HOUSE OF ASSEMBLY

Tuesday, November 11, 1975

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

SOUTH AUSTRALIAN HEALTH COMMISSION BILL

His Excellency the Governor's Deputy, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PETITION: KENSINGTON PARK TRAFFIC

Mr. DEAN BROWN presented a petition signed by 335 electors of Norwood and Davenport Districts, praying that the House urge the Government immediately to install traffic lights at the intersection of the Parade and Glynburn Road, Kensington Park.

Petition received.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard*.

WORKER PARTICIPATION

Dr. EASTICK (on notice):

1. Has the Government defined, as they may relate to agreements for worker participation, each of the following terms, viz.:—worker participation; collective bargaining; job enrichment; security of employment; industrial democracy; quality of work life; worker involvement in management; worker involvement on the board; worker councils; worker auditors and redundancy agreements?

2. If these terms have been so defined are they available in printed form and, if not, will they be made available?

3. Was agreement reached with concerned employee and employer organisations on the definitions and, if agreement was not reached, what are the basic differences and what effort is being made to clearly define areas of difference as to interpretation?

4. Are the interpretations placed on the various terms accepted by the Federal and State Departments of Labour and Industry, or similarly designated departments?

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

1. Because most of these terms have philosophical connotations, they are not conducive to precise definition. However, the report of the Committee on Worker Participation in Management provides a reasonable interpretation and appreciation. The Government's prime aim has been to provide an advisory and information service concerning the underlying merits of these concepts, rather than to be punctilious in matters of definition. It was for this reason that the then worker participation unit was established in 1973. In many of the areas upon which these matters impinge this State is playing a pioneering role, certainly within Australia, but in general discussion neither the Government nor its officers has detected any significant dispute with respect to the interpretation of these terms.

2. See 1.

3. See 1.

4. See 1.

Dr. EASTICK: Can the Deputy Premier, in the temporary absence of the Premier, say whether the Government, which clearly has no defined statements of the precise meaning of "worker participation", "collective bargaining", and various other matters which appear in Question on Notice No. 1 today, changes its attitude to these matters on a day-by-day basis? It is obvious that the Government is proceeding in relation to worker participation without having clearly defined the guidelines under which its hopes to function, and without having come to terms on those matters with other people in the community who have a responsibility in those areas. By being unable to indicate clearly the terminology and precise meanings of the terms mentioned in the Question on Notice, one draws the obvious inference that the Government changes its attitude to suit its own circumstances on a day-by-day basis.

The Hon. J. D. CORCORAN: No:

CLAPHAM STATION FIRE

Mr. MILLHOUSE (on notice):

1. What was the cause of the fire at the Clapham Railway Station on November 4, 1975?

2. What is the estimated cost of the damage?

3. Is the station to be repaired and, if so, when?

4. If it is not to be repaired, why not?

5. What action, if any, is to be taken to prevent a recurrence?

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

1. Suspected arson.

2. The estimated cost of replacement is $17 000. The asset value of the building was $1 185·97.

3. No.

4. The station could not be repaired because the fire damage was too great. Because of a change in the procedure of selling tickets, it is not envisaged that a new office will be required at Clapham. A shelter shed only will be erected. The estimated cost of this structure is $8 500.

5. The new building will be constructed of non-flammable materials, designed for durability, fire-proofing and low maintenance cost

Mr. VENNING (on notice): Did a fire occur at Clapham Railway Station in the early hours of Tuesday, November 4, 1975, and if so—

1. Was the ticket office and waiting room completely destroyed?

2. At what time was the fire reported and by whom?

3. Are temporary arrangements being made for a ticket office and waiting room for passengers at Clapham station?

4. Has an inquiry been initiated into the cause of the fire?

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

1. Yes.

2. 1.18 a.m. from an unknown caller.

3. A temporary office and shelter shed were provided on the platform on the day of the fire.

4. This is the responsibility of the South Australian Fire Brigade Board.

TORRENS GORGE

Mr. GOLDSWORTHY (on notice):

1. Is any new reservoir likely to be built in the Torrens Gorge in the foreseeable future?

2. Is it contemplated that any properties will be acquired in this vicinity in the Cudlee Creek area in the foreseeable future?

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

1. Possible reservoir sites have been examined, but at this stage no final site selection has been undertaken. A review of metropolitan Adelaide's water needs will be

commenced soon and this will include a more detailed examination of the need for an additional reservoir on the Torrens River.

2. At present there are no plans to acquire the land which would be needed for the construction of a reservoir.

SHOW SOCIETIES

Mr. RODDA (on notice):

1. What total amount was paid by the Government in 1974-75 as subsidies to country agricultural shows and what amounts were paid as subsidies in this period to respective show societies?

2. What total amount is it anticipated will be paid as subsidies in 1975-76 and what amounts have been paid to October 31, 1975, as subsidies to respective show societies?

3. Of the balance of the anticipated subsidy payments for 1975-76 what amount is it proposed to allot to respective show societies?

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

1. (*a*) $29 000.

(*b*) *Vide* schedule attached.

2. This figure will not be known until all claims for 1975-76 from show societies have been received and processed. Financial provision of $29 000 was, however, included in the current year's estimates of expenditure for subsidies to show societies.

3. *Vide* 2 above.

SUBSIDIES PAYABLE TO COUNTRY SHOW SOCIETIES IN 1975

Name of Society	Address	Total subsidy payable $
Balaklava & Dalkey Agricultural Society, Incorporated	Box 148, Balaklava 5461	646
Barmera Show Society Inc.	Box 367, Barmera 5345	60
Burra Burra Show Society Inc.	P.O. Box 45, Burra 5417	1 183
Ceduna Agricultural & Horticultural Soc.	P.O. Box 61, Ceduna 5690	599
Central Yorke Peninsula Agricultural Society Inc.	43 Fourth St., Minlaton 5575	443
Clare A. & H. Society Inc.	P.O. Box 291, Clare 5453	637
Cleve A.H. & F. Society Inc.	Cleve 5640	228
Coonalpyn and District A. & H. Society Inc.	P.O. Box 40, Coonalpyn 5265	154
Cummins A. & H. Society	P.O. Box 66, Cummins 5631	248
Eudunda Agricultural Society	26 Barwell St., Eudunda 5374	769
The Franklin Harbour A. H. & F. Society	P.O. Box 24, Cowell 5602	141
Gawler A. H. & F. Society Inc.	P.O. Box 116, Gawler 5118	1 461
Golden Grove Show Society Inc.	Yatala Vale Rd., Fairview Park 5126	157
Jamestown A. H. & F. Society Inc.	Box 71 P.O., Jamestown 5491	374
Kadina A. H. & F. Society Incorporated	27 Railway Tce., Kadina 5554	132
Kangaroo Island Agricultural & Horticultural Society Inc.	P.M.B. 57, Kingscote, K.I. 5223	93
Kapunda & Light Agricultural Soc.	P.O. Box 62, Kapunda 5373	208
Karoonda A. & H. Society	P.O. Box 13, Karoonda 5307	83
Kimba A. H. & F. Society Inc.	P.O. Box 117, Kimba 5641	419
Kingston A. P. & H. Society	Janet St., Kingston, S.E. 5275	105
Lipson A. & H. Society Inc.	P.O. Box 49, Tumby Bay 5605	421
Loxton Agricultural and Horticultural Society	P.O. Box 187, Loxton 5333	2 767
Lucindale P. A. & H. Society Inc.	P.O. Box 92, Lucindale 5272	29
McLaren Flat A. H. F. Society Inc.	Moritz Road, McLaren Flat 5171	374
Maitland A. H. & F. Society	Box 101, Maitland 5573	216
Mannum Agricultural Society Inc.	71 Purnong Road, Mannum 5238	321
Millicent A. H. & P. Society	Box 240, Millicent 5280	145
Moonta A. H. & F. Society	c/o "Patio Restaurant", Moonta Bay 5558	152
Mount Compass A. & H. Society	P.O. Box 260, Mt. Compass 5210	172
Mt. Gambier A. & H. Society Inc.	P.O. Box 106, Mt. Gambier 5290	360
Mt. Pleasant Agricultural, Horticultural & Floricultural Society Incorporated	P.O. Box 5, Mt. Pleasant 5235	495
Mt. Remarkable Agricultural Society	P.O. Box 60, Melrose 5483	93
Mundulla A. H. & F. Society	Nalang St., Mundulla 5270	962
The Murray Bridge Agricultural and Horticultural Society Inc.	P.O. Box 315, Murray Bridge 5253	234
Naracoorte P. & A. Society	P.O. Box 533, Naracoorte 5271	2131
North Western Agricultural Society	P.O. Box 65, Crystal Brook 5523	1526
Orroroo Agricultural Show Soc. Inc.	P.O. Box 8, Orroroo 5431	101
Parndana A. H. & F. Society	P.O. Box 41, Parndana, K.I. 5220	79
Penola P. A. & H. Society Inc.	P.O. Box 106, Penola 5277	313
Penong & Western Districts Agricultural Society	Private Bag 9, Ceduna 5690	197
Pinnaroo Agricultural Society Inc.	P.O. Box 80, Pinnaroo 5304	243
Port Lincoln A. & H. Society	P.O. Box 296, Port Lincoln 5606	320
Quorn Agricultural Society	P.O. Box 170, Quorn 5433	182
Renmark and District Show Society	P.O. Box 165, Renmark 5341	219
Saddleworth Agricultural Society Inc.	44 Belvidere Rd., Saddleworth 5413	562
Southern Agricultural Society	Middleton 5213	1 785
Strathalbyn Agricultural Society Inc.	Langhorne Creek 5255	347
Streaky Bay Agricultural Society	P.O. Box 168, Streaky Bay 5680	187
Swan Reach Agricultural & Horticultural Society	Nildottie 5238	140
Tantanoola P. A. & H. Society	Tantanoola 5280	421
Tatiara P. A. & I. Society Inc.	89 South Ave., Bordertown 5268	171
Uraidla & Summertown H. & F. Society Inc.	Elborough Ave., Uraidla 5142	128
Whyalla A. I. & H. Show Society Inc.	26 Herbert St., Whyalla 5600	1 487
Wilmington Agricultural & Horticultural Society	P.O. Box 35, Wilmington 5485	57
Wirrulla Agricultural Society Inc.	c/o P.O., Wirrulla 5661	208
Wudinna & Le Hunte Districts A. H. & F. Society Inc.	P.O. Box 75, Wudinna 5652	2 750
Yallunda Flat A. & H. Society Inc.	Yallunda Flat 5607	426
Yankalilla, Rapid Bay & Myponga A. & H. Society Inc.	Normanville 5204	139
		$29 000

