In legislation these days we have a proliferation of boards and fees. Therefore, I propose that the fee in this case should be \$1.

The Hon. HUGH HUDSON: I do not think it is appropriate to state the fee in the legislation, which would mean that we would have to amend the legislation each time we wanted to change the fee. Initially the cost of the board may be \$15,000 to \$20,000 a year, so that a fee of \$1 would be adequate. However, with inflation and other factors, \$1 may become insufficient. The registration of teachers is in the interests of teachers and of the community. As it is in the interests of teachers, I think they should pay some of the cost. I oppose the amendment.

Mr. GOLDSWORTHY: If the fee is prescribed, it will have to be spelt out in regulations, and these will eventually go before the Subordinate Legislation Committee. The Minister has said that the fees are to cover the expenses met by the board. I hope what

I have said will be a guide in the eventual fixing of fees.

Amendment negated.

The Hon. HUGH HUDSON: I move:

In subclause (3) to strike out "periodic renewal under".

The purpose of this amendment, together with amendments to clause 62, is to ensure that we avoid the situation of there being an annual fee. The fee can be levied on a triennial basis, thereby reducing collection costs significantly, and making clear that the teachers' registration continues on the payment of the prescribed fee. It is not a renewal of registration that comes about on application: a teacher has the right to continued registration on the payment of the prescribed fee.

Amendment carried.

The Hon. HUGH HUDSON: I move:

In subclause (4) to strike out "the academic levels at which they may be taught by him" and insert "restricting him to providing instruction either at the level of primary education or at the level of secondary education".

This is another amendment designed to make clear that, when we allow the board to restrict the level at which any teacher can offer instruction, it is only in relation to whether it is primary or second education. The board is not allowed to restrict the level of operations of the teacher and say that he can teach only mathematics in first year, for example.

Mr. GOLDSWORTHY: I support the amendment. It would be completely unrealistic for such a restriction to be imposed.

Amendment carried; clause as amended passed.

Clause 62—"Renewal of registration."

The Hon. HUGH HUDSON: I move:

In subclause (1) to strike out "next ensuing after the grant of registration" and insert "last occurring before the expiration of three years from the grant of the registration"; and to strike out subclause (2) and insert the following new subclauses:

(2) Where a registered teacher has applied in the prescribed manner for an extension of the period of his registration, and has paid the prescribed fee, an extension or further extension of the period of registration for a period of three years expiring on the thirty-first day of January shall, subject to subsection (3) of this section, be granted by the board.

(3) No extension of a period of temporary registration shall be granted beyond the limits determined in relation to that provisional registration by the board.

These amendments are designed to achieve registration on a three-yearly basis rather than on an annual basis.

Mr. GOLDSWORTHY: Although these amendments are a move in the right direction, they do not go far enough. The need for a teacher to apply for registration every year is a waste of time and an unnecessary expense.

Mr. MATHWIN: Although the amendments are a step in the right direction, I oppose the clause. A teacher registered in Victoria is registered for life. In the United Kingdom a teacher having paid the fee is registered and retains his registered number for life, even on his return from overseas. Does the Minister seek to raise revenue from this procedure?

The Hon. HUGH HUDSON: It is partly a revenue matter. The costs of the board should be partly met by the teachers whom the board is protecting. It is normal practice in other professions for this procedure to apply. It also has the advantage that, if a teacher lets his registration lapse, the board can insist, when he applies for future reregistration, that a refresher course or certain other action be undertaken before he is reregistered.

Amendments carried; clause as amended passed.

Clause 63—"Unregistered person not to hold certain appointments."

Mr. GOLDSWORTHY: I move:

In subclauses (1) and (2) to strike out "One hundred" and insert "Fifty".

The present penalties are more severe than those applying in Victoria and Tasmania.

The Hon. HUGH HUDSON: These are maximum penalties, and, if registration is to mean anything, the person acting contrary to the Act must be subject to a penalty. I agree that the penalty for subsequent offences may be reduced, but these penalties should stand.

Amendment negatived.

The Hon. HUGH HUDSON: I move to insert the following new subclause:

(1a) The board may grant an authority under subsection (1) of this section:

- (a) in respect of any specified person;
- (b) in respect of persons of a specified class;

or

- (c) in respect of any person holding office in any specified school, or schools.