ELECTRICITY CHARGES

Mr. MILLHOUSE (on notice): In view of her circumstances, will the Government request the Electricity Trust to reduce the cost of electricity used by Mrs. Rosemary Grieve, of Naracoorte?

The Hon. HUGH HUDSON: I suggest the honourable member provide the General Manager of the Electricity Trust of South Australia with the relevant details regarding this person.

COMPANIES ACT

Mr. MILLHOUSE (on notice): Is it proposed to introduce amendments to the Companies Act, and if so—

(*a*) when;

(*b*) for what purpose; and

(*c*) what amendments are proposed?

The Hon. PETER DUNCAN: At present, it is not the Government's intention to introduce amendments to the Companies Act during the current session of Parliament.

SAILING BOATS

Mr. MILLHOUSE (on notice): Is it proposed that sailing boats in South Australia should be registered and if so—

(*a*) why; and

(*b*) what action does the Government propose to take to achieve this and when?

The Hon. J. D. CORCORAN: No. However, sailing boats fitted with auxiliary engines are required to be registered under the Boating Act for obvious reasons, and to date about 500 such vessels have been so registered.

VEHICLES ON BEACHES

Mr. MILLHOUSE (on notice): What is the policy of the Government concerning the driving of motor vehicles on beaches?

The Hon. D. A. DUNSTAN: The responsibility for control of vehicles on beaches is within the authority of the appropriate local government body.

Mr. MILLHOUSE (on notice): What action, if any, does the Government propose to take to prevent motor vehicles being driven on beaches?

The Hon. G. T. VIRGO: The control of motor vehicles on beaches is a function of local government. Councils have power, by by-law, to exercise such control, either in the entrance of vehicles to the foreshore or in the limitation of the speed of vehicles.

FREEWAY

Mr. MILLHOUSE (on notice): What now are the plans for a new freeway in the southern Adelaide Hills and why?

The Hon. G. T. VIRGO: There are no plans for a new freeway in the southern Adelaide Hills. The only authorised plan for arterial roads in the southern Hills is the 1962 Metropolitan Development Plan. This plan was accepted by Parliament in 1965 and adopted in the Planning and Development Act, 1966-67 as the authorised development plan for metropolitan Adelaide.

CRYSTAL BROOK DERAILMENT

Mr. MILLHOUSE (on notice): Who will bear the cost of making good the damage and loss caused by the derailment at Crystal Brook on the 24th October, 1975, and why?

The Hon. G. T. VIRGO: The Australian National Railways Commission, in accordance with the Railways Agreement (S.A.) Act, 1975.

The Hon. G. R. BROOMHILL: Can the Minister for Transport give me any up-to-date figures on the loss of materials following the recent Crystal Brook train accident? This question flows from a letter I saw in the *Advertiser* this morning, in which a correspondent suggests that, in view of the quantity of lead and zinc ingots reported stolen or lost, the information that the Minister provided two or three weeks ago was probably misleading to the community. The writer suggests that, in an area such as this, material ought to be accounted for. Because of the volume of water that may have been in the river at the time of the crash, some material may have been lost, but I should like the Minister to say whether or not any of the material that was earlier reported missing has since been recovered.

The Hon. G. T. VIRGO: I was disturbed to read this letter in the paper this morning from a Mr. R. S. Alcock of Cumberland Park. The name rang rather a dull bell as having some political connotation, and it is regrettable that this person has suggested that the losses, the facts about which I gave the House last week, were in fact not losses but, rather, stolen property. It is regrettable that a Liberal candidate would descend to such a low level as to make such a false accusation. Presumably the Leader of the Opposition is enjoying the—

Members interjecting:

Dr. Tonkin: The current situation, I think you can say.

The Hon. G. T. VIRGO: If the Leader does enjoy members of his own Party telling lies in the press, he is entitled to his enjoyment. The plain facts are that the member for Mitcham last week asked me to give him some information, which was given in good faith and as it applied at that stage. I think most people would realise that at that stage the creek was still running at a high level and, in fact, if members look at the reply I gave they will find that I said:

Some of this material is temporarily in inaccessible places under the water and silt, which will protract the recovery exercise.

There is no question about anyone stealing it. Indeed, up to this stage all of the zinc has been recovered, and all but about 12 tonnes of the lead ingots has been recovered. So, for a Liberal candidate like Alcock to suggest that it has been stolen is, I am afraid, a reflection on both him and the Party for which he has stood.

Mr. MILLHOUSE: Mr. Speaker, I appreciate your giving me the call and your invitation to me earlier today in Question Time at about the time when, normally, if I had asked a question, in accord with my status you would have given me the call. I was not at that time ready to ask a question, because the one I now direct to the Minister of Transport arises out of an answer to one of my Questions on Notice. Why was it not possible to get any of the information I requested in Question on Notice No. 15? Question No. 15, which contained 13 parts, concerned the Crystal Brook bridge accident, damage, or mishap (whichever word one likes to use), and the reply which I had from the Minister was that the information I had sought could not be compiled in the time provided, and there was an invitation to put it on the Notice Paper during the next sitting of Parliament, but that will be in February. The Minister's reply continued:

However, in the meantime I will provide the honourable member with a copy of the reply.

I point out (although it will not be necessary to point this out to the Minister) that that would neatly get him over this week's sitting and take us forward about three months until February, before any of the information

could be canvassed in the House. Although I appreciate that I asked a detailed question, I am sure that some at least of these matters could have been answered today, and it would have been of great assistance to me, the House, and the general community if at least some of them had been answered. I noticed that the Minister was able to answer a question from a member on his own side arising out of one of the questions which I asked last week and which he acknowledged to be on the same matter. Admittedly, it was on a different aspect of the matter, but I would have thought that it would be possible for the Government to give some of this information.

The Hon. G. T. VIRGO: I think the honourable member has asked a question and answered it all in the same breath, because he admitted that to provide the information he sought would involve the department in extensive investigations. An engineering analysis of the structure is being undertaken and, hopefully, I will have that engineering report, probably in about three weeks time. I have already received the report concerning the traffic, and track maintenance, and the honourable member will be pleased to learn that the committee found that the staff of the railway were blameless. However, we are now engaged in a further technical analysis in an attempt to find out a little more about the collapse of the bridge, and many of the questions contained in the honourable member's Question on Notice No. 15 are technical. Of course, it would have been possible to answer some parts of the question (for instance, who designed and laid down the specifications for the bridge). Obviously, the honourable member knows that without my answering it: it is the Chief Engineer's Branch of the South Australian Railways. The honourable member also knows that it is practice in this House (as long as I have been here, anyhow) where a question is put on notice and we cannot provide the full answer for Ministers to follow the procedure I have followed today. The honourable member I think has been accustomed to that procedure both as a member and as a Minister. I am rather wondering why he is now bringing that practice into question.