If a school wants someone to give a special course, that cannot be done at present unless the person has written authority from the board.

Amendment carried.

Mr. GOLDSWORTHY: Will this clause exclude university students and others from engaging in coaching?

The Hon. HUGH HUDSON: Yes, unless the board gives them written authority, or unless they do it without fee.

Mr. RODDA: In Naracoorte people coach out of the goodness of their hearts. Will they need this authority?

The Hon. HUGH HUDSON: Not if they do not receive a fee.

Clause as amended passed.

Clause 64—"Offences."

Mr. GOLDSWORTHY: I move:

In subclause (1) to strike out "one thousand" and insert "five hundred"; and to strike out "twelve" and insert "six".

In my opinion the present penalties are unduly severe.

The Hon. HUGH HUDSON: I agree, but I remind the honourable member that these are maximum penalties.

Amendments carried.

The Hon. HUGH HUDSON moved:

In subclauses (2) and (3) to strike out "one thousand" and insert "five hundred"; and to strike out "twelve" and insert "six".

Mr. GOLDSWORTHY: I support the amendments.

Amendments carried; clause as amended passed.

Clauses 65 to 68 passed.

Clause 69—"Board to give reasons for its decision."

The Hon. HUGH HUDSON: I move:

In subclause (2) to strike out "requested" and insert "requests".

The amendment is self-explanatory.

Amendment carried; clause as amended passed.

Clauses 70 to 72 passed.

Clause 73—"Inspection on request."

The Hon. HUGH HUDSON: I move:

In subclause (1) to strike out "shall" and insert "may".

This is to bring the provision into line with the present Act.

Amendment carried; clause as amended passed.

Clause 74 passed.

Clause 75—"Compulsory enrolment of children."

The Hon. HUGH HUDSON: I move:

In subclause (2), after "must", to insert "except where otherwise determined by the Director-General".

Unless we have this provision, we shall not be able to permit, say, a boy in the Brighton High School zone to go to Urrbrae Agricultural High School.

Amendment carried; clause as amended passed.

Clauses 76 and 77 passed.

Clause 78—"Employment of children of compulsory school age."

Mr. GOLDSWORTHY: Can the Minister say whether this is a re-enactment of a provision in the present Act?

The Hon. HUGH HUDSON: It is in the present Act. A person who employs a child of compulsory school age without having an exemption is subject to a penalty.

Clause passed.

Clauses 79 to 87 passed.

Clause 88—"Accounts."

The Hon. HUGH HUDSON: I move:

In subclause (2), after "The", to insert "Director-General or".

School checking officers employed by the department and acting under the authority of the Director-General cannot inspect certain accounts, and we want to give them power to inspect. A school checking officer may well also act for the Auditor-General.

Amendment carried.

Mr. GOLDSWORTHY: I move to insert the following new subclause:

(3) An audit must be carried out under this section at least once in every calendar year. I think the present Act lays down that an inspector of schools is responsible for inspecting accounts of school committees in his district at least once a year, and the amendment is an extension of the present system.

The Hon. HUGH HUDSON: I cannot accept the amendment. I agree that there is need to have a regular check of accounts in large schools but, if the department or the Auditor-General had to carry out an audit once a year in the 700 schools in the State, we would have to treble or quadruple the number of checking officers and the cost would be too great. We are taking action to ensure as quickly as possible that our checking officers act in a way appropriate to the size of the school. The fact that no compulsory audit is provided for does not mean that we cannot, by regulation, prescribe that school committees or school councils must have their books subjected to honorary audit once a year.

Mr. COUMBE: Will the Minister assure the Committee that, by regulation, he will prescribe that school committees shall have their books audited by their own auditor in cases where the department or the Auditor-General does not audit?

The Hon. HUGH HUDSON: I am pleased to do that.

Mr. GOLDSWORTHY: A scatter occurred at one small country school before the inspector's visit, because the books were in a mess. This shows the necessity for inspections at least once a year and for people to know that this inspection will be made.

Amendment negatived; clause as amended passed.

[Midnight]

Clauses 89 to 103 passed.

Clause 104—"Insulting teachers."

Mr. GOLDSWORTHY: This appears to be a new provision. Is that the case?