MITCHAM SCHOOL FIRE

Mr. MILLHOUSE (on notice):

1. What was the cause of the fire at the Mitcham Demonstration School during the week-end 1st-2nd November, 1975?

2. What is the estimated cost of the damage?

3. How long will it take to repair?

4. What disruption at the school has been caused as a result of the fire?

5. What action, if any, is to be taken to prevent a recurrence?

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

1. No cause has been established. The Police Forensic Squad are of the opinion that the fire was deliberately lit but no clues have been found.

2. $6 000.

3. The estimate is six weeks.

4. There has been no disruption to the running of the school. The Principal of the Junior Primary School has improvised by using part of the library. Owing to the tremendous co-operation, particularly of the Public Buildings Department, furniture, etc., was replaced on the day of the fire. Telephone connection was restored on the same morning.

5. At the moment in the absence of a particular cause, no action will be taken apart from security precautions already in operation. Police will maintain patrols. It was due to the vigilance of the police in this instance that only the administration section of the school was damaged. A security officer has recently been appointed to the Education Department and the matter of fires will be investigated by him among a number of other things.

SPELD

Mr. MILLHOUSE (on notice):

1. What offers of accommodation have been made to SPELD, when were they made, by whom and to which persons?

2. Have any reasons been given for the refusal of each of such offers and if so, what were they?

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

1. Two offers of accommodation were made:

(*a*) About three weeks ago by the Superintendent, Educational Services and Resources of the Education Department to the secretary of SPELD. This offer concerned two uncommitted rooms which could be available at Ashford House when vacated by the Crippled Children's Association at the end of this year.

(*b*) On October 28, 1975, by the Executive Director, Crippled Children's Association to the secretary of SPELD. This accommodation was in the new Regency Park set-up.

2. The accommodation in 1 (*a*) was refused because the secretary of SPELD indicated that the rooms would be unsuitable as they were within a context which in 1976 would house a school for mentally retarded children and parents of children with specific learning difficulties would not find that acceptable. The accommodation in 1 (*b*) was rejected on the grounds that its location was a bit out of the way and because SPELD activities would probably be too extensive for the premises offered.

In reply to Mr. EVANS (October 16):

The Hon. D. J. HOPGOOD: The Government is endeavouring to assist SPELD in the matter of accommodation. Recent offers of accommodation have been made on two occasions, but these have been declined. The South Australian Government grant to this organisation for the current financial year has been increased from $500 to $5 000.

McNALLY TRAINING CENTRE

Mr. MILLHOUSE (on notice):

1. In what circumstances did the recent break-out from the McNally Training Centre occur?

2. What precautions had been taken to prevent such occurrence?

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

1. On the night of November 2, 1975, nine boys in one of the assessment units used a bed to smash through one of the dormitory windows into the unit passage. They then used the bed to break down intervening doors and an outside door.

2. An extensive review of physical security at McNally was recently undertaken in conjunction with the Public Buildings Department. Contracts are about to be let for strengthening and restricting dormitory windows to the corridor and external dormitory windows. Plans had been drawn up for extensive further work in many areas, including the strengthening of external doors and surrounds.

Mr. MILLHOUSE (on notice): During the period of one month to November 5, 1975—

(*a*) how many boys have been in the McNally Training Centre;

(*b*) how many abscondings have there been from the Centre;

(*c*) on what dates has each of such abscondings occurred;

(*d*) what are the circumstances of each of such abscondings;

(*e*) is it known why such abscondings have taken place and if so, what are the reasons;

(*f*) has any absconder absconded more than once and if so, how many of such absconders and in the case of each, on how many occasions;

(*g*) is it known if any offences have been committed by absconders from the Centre and if so, what are such offences;

(*h*) what charges have been laid against the absconders as a consequence of offences committed while at large and with what result; and

(*i*) what damage to property at the Centre has been caused by those absconding?

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

(*a*) 150.

(*b*) 28.

(*c*) October 17, 1975 1 absconding.
October 31, 1975 2 abscondings.
November 1, 1975 2 abscondings.
November 2, 1975 11 abscondings.
November 5, 1975 12 abscondings.

(*d*) October 17, 1975 (1) with one other youth and a staff member this youth was getting stores from a storeroom with outside exit. He ran from there.
October 31, 1975 (2) both youths were on approved weekend leave to their homes and they failed to return at the required time.
November 1, 1975 (2) both youths were on an approved day's leave and they failed to return at the required time.
November 2, 1975 (9) as per answer to question No. 14.
November 2, 1975 (2) both boys absconded from an internal fenced area (after a diversion was created) by climbing over the fence and a further outer fence.
November 5, 1975 (12) as per answer to question No. 37.

(*e*) October 17, 1975 (1) this youth was apparently concerned *re* the possibility of being recommitted to the Centre.
October 31, 1971 (2) both youths were visiting their family in the country; one claimed that he missed his bus and the other that he lost his ticket. They were reported to the police as absconders but both youths subsequently returned to the centre voluntarily.
November 1, 1975 (2) reason for absconding not known. Neither youth has returned.
November 2, 1975 (2) as per reasons for absconder on October 17, 1975.
November 2, 1975 (9) youths sent to the centre on remand and for assessment are usually anxious and unsettled because of the uncertainties of their situation. It is believed that a number of the absconders went along on the spur of the moment.
November 5, 1975 (12) as per reasons for (9) on November 2, 1975.

(*f*) Of the 28 listed as absconders, nine have absconded more than once.
(7) absconded twice.
(1) absconded three times.
(1) absconded five times (since July 15, 1975—he did not commit any offences on any of those abscondings).

(*g*) It is definitely known that seven of the absconders have committed offences.
(1) Break and enter.
(2) Factory break and larceny.
(3) Office break with intent.
(4) Illegal use.
(5) Larceny.
(6) Break and enter.
(7) Office break and larceny.
It is understood that some other absconders have committed offences including illegal use but so far the Department does not have details.

(*h*) Charges have been laid as per (*g*) above. Only one of these charges has been heard by court. This was in the country on November 6, 1975. The results are not yet known.

(*i*) The only damage caused was in the two mass abscondings. Five large plate glass windows were broken, also 6 smaller windows including security glass in one door. Five doors were broken or damaged. Some brickwork was damaged, also a few items of furniture including beds.

Mr. MILLHOUSE (on notice):

1. What action, if any, is now taken to prevent absconding from the McNally Training Centre?

2. What action, if any, is now taken when it is discovered that an inmate has absconded from the McNally Training Centre?

3. Are the police now notified of all abscondings and if not, why not and if so, which abscondings?

4. Are absconders, if returned to the McNally Training Centre, punished for absconding and if so, how and if not, why not?

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

1. While repairs are being made to the McNally buildings up to 12 boys who are considered to be serious absconding risks have been relocated at Windana with appropriate staff supervision. Some additional staff have been provided temporarily. The Public Buildings Department is taking further action to strengthen security. This includes securely fixing all beds and bedside lockers to the floors and walls.

2. and 3. The senior officer on duty notifies the police immediately. All possible action is taken to prevent other youths from asbconding. Sometimes it is possible for McNally staff to apprehend an absconder still in the vicinity.

4. Absconders who are returned to the centre are placed on restrictions and lose specified privileges.

Mr. MILLHOUSE (on notice): Did any inmates abscond from the McNally Training Centre on the night of 5th-6th November, 1975, and if so—

(*a*) how many;

(*b*) what were the circumstances of such abscondings;

(*c*) how many of such absconders were on remand and on what charges;

(*d*) had any of such absconders absconded before and if so, how many and when;

(*e*) have any of them been returned to the Training Centre; and

(*f*) how many are still at large?

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

(*a*) The number is 12.

(*b*) The youths used beds to batter down a large dormitory window in each of two assessment units, and to

break down a door leading to the outside. In one of the units following the absconding two nights previously the glass had been replaced by an unbreakable perspex-like material but this gave way by "popping out".

(*c*) The number is 11.

(1) break and enter and larceny
(2) break and enter and larceny
(3) carnal knowledge
(4) break and enter and larceny; illegal use
(5) break and enter with intent
(6) illegal use
(7) illegal use, break and enter and larceny
(8) illegal use
(9) break, enter and larceny; illegal use
(10) break, enter and larceny; illegal use
(11) illegal use; larceny.