The Hon. HUGH HUDSON: No, it is a repeat of the existing provision but it is not as rough as that in section 73 of the existing Act.

Clause passed.

Clauses 105 and 106 passed.

Clause 107—"Regulations."

The Hon. HUGH HUDSON moved:

In subclause (2) (p), after "the" fourth occurring, to insert "driving".

Amendment carried.

Mr. GOLDSWORTHY: Although I had an amendment to this clause I will not proceed with it, as it was consequential on other amendments that were defeated.

Clause as amended passed.

Title passed.

Bill read a third time and passed.

#### CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (MINING)

Returned from the Legislative Council without amendment.

#### TORRENS COLLEGE OF ADVANCED EDUCATION BILL

Returned from the Legislative Council with an amendment.

#### STATE BANK ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

#### LICENSING ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

#### REAL PROPERTY ACT AMENDMENT BILL (STRATA TITLES)

Returned from the Legislative Council without amendment.

## MOTOR VEHICLES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 15. Page 3115.)

Mr. MATHWIN (Glenelg): I support the Bill, which contains some good legislation, but I lodge my objection to the rush of legislation before the House at present. I remind members that the Minister brought down this Bill on November 15, last Wednesday, with only the explanation. There was no Bill. When I asked for it, it was not available. I asked on Thursday last whether the Government was in a position to call on the Bill for debate, and then found the Bill was not even printed. I came in on Friday to get a copy of the Bill, because I hoped to be able to study it, but it was not here; in fact, it was not here on Monday, but it arrived at 9 a.m. on Tuesday, and that is the only opportunity we have had to look at it. Perhaps it would be a good idea for the Government to get a blackboard and have the Bills written out in chalk. Certainly it would assist the Minister of Education when he has three pages of amendments: he could put them in as we progressed through the Bill.

The Bill contains some matters for which I commend the Minister. Clause 4 provides that a self-propelled wheelchair may be driven upon a road without registration or insurance by a person who, by reason of some physical infirmity, reasonably requires the use of a wheelchair. The Minister said in his second reading explanation that this would be a great advantage to handicapped people. I have a special interest in these people, as the Somerton Home for Crippled Children is in my district; this provision will assist people from that home. Many people who will benefit from the provision are under the age of 16 years, and clause 19 of the Bill gives the Registrar a discretionary power to grant licences in the case of incapacitated people who may be under that age but who are able to show that they are capable of handling these wheelchairs safely. One cannot help but feel admiration when one sees these young people operating their wheelchairs so efficiently. I presume that new subsection (3) of section 62 is designed to allow people who carry on the business of manufacturing, repairing or dealing in caravans or trailers to hold a limited trader's plate.

The Hon. G. T. Virgo: Your presumption is totally correct.

Mr. MATHWIN: Clause 18 is also commendable, as it provides that the Registrar may

without fee issue licences to the drivers of wheelchairs. As I can see little wrong with the Bill, I support it.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Issue of trader's plates."

Mr. MATHWIN: Does this provision enable people carrying on the business of manufacturing, repairing or dealing in caravans or trailers to have a limited trader's plate?

The Hon. G. T. VIRGO (Minister of Roads and Transport): Yes.

Clause passed.

Remaining clauses (7 to 23) and title passed.

Bill read a third time and passed.

## INDUSTRIAL CODE AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 16. Page 3173.)

Dr. EASTICK (Leader of the Opposition): This is one of the most destructive Bills we have had, since it destroys the original Industrial Code, cutting it back to a small piece of legislation. I wish this industrial legislation had been presented in a better order so that the end result could have been more easily understood. In his second reading explanation, the Minister of Labour and Industry said:

With one exception all the amendments made by this Bill are consequential on the Industrial Safety, Health and Welfare Bill which was introduced recently.

Later, he said:

The one amendment that is not consequential on the other two Bills to which I have already referred is the amendment of the definition of "shop" to ensure that used-car yards come within that definition.

This provision was included in legislation introduced earlier this year. Although we were pleased to support the provision itself, unfortunately the Minister saw fit to tie it into a piece of legislation that was not totally acceptable to Parliament.

The Hon. J. D. Corcoran: Did you say "Parliament in total"?