(*d*) Yes. Seven of the 12 had previously absconded, six on November 2, 1975 (one of these also on October 17, 1975), and one on September 16, 1975.

(*e*) Six have been returned to the centre. An additional four are understood to be in police custody.

(*f*) The number is two.

Dr. TONKIN: Can the Premier say whether the announcement in this morning's *Advertiser* regarding changes to be made to security at McNally indicates a change of attitude by the Government and whether this now means that an inquiry will be held? The items enumerated this morning include additional fencing, the removal of beds from dormitories, strict cutlery checks and an increase in staff (the announcement states not that the staff will be increased but that a staff increase has taken place during the past seven months and that the number is expected to increase by another 10 by the end of the year). Further, a security manual has been issued to all staff, and a security barrier concept has been introduced. Those are all items which I understood the Premier today said had been introduced, anyway, and that they had nothing to do with a request for an inquiry made by the Opposition and not much to do with the recent rash of abscondings. Since the Premier has changed his mind on this aspect, will he change his mind again and allow the general public of South Australia to see what is happening or at least be reassured by those in a position to see what is happening at McNally? In other words will he now agree to an inquiry?

The Hon. D. A. DUNSTAN: The honourable member asked two questions: the answer to both of them is "No". At the time this matter was debated in the House, the Minister of Community Welfare made perfectly clear to the House that already, prior to the incidents about which the Leader has sought to make quite cheap political capital, a series of measures had been undertaken in relation to security at McNally. All that has been revealed in the *Advertiser* this morning is that, in fact, what the Minister he has said is being carried out.

Mr. MATHWIN: Will the Minister of Community Welfare include in the committee investigating problems at the McNally Training Centre a representative from the Residential Care Staff Representative Committee? It was reported in the *Advertiser* today that the Supervisor, Mr. Meldrum, and officers of the Public Buildings Department and Community Welfare Department, are sitting as a committee to plan, amongst other things, increased security at the centre. As there are problems in relation to staff shortages, resignations, training, etc., it would be an advantage to include on this committee, members of the staff who are experienced in practical problems at that centre.

The Hon. R. G. PAYNE: I have every confidence in Mr. Meldrum, who is in charge of this matter. I am not sure what the honourable member is driving at; Mr. Meldrum is, after all, a staff member.

Mr. Mathwin: I was talking about the residential care people.

The Hon. R. G. PAYNE: If that is what the honourable member was talking about, he should have said so.

Mr. Dean Brown: Perhaps you ought to listen.

The Hon. R. G. PAYNE: I did. The honourable member for Davenport, as an agricultural science graduate, every day tries to show that he is an expert on everything. It is becoming a little tiresome on occasions. I understand now what is behind the member's question, and I will certainly discuss this matter with Mr. Meldrum.

PORT LINCOLN PRODUCE WORKS

Mr. BLACKER (on notice):

1. When is it envisaged that the upgrading of the four chiller rooms at the Produce Department Works at Port Lincoln will be completed?

2. What is the present daily killing capacity of the beef hall at these works?

3. What will be the capacity when the upgrading of the four chiller rooms has been completed?

4. What will be the proposed capacity when the new beef hall is built?

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

1. The date of completion is unknown because the project of upgrading is dependent on allocation of unemployment relief scheme funds, for which application has only recently been made.

2. 55 head.

3. 90 head.

4. There is no current proposal to build a new beef hall at the Port Lincoln works.

Mr. GUNN (on notice): What plans has Samcor to upgrade the beef hall at Port Lincoln abattoirs?

The Hon. J. D. CORCORAN: Plans for upgrading the beef hall are dependent on the upgrading of the four beef chiller rooms, for which funds have been sought under the unemployment relief scheme.

AGRICULTURE DEPARTMENT BUILDING

Mr. GUNN (on notice): What plans has the South Australian Government to provide the Department of Agriculture and Fisheries with its own building?

The Hon. J. D. CORCORAN: The Agriculture and Fisheries Department is scheduled to be moved to Monarto. New interim office accommodation has been leased in the Grenfell centre until that move can be made. Commissioning of the office space is proceeding at present, and it is expected that it will be occupied near the end of this year.

WEST COAST WATER SUPPLY

Mr. GUNN (on notice): What plans has the Government to extend the water mains west of Ceduna so as to provide adequate water services to landholders in this area?

The Hon. J. D. CORCORAN: There are no plans for the construction of branch mains from the Tod trunk main west of Ceduna, in the foreseeable future.

FLINDERS HIGHWAY

Mr. GUNN (on notice): How does the Highways Department intend to spend the funds allocated for the Flinders Highway?

The Hon. G. T. VIRGO: Funds allocated to the Talia to Streaky Bay section of the Flinders Highway will be spent on maintenance and construction. It is hoped to seal a short length in the Port Kenny area.

ANDAMOOKA—PIMBA ROAD

Mr. GUNN (on notice): What plans has the Highways Department to upgrade the Andamooka—Pimba Road?

The Hon. G. T. VIRGO: No upgrading is planned for the Andamooka—Pimba Road for at least a year, due to limited funds available. Maintenance will continue.

AGRICULTURE DEPARTMENT EXPENDITURE

Mr. GUNN (on notice): What percentage of the total Budget expenditure is allocated to the Department of Agriculture and Fisheries and can the Minister state how this figure compares with the other Australian States?

The Hon. J. D. CORCORAN: The total of proposed payments from the Revenue Budget for 1975-76 (exclusive of allowances for future increases in wage rates and prices) is $953 000 000. The departmental provisions included in the Estimates of Expenditure for the relevant activities are:

	$ millions
Agriculture Department	7·9
Fisheries Department	1·1
	9·0

This total of $9 000 000 is about 1 per cent of the total Budget. If provisions for maintenance by Public Buildings Department, superannuation, interest and depreciation were dissected and allocated to Agriculture and Fisheries, the percentage would be increased. It is not possible to make a meaningful comparison between States in percentage terms because:

(*a*) similar activities are handled by different departments in the various States; for example some of the activities of the Lands Department in South Australia would be financed through Departments of Agriculture or Primary Industry in other States.

(*b*) the total Budget expenditure includes different components in the various States; for example, the allocation of motor vehicles taxation to roads purposes is handled through the budget in South Australia whereas in some other States it is taken directly to road funds.

Then, of course, the responsibilities of Departments of Agriculture vary as between States according to the types of climate, soil, production, and market problems, etc. The Grants Commission has done a great deal of work in attempting to make meaningful comparisons between States in this area of expenditure, but to date has not been able to draw reliable conclusions.

WORKMEN'S COMPENSATION

Mr. BOUNDY (on notice): Is it the intention of the Government when introducing amendments to the Workmen's Compensation Act during this session to provide for an obligation on insurance companies to provide workmen's compensation cover and if so—

(*a*) why; and

(*b*) on which companies will this obligation be placed?

The Hon. J. D. WRIGHT: (*a*) and (*b*) This is one of the matters that is being considered for inclusion in the Bill. If it is so included, then, in accordance with the normal practice, the reason will be explained in the second reading speech when the Bill is introduced.

STIRLING WATER AND SEWERAGE

Mr. EVANS (on notice):

1. When will the Stirling Council residential area be sewered?

2. When will reticulated water be available in Manoah at Upper Sturt?

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

1. Subject to a favourable recommendation by the Public Works Standing Committee and funds being available work could commence during 1976.

2. No specific timing can be given. However, it is proposed that a scheme be included in the five-year Loan programme of the Engineering and Water Supply Department.

INDUSTRIAL POWERS

Mr. DEAN BROWN (on notice):

1. Did the Minister receive a letter, dated 15th October, 1975, from the General Manager of the Chamber of Commerce and Industry, S.A. Inc., concerning the powers of the Minister under section 166 (1) (*c*) of the Industrial Conciliation and Arbitration Act, 1972?

2. Has the Minister yet exercised the power given to him under this section of the Act?

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

1. and 2. I received the letter referred to by the honourable member and replied to it on October 31, 1975. It would be improper for me to publicly disclose the content of letters I send in reply to those I receive.

FROZEN FOOD CENTRE

Mr. DEAN BROWN (on notice): Has a contract been let by the Government for the design and construction of a frozen foods centre and if so—

(*a*) what was the value of the contract and what companies were involved;

(*b*) what is the anticipated date for the completion of this centre;

(*c*) where will the centre be located; and

(*d*) what will be the functions and capacity of the centre?

The Hon. J. D. WRIGHT: A contract has not been let for the design and construction of a frozen food factory.