Dr. EASTICK: I think that the Minister got the message. In clause 5 the Minister wants us to insert in the definition of "shop", after the word "building", the passage "yard, place", whereas in the earlier legislation the words "yard, place" were to be inserted after the word "platform". I do not know whether the Minister is indulging in some subterfuge to disguise the fact that this is a similar amendment to that which was included in the earlier legislation.



With regard to exempted shops, the Bill includes a new section 165a, comprising two new subsections. In the Industrial Code the comparable section contained nine subsections, one of which provided for the exemption from the provisions of the Code of stalls and other selling places at agricultural shows. There is no similar exemption for agricultural shows in this Bill. I should like the Minister's assurance that this Bill will in no way interfere with the conduct of agricultural shows. The previous provision dealing with exempted shops was framed so that it would not apply to agricultural shows, but a similar provision is not included in this Bill. I draw attention to new section 165a (1), which provides:

The Secretary for Labour and Industry may, from time to time, determine whether a shop is or is not an exempted shop within the meaning of this Act and such a determination shall be conclusive evidence in any legal proceedings that the shop in question is or is not an exempted shop for the purposes of this Act.

In other words, the final decision will be made by the Secretary for Labour and Industry. I hope there will be no delegation of duty by him, but the problem I see here is that Parliament is being deprived of the opportunity of considering what is or what is not an exempted shop. When this matter was dealt with in this House in 1970, section 165a gave a concise definition of an exempted shop. Any alteration had to come back for discussion by Parliament. The alteration effected depended on the requirements of the Labour and Industry Department and the evidence that the Minister was able to give in submitting an amendment. However, consideration of what an exempted shop is, what it may sell and its general conduct is now entirely beyond the scope of Parliament: it rests with the Secretary for Labour and Industry. The Minister may have done this for administrative reasons but, as I read it, the position now is different from the past position. Clause 21 repeals section 202 of the principal Act and enacts in its place a new section, which provides:

All fines and penalties for an offence under this Act may be recovered before a special magistrate or two or more justices in a summary way.

In what circumstances would more than two justices consider such a matter? It is not normal to have on the bench more than two justices. Clause 26 repeals sections 207 and 208 of the principal Act and enacts two new sections in their place, again numbered 207 and 208. New section 207 (3) provides:

Any inspector may—

- (a) inspect or take copies of any book, paper or document or any record of any description whether or not of the same kind as the foregoing, which in his opinion may disclose information as to whether or not this Act is being complied with;
- (b) require any person to answer any question put to him by the inspector, whether that question is put to him directly or through an interpreter;
- and
- (c) inspect, examine, photograph, or otherwise make a record of, or make tests on, any matters or thing he finds in or on any premises, place, factory or shop referred to in subsection (1) of this section or remove any such matter or thing for the purposes of making any such inspection or examination.

Is not paragraph (c) at variance with paragraph (a)? Under paragraph (a), an inspector may "take copies", whereas under paragraph (c) he is given the opportunity of taking away or removing "any such matter or thing for the purpose of making such inspection or examination". New subsections (4) and (5) of this new section introduce a penalty of \$200. This is a totally new concept. No penalty was provided in the previous section 207. I refer to new subsection (5), which provides:

A person to whom a question is put pursuant to paragraph (b) of subsection (3) of this section shall not refuse or fail to answer that question to the best of his knowledge, information or belief.

This is contrary to the normal course of justice, where a person can refuse to answer a question if, in his belief, it would tend to incriminate him. In the one instance, a person's rights are contained in the provisions of the normal law, but in this case, if a person refuses to make the information available, he is automatically subject to a penalty of \$200. Will the Minister comment on that? New section 208 (2) provides:

An inspector shall not have any direct or indirect financial interests, other than such an interest that has been disclosed in writing to the Secretary for Labour and Industry, in any premises or place subject to his inspection.

Even having given an indication to the Secretary for Labour and Industry that he is interested in the premises, how can an inspector be permitted to inspect those premises? It seems to me to be unequal that a person, notwithstanding that he has admitted to having an interest in premises, can be directed by his superior to inspect those premises. I should

imagine that any person, having indicated to his superior that he had a direct financial interest in a property, would not be allowed to inspect it.

However, it is wrong that a person, having declared the situation, should be placed in this position, because at some stage it must cause a reflection on his impartiality to inspect the premises and provide a report. An inspector guilty of any contravention of this provision is liable to a penalty not exceeding \$200. Also, he must not divulge any information obtained during his inspection. In the original section the penalty for a contravention of this provision was a fine not exceeding \$500, but it has now been reduced. A penalty of \$200 for divulging information would be meaningless when the gain from such action could be much more than that amount. Perhaps we should increase the original \$500 penalty to, say, \$1,000 or, at least, retain the original penalty.

In recent legislation the penalty proposed was small compared to the gain the person was capable of obtaining, and at that time the House increased the penalty to a more meaningful figure, I think to \$1,000. Clause 5 effects many alterations to the interpretations, one being to strike out the definition of "adult". This definition was introduced into the Industrial Code as recently as 1971, when the Age of Majority (Reduction) Bill was passed. It seems that this amendment has not been recorded in any Statute available to members, but that is a comment in passing. I hope that the Minister may reply to the questions I have posed, because in Committee I may take action to test the opinions of the House.

Mr. COURCEL (Torrens): Concerning inspectors, the Government has taken word for word the section that was written into the health, safety and welfare legislation dealing with serious work injuries, in which the provision had to apply. In this Bill, however, we are referring to factories and exempt shops, and it seems that paragraphs (a) and (c) of new section 207 (3) may conflict, whereas they did not in the other legislation. I hope that we do not have to worry much about this legislation in future, but if the Government takes action concerning late shopping hours and the hours of baking bread, it can be taken only under the provision of this measure.

Mr. Jennings: What about restrictions on petrol?

Mr. COURCEL: I should think the honourable member would try to protect the Minister on that question, because the less said about

it the better. This Bill is largely consequential on the passing of other important legislation, because the old Code had two major sections removed, and we are left with this slim volume. I am sorry that the definition of "woman" is being struck out. I support the measure.

The Hon. D. H. McKEE (Minister of Labour and Industry): I appreciate the support of Opposition members.

Bill read a second time.

In Committee.

Clauses 1 to 25 passed.

Clause 26—"Repeal of sections 207 and 208 of principal Act and enactment of sections in their place."

Dr. EASTICK (Leader of the Opposition): I move:

In new section 208 (3) to strike out "inspector" and insert "person".

New section 208 (1) provides that an inspector, former inspector or any person exercising any power or function under the Act shall not, other than in the course of his official duty, make public any information that thereby comes to his knowledge. The introduction of the word "inspector" in new subsection (3) would mean that only a person who was an inspector at that time could be proceeded against for contravening the provision. This is obviously outside the original concept of the legislation. I believe this is a drafting error and that "person" is adequately defined by reference to new section 208 (1).

The Hon. D. H. McKEE (Minister of Labour and Industry): I accept the amendment.

Amendment carried.

Dr. EASTICK: I move:

In new section 208 (3) to strike out "two hundred" and insert "one thousand".

The former provision, which is being replaced by this new section, prescribed a penalty of \$500, which is now being reduced by the Bill to \$200. This is not a meaningful figure when one considers the consequences of releasing certain information that some people would be able to release. On this basis, and because it is not a minimum penalty, I ask the Committee to accept the amendment.

The Hon. D. H. McKEE: I oppose the amendment. The Government has been consistent throughout the Bill in providing maximum penalties of \$200 for breaches of its provisions, and it would be unreasonable to provide a penalty of \$1,000 for a breach of this provision. Indeed, that figure is completely out of proportion.

Amendment negated.

Dr. EASTICK: I move:

In new section 208 (3) to strike out "two hundred" and insert "five hundred".

The former provision, which this clause replaces, prescribed a maximum penalty of \$500. Section 208, which this clause replaces, was the only provision in this Part that prescribed a penalty. The Minister has said that the introduction of a \$200 penalty is consistent. However, that is so only in relation to the penalties introduced by this measure. It is more meaningful for a person convicted of this offence to be subject to a penalty of \$500.

Mr. McANANEY: I support the amendment. This provision is different from others that prescribe a maximum penalty of \$200. An inspector can obtain valuable information, and it would be a serious breach of trust for him to make illicit gains by the release of that information. A maximum fine of \$200 is insufficient in the circumstances.