(*a*) Austen Anderson (Aust.) Pty. Ltd., has been engaged to carry out the first stage of a design and contract management service at a fee not to exceed $85 000. The next stage of development will be the engagement of Austen Anderson (Aust.) Pty. Ltd. at a negotiated fee for completion of the detailed design and construction management for the whole project.

(*b*) August, 1977.

(*c*) Dudley Park.

(*d*) To produce pre-cooked frozen foods which will be used in the preparation of meals for Government hospitals and institutions. The design capacity is 25 000 meals per eight-hour shift.

INDUSTRIAL DEMOCRACY

Mr. DEAN BROWN (on notice):

1. Did Mr. John Scott help formulate the Government's policy on industrial democracy?

2. Does the Premier accept Mr. Scott's recent statement at a seminar on industrial democracy in which Mr. Scott said "many of the small businesses should go to the wall because they are inefficient and bludge on workers"?

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

1. Yes.

2. To answer this question it would be necessary to know whether it was made and the context in which the alleged statement was made. In any event, Mr. Scott is entitled to his own views. He is not a spokesman for the Government.

Mr. DEAN BROWN (on notice):

1. Has the industrial democracy proposal for the South Australian Housing Trust been revised yet and if not, when will it be revised?

2. Has a revised proposal been circulated to the employees of the trust and if so, what was the revised proposal?

3. Has a ballot been held amongst employees on the acceptance or rejection of this revised proposal and if not, when will a ballot be held?

4. If a ballot has been held what was the result of it?

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

1. The industrial democracy proposal was distributed for the purpose of ascertaining the opinions and attitudes of the employees of the trust. It is currently being revised following discussions with the unions and management of the trust and the receipt of submissions from employees. This process of revision will be completed shortly.

2. See 1.

3. See 1.

4. See 1.

TEACHERS

Mr. DEAN BROWN (on notice):

1. How many teachers employed by the Education Department have been sent dismissal notices or forms of resignation to take effect during December, 1975?

2. Are any of these teachers likely to be re-employed by the Education Department during 1976, and if they are, how many will be re-employed?

3. If they are re-employed will these teachers be reimbursed for salary lost during the school vacation?

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

1. No dismissal notices were sent, but 59 letters requesting resignations were sent in error to teachers who were temporarily employed until the end of 1975 or earlier. They have been contacted and asked to notify if they sought further employment with the department.

2. This is not known at this stage.

3. There is no question of reimbursement of vacation pay if these teachers are re-employed, as some of these teachers would have been paid until January 31, 1976, and in any case those who had taught to the final day of the 1975 school year would be re-employed from January 1, 1976, provided they gave an undertaking to teach for 12 months from the time of their initial employment.

MOTOR CYCLE HELMETS

Mr. BOUNDY (on notice): What action, if any, does the Government intend to take to prevent the sale in South Australia of motor cycle helmets which do not comply with the Standards Association of Australia's AS1698/1974 standard on vehicle helmets?

The Hon. G. T. VIRGO: The Road Traffic Act prevents the wearing of a non-approved helmet whilst the rider is travelling on the road, but, of course it does not prevent their sale. Section 62 of the Trade Practices Act, 1974, makes it an offence for a "corporation" to supply goods to consumers which do not comply with the safety standards which have been prescribed for such goods. Recently I asked the Australian Minister for Science and Consumer Affairs if a regulation could be made under this Act to control the sale of non-standard helmets. A reply has been received advising that the Australian Department of Consumer Affairs will carry out a detailed investigation and will consult with the Standards Association of Australia concerning this matter. I am still awaiting the results of the investigation.

CRYSTAL BROOK BRIDGE

Mr. MILLHOUSE (on notice): Will the Minister make public the plans, drawings and schedules Ds. 63/6, Ds. 63/7, Ds. 63/8A, Ds. 67/3 and Cs. 67/28 originally attached to the specification S48/67 for construction of the railway bridge over Crystal Brook and if so, when and if not, why not?

The Hon. G. T. VIRGO: I have a copy of the plans, which can be examined by any of the honourable members if they so wish.

MOTOR CYCLE SPEED LIMIT

Mr. DEAN BROWN (on notice): Will the Minister take action to increase the maximum permissible speed that may be travelled at by a motor cycle carrying a pillion passenger in a speed zone where motor cars are permitted to travel at 110 km/h, and if not, why not?

The Hon. G. T. VIRGO: The South Australian speed limit for motor cycles carrying pillion passengers of 70 km/h is fixed in accordance with the nationally accepted standard. In view of the vulnerability of both rider and passenger, no action is proposed to increase this limit.

MAGILL HOMES

Mr. DEAN BROWN (on notice):

1. What is the value of the work that has been completed at the Magill Homes for the Aged since March, 1975?

2. What actual work has been completed during this period?

3. Why has this work ceased?

4. What allocation of finance for construction work at the Homes has been made for 1975-76?

5. What work will be completed during 1975-76?

6. Is it proposed or being considered to move some of the staff from the Magill Homes to Windana as their work place?

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

1. $49 700.

2. (*a*) Normal maintenance items.
   (*b*) Cleaning and redecoration of areas vacated by Darwin refugees for re-use by the Homes.
   (*c*) Internal renovation work to Sydney and French wards preparatory to the addition of transportable toilets and ablution units.

3. Work has not ceased.

4. $167 000.

5. The contract for the transportable toilet and ablution units and further cleaning and redecoration of areas vacated by Darwin refugees.

6. An inter-departmental committee is currently considering the future use of Windana but no specific recommendations have yet been made. One possible use is in the field of aged care. Until some firm decisions have been made on the use of Windana there can be no proposal to move any staff from Magill Home.

SOIL SURVEYS

Mr. DEAN BROWN (on notice):

1. What are the titles of each of the following soil surveys carried out by the Department of Agriculture and Fisheries, viz.:—S.S. 3, S.S. 4, S.S. 5, S.S. 6 and S.S. 9?

2. Will the Minister make copies of these soil surveys available and if not, why not?

3. Which of these soil surveys refer to the salinity of the soils in the Monarto area?

4. Have any other studies been carried out on the salinity of the Monarto soils and will the Minister make copies of these reports available?

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

1. The titles of each of the departmental soil surveys are as follows:

S.S. 3 Murray New Town site selection—A preliminary soil and land form survey (1972).

S.S. 4 Soil survey of Section 113, Hundred of Monarto (1974).

S.S. 5 Soils and land use of the Redcliff Point area South Australia (1974).

S.S. 6 The potential of portion of the Bremer River Valley near Callington, South Australia, as a site for the disposal of sewage effluent (1974).

S.S. 9 Monarto soil investigations—first report (1975).

2. All the reports have been freely available, but S.S. 3 is now out of print.

3. Reports S.S. 4, S.S. 9 and S.S. 12 (titled "Soils of the Monarto town site") deal with the salinity of the Monarto soils. These reports are freely available.

4. S.S. 12 (described in 3 above) is the only other soil survey report on salinity of Monarto soils.

A copy of each of these reports is no doubt available to the honourable member through the Monarto Development Commission.

HOME BUILDERS ASSOCIATION

In reply to Mr. EVANS (August 21):

The Hon. HUGH HUDSON: The honourable member has suggested that the Government stimulate the reformation of a Home Builders Association along the lines of the one that functioned just after the Second World War. In considering this request I think it is necessary to first examine the situation that occurred when the previous association was in operation. In those days, in order to have a house built a person usually needed to fully own a block of land, have the necessary plans and contract drawn up, and have a suitable deposit available before finding and engaging a builder. Even if this stage was attained, serious delays were likely to be experienced during actual construction due to extreme shortages of both labour and materials. Not only was this frustrating but in the case of many middle and low income earners, the ready cash requirement was simply beyond their means. Because of these problems the Home Builders Club was formed, comprising members who were mainly unskilled in the building trades. Many had to manufacture their own cement bricks or blocks, but there were some experienced building tradesmen who were prepared to teach club members various building trades. These club members in turn trained others. About this time, the Housing Trust's sales scheme was rapidly developing, enabling many low and middle income earners to purchase their own homes for a quite low deposit.