The Hon. D. H. McKEE: Once again I oppose the amendment. I do not think there should be any difference in the penalties. The Leader has agreed to a fine of \$200 elsewhere, but in this case he wants a fine of \$500 provided for. We have accepted the amendment to strike out "inspector" and insert "person", thereby covering a wider range of person. We should not provide one penalty of \$500 when in another clause of equal importance we provide a penalty of \$200. To be consistent we should reject the amendment.

Dr. EASTICK: I disagree with the Minister that the offences are of equal importance. The other provision sets a penalty for the person for the time being in charge of any premises, place, factory or shop, or the person having the custody or control of any matter or thing, refusing or failing to do all things necessary to facilitate the exercise by an inspector of the powers conferred on him. The provisions that the Minister refers to in relation to a fine of \$200 relate to acts of mischief or omission.

The Hon. D. H. McKee: That is so anywhere.

Dr. EASTICK: The two actions are entirely different. The consequences of releasing information obtained by virtue of the inspectorial powers are dealt with in new section 208, when the release of the information could do untold damage to the organization concerned. A fine of \$200 is not meaningful when the pay-off to the person who divulges the information may be thousands of dollars. I ask the Government to reconsider the matter and place greater

importance on this clause and, as a result, accept the amendment.

Mr. McANANEY: I again support the Leader. If we read the provisions, we see the difference. In one case a person may disclose information for considerable financial gain, and this is a serious offence. On the other hand, a person who tells a high-handed inspector to jump in the lake is liable to a similar fine to that provided for the serious offence.

The Committee divided on the amendment:

Ayes (17)—Messrs. Allen, Becker, Carnie, Coumbe, Eastick (teller), Evans, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (22)—Messrs. Broomhill, Brown, Burdon, Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McKee (teller), McRae, Payne, Simmons, Slater, Virgo, and Wells.

Pairs—Ayes—Messrs. Brookman and Ferguson. Noes—Messrs. King and Wright.

Majority of 5 for the Noes.

Amendment thus negated; clause as amended passed.

Clauses 27 and 28 passed.

New clause 29.

The Hon. D. H. McKEE: I move to insert the following new clause:

29. The second schedule to the principal Act is repealed.

The new clause repeals the second schedule to the principal Act, as this has become redundant as a consequence of amendments previously carried.

New clause inserted.

Title passed.

Bill read a third time and passed.

## LIFTS AND CRANES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 16. Page 3173.)

Mr. COUMBE (Torrens): I support the Bill, which is largely consequential on the spate of industrial legislation that we have had in the last week or two. Some provisions of the principal Act relate to the safety of equipment. The legislation will come into operation on a day to be proclaimed, which will be the same day as the day on which the Industrial Safety, Health and Welfare Act is proclaimed to come into operation. This legislation deals with mobile cranes, but it will not apply to a lift or crane in any mine;

this is in accordance with previous legislation, which specifically provided that it would not affect the Mines Act. I support the Bill.

The Hon. D. H. McKEE (Minister of Labour and Industry): I appreciate the co-operation of the member for Torrens. This Bill is consequential on amendments to the Industrial Code. The health and safety of employees in all forms of industry will be provided for.

Bill read a second time and taken through its remaining stages.

#### CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

*That this Bill be now read a second time.*

It provides for a reorganization of the composition of the Citrus Organization Committee of South Australia. At present the committee consists of a Chairman appointed by the Governor, two persons representing growers, and two persons who have knowledge of marketing. Following discussions with the growers, it appears to the Government that there is something of a consensus of view that the number of grower representatives on the committee should be increased. Accordingly, it is now proposed that the committee will consist of seven members, as follows: (a) a Chairman appointed by the Governor; (b) four elected grower representatives; and (c) two persons appointed by the Governor who have extensive knowledge of commerce.

Clauses 1 and 2 are formal. Clause 3 amends section 5 of the principal Act by bringing the definition of "representative member" into harmony with the proposed new provisions and by inserting a definition of "the prescribed day", which will be the day on which the members of the newly constituted committee take office. Clause 4 provides that on the prescribed day the members of the committee then in office will vacate their offices and the new members of the committee will take office. I have already indicated how the committee will be composed after the prescribed day.