As the serious shortages in the building industry were gradually overcome, builders and development companies began purchasing land on which to build houses and individuals were able to purchase both house and land for a deposit which was much less than the cost of a building block. Therefore, the Home Builders Club dissolved as the need for it no longer existed. I arranged for comments to be obtained from ex-members of the club and they believe that at present there seems to be no need for it to be reformed, not only for the historical reasons but also for the following additional ones:

1. Following the Second World War the outlook on co-operation between ex-service personnel enabled this type of club to function without contractual agreements being made. I would raise the question as to whether this type of outlook would prevail sufficiently today for a club such as this to succeed.
2. Previous club members generally built their houses within the inner metropolitan areas whereas those now needing accommodation are forced to the outer areas. This would involve costly and time consuming travelling for the members for their weekends over a number of years.
3. Previously, some building tradesmen were willing to teach the unskilled. It is unlikely that this type of assistance would be available today.
4. In the previous club, unskilled individuals were allowed to perform certain skilled or allied building work whereas today unqualified persons are not permitted to do so.
5. In the 1973-74 year, owner/builders completed 587 houses in South Australia, that is 7·7 per cent to total private section completions in that year. This usually involved sub-contracting the work to appropriate skilled tradesmen and providing the labouring assistance themselves. This type of person could possibly be assisted through a Housing Advisory Centre of the type presently under consideration. This type of centre could assist in providing advice on the technical aspects of house construction, that is, plans, footings, materials, etc.

From a financial point of view, if a building club had to employ a builder and/or architect to supervise, (presumably on weekends and holidays) together with the higher price for materials which members would be charged compared to a group builder who in all probability would be able to arrange considerable discounts, it is doubtful whether great gain would ensue to members.

SOLAR HEATING

In reply to Mr. WARDLE (October 16):

The Hon. HUGH HUDSON: In 1973 the Government established a State Energy Committee to inquire into the State's energy needs and resources, to assess current and likely future technologies (including solar energy conversion) associated with energy supply and to recommend policies for the State. The committee expects to present a report in mid-November. The Monarto Development Commission will this year carry out a number of technical and economic studies related to the energy needs and potential energy sources of the city of Monarto. In the course of this study the technical and environmental aspects of installing solar heaters will be assessed as well as the capital and operating costs to the house owners. After the completion of these studies, and in the light of decisions made by the Government on the recommendations of the State Energy Committee, a policy regarding domestic solar water heaters at Monarto will be prepared.

MONARTO

In reply to Mr. WARDLE (October 30):

The Hon. HUGH HUDSON: The honourable member for Murray has raised two issues:

1. The subject matter of the next segment of film about Monarto; and

2. Misgivings from local residents about the condition of the first film. The object of *Monarto Part I* was to re-enact and historically record for archival purposes many of the obsolete farming techniques not practised in the area for many years. For obvious reasons this had not been recorded 20-50 years ago in the time in which they applied, consequently the skilfully worded script was used to infer that this re-enactment represented the Monarto of old. In the filming that took place for this first segment a great deal was taken that was not used and hopefully this will be included in future segments. Unfortunately, some of the items raised in the letter to the Bridge Observer referred to by the honourable member, cannot be included because they are no longer available for filming; for example, the Monarto School closed some time before the commission was formed. The subject matter for the next segment of film of Monarto has not yet been scripted by the South Australian Film Corporation, but in broad terms it will deal with the first phases of development, that is with studies, with identifying the areas on which a lake, a city centre and early residential and industrial areas will eventually be built. In order to generate public interest, as well as give an historically accurate account of site development, this will hopefully include some of the footage that has been filmed of the existing life at Monarto. I should point out that few people realise that at this moment Monarto has a population in excess of 300 and I would hope that the next segment of film may be able to present life at Monarto of these first residents. The ultimate objective is to produce a lengthy documentary of the development of Monarto from a green fields site to a growing community, establishing an interesting, truthful account on film for public presentation and for archival records. I can understand the feelings of the present residents who feel that they may be overlooked in this process of filming, but I would suggest that we must rely on the talent and integrity of the producer of the film to take account of these feelings and to arrive at an interesting and attractive compromise.

WHYALLA SPECIAL SCHOOL

In reply to Mr. MAX BROWN (November 5):

The Hon. D. J. HOPGOOD: As I mentioned in my preliminary reply to the honourable member, the Whyalla City Council offered to the Education Department a site which was considered highly desirable for the erection of a new special school. However, after a considerable period of negotiation, the council withdrew the offer. The delay resulting from the extended negotiations has meant that the building of the school has been put back into the period when capital funding is difficult. It has been agreed that the special school should be rebuilt on the present site in Demac construction. Plans are well under way and if funds are available, it is hoped that the school can be completed by the end of 1976. The department has never contemplated reducing the availability of the special school to students from outside Whyalla. Indeed, the new special school as planned provides for a school population in excess of the present one. The department has provided some additional support, based in the special school, to mentally retarded children in ordinary schools in the Western Region. This may have had some marginal effect in reducing demands on the hostel but the department accepts that any parent wishing a mentally retarded child to attend Whyalla Special School should be able to enrol him. The Education Department has no control over the intake of children to the hostel which is conducted by the Eyre Peninsula Mentally Retarded Children's Association.

HIGHBURY GYMNASIUM

In reply to Mrs. BYRNE (October 29):

The Hon. D. J. HOPGOOD: My present information is that the construction of the gymnasium complex on the Highbury Primary School grounds is unlikely to commence in 1977-78. However, the project will be kept under review and if funds permit it could be brought forward.

GRANTS COMMISSION

In reply to Mr. COUMBE (November 4):

The Hon. D. A. DUNSTAN: The normal procedure for a State seeking a Special Grant is for the Premier to write each year to the Australian Minister applying formally for such a grant and the application is referred by the Minister to the Grants Commission for investigation and report. In October, 1974, I had made formal application for a grant for South Australia in 1975-76, but in July, 1975, I wrote to the Minister referring to the new arrangements and asking that the Grants Commission not proceed with the application. The 42nd Report of the Commission refers to the South Australian situation as under:

As a result of an agreement between the Australian and the South Australian Governments governing the transfer of the non-metropolitan South Australian railway system to the Australian Government, South Australia ceased to be a claimant State before the Grants Commission as from July 1, 1975. In accordance with the terms of the agreement the Commission has assessed a completion grant for South Australia for 1973-74, but no advance grant is recommended for the year 1975-76.

PUBLIC FINANCE

In reply to Mr. COUMBE (November 4):

The Hon. D. A. DUNSTAN: The Treasurer's advance was created by the Public Finance Act Amendment Act 1974, which provided further that where moneys have been expended from the Revenue Account and the Loan Account which are to be recovered from the Australian Government and those moneys have not been received, then moneys to the extent so expended may be issued from the Treasurer's Advance so that the proper credits may be passed to the Revenue Account or the Loan Account. In this way the progressive Revenue and Loan Account balances are not distorted by the time table of receipt of Australian Government funding. The Bill recently before the House takes the matter further. In a number of cases Commonwealth funding is passed through a "Trust Account—Commonwealth Grants for Special Purposes" and there is no authority to issue such moneys from the Trust Account unless those moneys have been received. The Bill now will authorise the Treasurer to issue moneys from the Treasurer's advance to the Trust Account subject to his certificate that the moneys are payable to the State in accordance with specified arrangements but have not been received. The moneys will then be available for spending in the normal way as if the moneys had in fact been received from the Australian Government and credited to the Trust Account.

TRUST FUNDS

In reply to Mr. NANKIVELL (November 4):

The Hon. D. A. DUNSTAN: The question is best answered by reference to the state of the Treasury at, say, September 30. The Leader has had a copy of a

statement showing the state of the Treasury at that date. It shows that total Crown funds consisted of:

	million $
Surplus on Revenue Account and Loan Account	40
Trust and Deposit Accounts	79
Treasury Bills	8
Outstanding cheques	24
Treasurer's Advance	—3
	148
and that these funds were held	
On bank current account	21
On fixed deposits	126
In advances to Departments and in the bank in London	1
	148

Once moneys are received by the Crown the actual cash loses its identity. The total cash is invested to best total advantage and it is not possible to say how specific amounts of trust funds are invested. This will apply also when the investment powers are widened when the amount held in the current bank account will be less to the extent that money is placed on deposit in the short term money market.

COUNCIL WORKS

In reply to Mr. LANGLEY (October 30):

The Hon. D. A. DUNSTAN: A Ministerial working party is currently considering priorities for the many and varied works for which funds provided under the unemployment relief scheme have been requested. Incidentally, requests total over $11·5 million against the $2 million or so available. It is expected that corporations, councils and others who are to receive grants will be advised towards the end of next week.

PENANG VISIT

Mr. GOLDSWORTHY: Will the Premier say whether, in view of the Commonwealth general election expected to be held on December 13, he and his Ministers will still be participating in Adelaide Week in Penang? I understand that the Prime Minister has had his Commission withdrawn, and therefore there is likely to be a general election.

Mr. Millhouse: I understand Fraser's been sworn in as Prime Minister.

The SPEAKER: Order!

Mr. GOLDSWORTHY: I do not know about that. Does the Premier still intend to carry on with the arrangements for his visit to Penang?

The Hon. D. A. DUNSTAN: No doubt the honourable member will be interested in my campaign activities, but I am not going to tell him what they are at the moment.

Mr. Millhouse: Because you don't know.

The Hon. D. A. DUNSTAN: That is quite correct. When I know, a decision will be made.

HIRE PURCHASE COMPANIES

Mr. MAX BROWN: Will the Attorney-General have investigated the practices of some hire purchase companies which involve consumers in a type of second mortgage guarantee (which at this time appears to be legal) and which place consumers in the position where their household furniture is itemised as a form of guarantee for payment of a hire purchase agreement? A constituent of mine has entered into a hire purchase agreement with a company, Avco, whereby that firm has what appears to be the legal right, upon default of payment, to take possession of every piece of household furniture owned by my constituent. This practice, to my mind, is monstrous. I believe further examination of the legalities of this matter should be made. I also suggest to the Minister, if the practice is legal, that every consideration be given to amending the present Act.

The Hon. PETER DUNCAN: I shall be pleased to have this matter investigated. It is a matter of grave concern, that, in fact, these credit suppliers are now evidently drawing contracts with terms that are so heinous and so strong that they are more stringent than the requirements placed on, for example, a bankrupt. If a person becomes bankrupt, certain of his property is not subject to sequestration into the bankruptcy, but this condition does not appear to apply to people subject to the types of agreement to which the honourable member has referred. I will certainly have this matter investigated. On information I have received from my department it appears that the company he has mentioned, Avco Services, is one of the most stringent of the companies lending money. This company evidently seeks to secure as much security as it can over the goods, and over the person of the borrower. It is unfortunate that this company, apparently, has not joined in the spirit of the new consumer credit laws in this State. My department will be looking at this matter in general and this company specifically.

WINDANA CENTRE

Mr. MATHWIN: Can the Minister of Community Welfare say what is the present situation at the Windana Assessment Centre? Has it been reopened and, if not, is it to be reopened soon? The centre was closed recently under the administration of the previous Minister (Hon. Len King). This centre has better security arrangements and facilities than some other institutions. There are four quite large and secure exercise yards, large dormitories, and better recreation areas. The situation for the staff is also a great improvement on that in some of the other institutions. If the centre is reopened, will this be an about-face by the Government?

The Hon. R. G. PAYNE: There is no question of an about-face on this matter. The situation at Windana is that its future is presently under review by an inter-departmental committee. When that committee makes its recommendations more information can be made available.

The SPEAKER: The member for Mitcham.

Mr. MILLHOUSE: I have not put my name down today for a question. I may like to ask one later in Question Time.

The SPEAKER: I will remember that.

MURRAY RIVER FLOOD

Mr. ARNOLD: Will the Minister of Works recognise an interim advisory committee nominated by the River Industries Liaison Committee or some other suitable body to advise him during the Murray River flood, until a council is established under the provisions of the pending water resources legislation? The Minister of Works has recognised the need for such advisory committees in regional areas to assist during critical periods and to advise on water resources in general. Although the Government has provided the liaison committee to determine priorities in river areas in relation to where flood banks will be established and existing flood banks built up, I believe it

is essential that an advisory body be established now to assist and ensure that the decisions made are correct. If the Renmark flood waters can be held at the same position as they were held last year much damage could be averted. If the flood waters came through to the last line of defence, they would seep out much of the permanent plantings. This could result in damage estimated at between $50 000 and $100 000, whereas additional works costing about $4 000 or $5 000 on the existing levees that held the water back last year could save that great loss of permanent plantings in that district. Will the Minister accept an interim advisory committee nominated by people in the river areas?

The Hon. J. D. CORCORAN: The honourable member's question was rather muddled. I think he referred to the pending water resources legislation, and then tried to use that as a weapon to obtain some interim regional council to assist me. In fact, he knows well that the water resources legislation will provide for a regional committee that will report to a State advisory council, which will be concerned with policies, and not short-term administration or short-term management. The honourable member must understand that. That council will take all these matters into account when advising the Minister on what policy should be adopted. What the honourable member has done today is a gross reflection on the flood liaison committee—

Mr. Arnold: Not at all.

The Hon. J. D. CORCORAN: —and local government, which is actively co-operating with that committee, and other public utilities involved, such as the Renmark Irrigation Trust. It is a gross reflection on all of them. The honourable member has not really given me one specific instance why what he suggests should be done. Is he dissatisfied with what the flood liaison committee is doing? If he is, let him tell this House where the dissatisfaction lies. I mean that: let the honourable member stand up here and tell me. Only yesterday, I approved certain moneys to be spent by district councils involved in the protecting areas that are their responsibility. If the honourable member disagrees with any of those decisions, he should say so. If he can say in which specific areas this interim council (as he calls it) could assist in this situation, I will listen to him, but not before. As far as I am concerned, the Flood Liaison Committee is a specialist committee that liaises closely not only with councils in the area concerned but also with various other bodies that represent irrigators, growers, etc. That committee is available to give advice whenever called on to do so. I want to know from the honourable member in which other areas we can assist. If there is an area in which we can assist, I shall be pleased to hear about it. I believe the Flood Liaison Committee is doing its work well. I will be in the area to see for myself whether or not that committee is doing its job; I believe it is. I have not received any complaints from the councils in the areas involved, nor have I had any complaints from grower organisations. I am therefore at a loss to understand why the honourable member has made this suggestion.

Mr. WARDLE: Will the Minister of Works, in future announcements concerning the forthcoming flood, give details of projected levels in Imperial as well as in metric measurements? Last evening a successful public meeting (which appointed a Flood Liaison Committee for the town) held at Mannum discussed the matter of levels and, as the Minister would be aware, the vintage of most people attending was the vintage of Imperial measurements. When the Minister's statement was read, most people present found it difficult to make comparisons between metric and Imperial measurements. As the pressure will be on in the next two or three months, and as many people would more readily understand Imperial measurements, I am sure that it would assist and satisfy people along the Murray River to have both measurements stated. I understand that the official measurement within the department is metric, to which the department changed some time ago, and I am pleased about that situation, but I am sure it would assist if both measurements were to be given.

The Hon. J. D. CORCORAN: I shall be pleased to comply with the honourable member's request. As I have difficulty in converting at times, I see no reason why in these circumstances we should not give both measurments. However, I point out to the honourable member that there comes a time when it is necessary for us to give only metric measurements, because, as he would no doubt appreciate, if we continued to carry on with Imperial it would become expensive and, in addition, some people might not attempt to learn the conversions they should learn. What is so amusing to the member for Mitcham, who seems to have a flea in his backside?

Mr. Millhouse: I thought you were being very condescending.

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

Mr. Millhouse: You are.

The Hon. J. D. CORCORAN: I shall be pleased to see that what the honourable member has suggested is done.

VETERINARY SCIENCE COURSE

Mr. BLACKER: Can the Premier say whether the Government will consider establishing in South Australia a faculty of veterinary science? As any stock owner would agree, there is a great shortage of veterinary scientists in our community. I have had several inquiries from students and parents who would like a chair of veterinary science established in this State. The only cities in Australia where one can study this subject are Sydney, Melbourne and Perth and, I believe, Brisbane, too. In most cases those States either have a bonding provision or give preference to local applicants. In Perth, only 20 positions are available in this course for applicants from other States. As the opportunity for potential South Australian veterinary science graduates is limited, I ask whether the Government will consider promoting this course in South Australia.

The Hon. D. A. DUNSTAN: Several investigations into the possibility of establishing a school of veterinary science have been made, all of which have recommended fairly heavily against doing so. The cost of establishing such a school is considerable, and the potential number of students from within South Australia would not be large enough to justify that overhead. It has been recommended constantly that we send South Australian students to established schools for this purpose. However, I will again refer the matter to the Education Department for examination.

MINI PARK

Mrs. BYRNE: Will the Minister for the Environment obtain for me a report relating to the co-operation of the State Planning Authority and the Tea Tree Gully council in the development of 0·5 hectare (Stage I of the proposal) of the authority's 345 ha Anstey Hill Reserve? The mini park referred to is to be located on Perseverance Road, and will feature barbecue facilities, with a grassed playing area, and car-parking facilities.

The Hon. D. W. SIMMONS: The State Planning Authority is under the control of the Minister for Planning. However, I will obtain a report for the honourable member.