Mr. NANKIVELL secured the adjournment of the debate.

#### BREAD ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I move:

*That this Bill be now read a second time.*

It amends the Bread Act, 1954, by substituting, for references to avoirdupois weights, weights determined by the System International or, as they are more commonly called, metric weights. It is proposed that metric measurements will be introduced into the domestic bread market on January 1, 1973; hence it is important that this Bill pass during the present session of Parliament.

Clauses 1 and 2 are formal. Clause 3 amends section 3 of the principal Act by substituting as the minimum weight of bread as defined for the purposes of this Act 170 g for 6 oz. avoirdupois. Clause 4 substitutes for the avoirdupois weights, used for ascertaining minimum and maximum dough weights for bread, weights expressed in metric measurements. I think the substitutions are quite clear from a reading of the clause. Finally, I indicate to members that the conversions proposed are in fact so close to the avoirdupois weights formerly used that the housewife will find the difference in the weights of her bread to be imperceptible; so, this is one area in which metric conversion should cause no difficulty in retail trading.

Mr. COUMBE secured the adjournment of the debate.

#### FOOD AND DRUGS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I move:

*That this Bill be now read a second time.*

It contains sundry minor amendments to the principal Act, most of which I will explain in detail as I deal with the clauses of the Bill. However, I should like at this point to explain to members that the Bill provides for a general increase in all the penalties specified in the Act and to give the reasons for this increase. As an example, a penalty of \$100 at present is intended to be increased to \$400, \$40 to \$200, and \$10 to \$100. In many instances, penalties under the Act have not been increased since 1908, when the Act first came into operation. When one considers the inflationary spiral that has occurred since that date, an increase to the extent proposed by the Bill seems reasonable. Requests for penalty increases have been received by the Public Health Department from various local boards

of health and from representatives of the wine trade.

The only other amendment proposed by this Bill that I should like to enlarge on is one that has been strongly urged by the Wine and Brandy Producers Association for some time. As the Act now stands, the permitted strength for unsweetened spirits is 35° underproof and 45° for sweetened spirits, these strengths to be determined by the Sykes hydrometer. It has been submitted that the permitted additives of such substances as caramel and sugar alter the specific gravity of the spirits, thus producing an obscuration that affects the hydrometer reading. A true reading of the alcoholic content is not given. To offset the effect of the additives it is necessary to add extra alcohol, and so, in order to obtain a reading of, say, 35° on the hydrometer, the actual alcoholic content of the spirits must be increased by one or two degrees proof. The addition of this extra alcohol is costly to the industry in this State. In all of the other States, the alcoholic content of spirits is determined by modern scientific methods (for example, by distillation) in accordance with a standard recommended by the National Health and Medical Research Council. These methods ignore the obscuration factor and determine the true alcoholic strength on which, of course, excise is calculated and paid.

Under the Act as it now stands, all foods are standardized by regulation and it is highly desirable that spirits, the only present exception, also be dealt with by regulation. Uniform standards can thus be adopted and modern methods kept pace with.

Clause 1 is formal. Clause 2 fixes the commencement of the Act on a day to be proclaimed. Clause 3 amends the long title to the Act by deleting the reference to "sale" of food and drugs. It has been found that the notion of sale restricts the operation of the Act, particularly in relation to the regulation-making power. There is obvious need from time to time to include in the Act or the regulations provisions that do not necessarily relate to the "sale" of food and drugs. Such things as the preparation and handling of food that is not necessarily for sale, and the possession of certain drugs without prescription, are but two examples. It is considered that by broadening the purposes of the Act, as stated in the long title, this problem can be overcome.

Clause 4 inserts several new definitions. The operation of the Act is being broadened to cover certain apparatus in respect of which the

department has received complaints. Such things as disposable syringes, electrotherapy machines and massage and slimming apparatus are not at present within the ambit of the Act. First, it is necessary that regulations be made as to sterility and proper use of such devices. Secondly, general control over these devices must be had, as in many instances extravagant claims are made as to their effect, and experience has shown that it is very difficult to establish actual fraud in these cases. A definition of "premises" is inserted so that supply of food from mobile canteens and temporary structures can be controlled. The definition of "sale" is included and is given a fairly expanded meaning so that the supply of food as part of a service is specifically covered by the Act.

Clause 5 relates to controlled therapeutic devices, to which I have already referred. Devices may from time to time be declared by proclamation to be devices subject to the Act. Clause 6 places the control of such devices in the hands of the Central Board of Health. Clause 7 provides that the notice of appointment of an analyst must state his business address in lieu of his residential address. In practice, all analysts appointed under the Act are officers of the Chemistry Department and it is thought to be sufficient that their business address only be stated. Clause 8 increases the membership of the advisory committee from seven to nine. The Director of Agriculture and a microbiologist are added, so that a much wider range of expertise can be relied on when the committee carries out its functions of recommending regulations under the Act to the Governor. Clauses 9 to 11 increase penalties.

Clause 12 deletes that provision of the Act that specifies the strengths, and the method for determining those strengths, in relation to spirits. This whole matter may now be covered by regulation. Clauses 13 to 32 inclusive increase penalties. Clause 33 amends that section of the Act that deals with the division and mixing of articles of food or drugs purchased as samples for analysis. The provision as presently worded does not adequately deal with the situation that arises, for example, with the analysis of meat pies or tins of ice-cream. It is intended that in such cases the regulations will spell out in detail the number of articles to be purchased and the method of dividing and mixing those articles. Clauses 34 and 35 increase penalties. Clause 36 enacts new section 50a, which provides for the

recovery of the costs of analysis from defendants. The central board has had no trouble in recovering such costs, but local boards do have a problem, as the Act provides that no charge is to be made by the Government Analyst for any analysis done for a local board. Clauses 37 to 39 increase penalties. Clause 40 amends the regulation-making power to cover the matters of the alcoholic strength of spirits, the control of controlled therapeutic devices, and the sampling of food and drugs. Clause 41 increases a penalty.

Mr. CARNIE secured the adjournment of the debate.

#### HEALTH ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I move:

*That this Bill be now read a second time.*

It contains several relatively minor amendments to the principal Act and also seeks to increase most of the penalties presently provided by the Act. For the same reasons as I stated when introducing the Bill to amend the Food and Drugs Act, I commend to members the penalty increases sought by this Bill. In many cases the penalties now obtaining have not been increased since 1956, when the last general review of penalties was made.

Clause 1 is formal. Clause 2 fixes the commencement of the Act on a day to be proclaimed. Clauses 3 to 34 inclusive increase penalties. Clause 35 enables a local board of health to make wider and more specific regulations with respect to the registration of lodging houses. It is desirable that a board should be able to specify certain conditions to be fulfilled before a person may be granted a certificate of registration for a lodging house, and that certificates may be revoked on breach of a condition. It is considered that the running of lodging houses for gain ought to be controlled more efficiently, as it is an area

in which the unscrupulous can easily take unfair advantage of those members of the community who are vulnerable because of age, poverty or any other disadvantage. Clauses 36 and 37 increase penalties.

Clause 38 provides that the fee (at present 20c) payable by a local board to a medical practitioner on the notification of an infectious or notifiable disease may be prescribed by regulation. Clauses 39 to 53 inclusive increase penalties. Clause 54 broadens the power to make regulations with respect to irradiating apparatus. As the section is presently worded, regulations may be made only with respect to controlling the possession and use of such apparatus and granting licences for the use of such apparatus. The need has arisen to impose licensing requirements on persons who import, manufacture, possess for sale or sell irradiating apparatus. The amendment will enable regulations to be made for such licences, just as they may be made with respect to radioactive substances. Clause 55 extends the regulation-making power in the Act to cover the fixing of certain fees under the Act. The amount of these fees is at present either fixed under the Fees Regulation Act or specified in the Act itself. This clause also empowers the Governor to make regulations regulating and controlling the construction, maintenance and operation of swimming pools. Members will no doubt be well aware of the health hazards that can arise from a pool that is not cleaned, filtered or treated against certain bacteria. As the number of private and public pools is increasing at a fast rate, the Government believes that the health, as well as the safety, aspects of pools ought to be considered and regulated. Clauses 56 to 58 increase penalties.

Dr. EASTICK secured the adjournment of the debate.

#### ADJOURNMENT

At 1.25 a.m. the House adjourned until Wednesday, November 22, at 2 p.m.