JUSTICES OF THE PEACE

Dr. EASTICK: Will the Attorney-General consider the quotas that now apply to justices of the peace in various districts so that those quotas will not be affected by people aged 65 years or over? This question is supplementary to an earlier question I asked on the matter. I do not want it believed that I think people over 65 are incapable of undertaking the duties of this position, but I maintain that many of them are not as readily available in a working sense as they were before they reached 65. Yet, at present, by virtue of their being within the quota, it is not possible to increase the number of active justices of the peace in a district to allow for the requirements of the district. I suggest to the Attorney that justices who are in the over-65 age group remain as justices for any purposes for which they may be used but that the quota system do not have regard to the group that is over 65 years of age.

The Hon. PETER DUNCAN: Notwithstanding the honourable member's suggestion that the question was supplementary, I think he did ask a question similar in substance previously, and I may use the opportunity in replying to give him a report on the progress that has been made in that matter. I have asked for a report. The committee that examines the suitability of persons for appointment as justices is considering the matter and, I think, is obtaining a report from the Justices Association and other interested persons before making recommendations to me. As soon as the report of the committee is available, I will bring down information in the House for the honourable member.

GLADSTONE HIGH SCHOOL

Mr. VENNING: Will the Minister of Education have fire safety and fire protection measures at the new Gladstone High School investigated and, if necessary, put right? I have received a letter from the District Officer of the Emergency Fire Services at Gladstone, who states:

Following a question from the above school as to our readiness to fight a fire on their premises, I carried out an inspection and found that, although the buildings are supplied with hand extinguishers, the nearest Engineering and Water Supply Department fire plug was approximately 400 metres away. The building cost about $750 000 and, because of air-conditioners on the roof, etc., it is, in my opinion, a high fire risk.

However, an E. and W. S. officer visited the school at the request of the E.F.S. and uncovered a fire plug in the school playing area, and the nearest plug was about 165 metres from the school. The letter also states that it appears that a 76 millimetre main runs down three sides of the school, but there is not a turn-cock attached to the water main on those three sides. Will the Minister investigate the position to make sure that this very valuable asset to the Education Department and the people of the North is safeguarded in case of fire?

The Hon. D. J. HOPGOOD: We will certainly examine the matter. For the benefit of the honourable member, I point out that the Public Buildings Department, particularly, carries our surveys from time to time in various schools to determine the extent to which they are safe. In fact, my own children were involved in a test demonstration recently that was designed to determine how quickly it would be possible to vacate a certain type of building. I will have investigated the matters that the honourable member has raised.

BELAIR RECREATION PARK

Mr. EVANS: Will the Minister for the Environment say whether it is present departmental policy to restrict horse riding in the Belair Recreation Park to the pine grove area immediately adjacent to the Belair Railway Station? Some persons associated with the pony club, and other private riders apart from the club, are concerned that the department is suggesting that they should not ride in the area in which they have been riding in the park and that they should restrict their activity to the pine grove. These persons claim that the horse is a mode of transport and that, if need be, they could ride on all the roads in the park, in the same way as motor cars can be driven on them. However, to do so would cause congestion and, I believe, be a risk to the safety of human beings and animals. The park is large, and I ask the Minister to consider examining the possibility of creating a horse-riding trail around the perimeter of the park that would also act as a fire break for neighbouring property holders and for the park. This has always been a matter of concern, and such a trail would ensure that the horse riders were restricted to that area, giving them a bigger area than they have in the pine grove. I ask the Minister what is the policy on this matter and whether he will consider the suggestion so the people who ride horses as a clean, healthy and quiet sport can continue to have that recreation in the recreation park.

The Hon. D. W. SIMMONS: I cannot say offhand what the department's policy is, because, as the honourable member knows, I have only just become responsible for it. However, yesterday I was on the outskirts of the park and saw where some horses had been ridden along the road outside the park. It was obvious that, through constant use of the area, the horses had worn a considerable track there, and the area was appreciably lower than the land nearby. I believe that there are strong arguments in favour of restricting horse riding to certain areas. I cannot accept the argument that, because horses are a means of transport, they should be allowed to go off the road. The same argument would apply to trail bikes, and I do not believe that they should have an unrestricted right to move off roads, either.

Mr. Evans: What about on the roads within the park?

The Hon. D. W. SIMMONS: I will obtain a report for the honourable member and consider the points that he has raised.

LAND COMMISSION

Mr. WHITTEN: Will the Minister for Planning tell the House the procedure adopted regarding surveying building blocks to be made available to the Land Commission and to private development companies? It seems from a report in today's *Advertiser* that private developers are complaining of preferential treatment being given to the Land Commission. I presume that the commission may be able to get land surveyed earlier because it is preparing its applications efficiently, while private enterprise is not, because over the years private enterprise has not had any competition.

The Hon. HUGH HUDSON: Because of the report in the newspaper today, I had the matter checked with the Director of Planning as to the procedures adopted and as to whether any preference is given to the Land Commission. In reply, the Director stated quite unequivocally that there was no preference and that the speed with which applications were approved depended on the general nature of the application and the extent to which it conformed to the general policies laid down by the State

Planning Authority. Clearly, some approvals for subdivisions go through fairly rapidly, and, in general, those are the ones where the planning has been carried out effectively. The Director, who is also Chairman of the State Planning Authority, said that the submissions received from the Land Commission had been of the highest standard, and that that assisted the work that the department had to carry out before any approvals were granted. I should appreciate information about any difficulty that any private developer is having. No doubt, some improvements in procedure could take place, and it is proper that they should be investigated. However, I have been assured in general by the Director of Planning that, in all cases, the department is required to act expeditiously and without discrimination or favour in relation to any organisation. Inevitably, however, the efficiency with which submissions are made and the general competence of them would affect the final outcome.

RESIDENT MEDICAL OFFICERS

Mr. WOTTON: Will the Minister of Community Welfare ask the Minister of Health what steps are being taken to improve the conditions under which resident medical officers are working in this State's teaching hospitals, particularly the Royal Adelaide Hospital? I have been informed that their morale is extremely low. The Royal Adelaide Hospital employs two-thirds of this State's resident medical officers, and that hospital's staff of such officers is down four or five. I understand that, when one is absent from duty, it is necessary for these officers to double up and, on several occasions, sixth-year students on two-thirds pay have had to be used. The residents, who are working between 60 hours and 80 hours a week, are particularly concerned at the deterioration in standards of the medical care provided in South Australian hospitals, and their conditions are far inferior to those of residents' conditions in other States. Will the Minister ask his colleague to examine this matter?

The Hon. R. G. PAYNE: I will bring this matter to the attention of my colleague.

DORSAL FINS

Mr. BECKER: I address my question to the Premier, because I believe it concerns a matter of policy. Can he say what action the Government is willing to take to ban the sale of imitation inflatable dorsal fins in this State and their use on our beaches? The planned promotion for the film *Jaws* has been described, in a press release from Sydney dated November 5, as stupid, mindless and dangerous. I understand that about 50 000 life-size inflatable dorsal fins have been imported for sale at $2 in cinemas and stores when the film opens in Sydney later this month. A swimmer can strap on the fins (which measure 38 cm by 45 cm), which appear to be real dorsal fins. Surf Lifesaving Association officials have attacked the promotion, but the two companies distributing the film disagree to their attitude about the fins being sold. I also understand that the authorities are concerned that swimmers could use these fins on the beaches, thereby causing anxiety to other swimmers nearby.

The Hon. D. A. DUNSTAN: The Attorney-General has already had the Commissioner for Prices and Consumer Affairs contact the film's distributors asking them not to distribute them in South Australia. So, I think that that covers that part of the honourable member's question.

LOCAL GOVERNMENT BOUNDARIES

Mr. COUMBE: As three reports of the Royal Commission into Local Government Areas have been produced and amendments have been made to the Local Government Act in the last Parliament regarding boundaries, can the Minister of Local Government say which councils have actually amalgamated or merged and, more importantly, which councils have indicated that they are willing to move on this matter, with the possibility of merging in the future?

The Hon. G. T. VIRGO: Up to this stage, there have been two amalgamations. Tantanoola and Millicent councils were the first to amalgamate. I think the ceremony in relation to that amalgamation took place about five or six weeks ago, and the Deputy Premier and I were present. That amalgamation was not the amalgamation recommended by the Royal Commission. Last Friday week, the District Council of Encounter Bay and the Corporation of Victor Harbor amalgamated. That was the second, and again it was not in accordance with the recommendations of the Royal Commission. Some others are currently engaged in negotiations, but I cannot tell the honourable member offhand what they are. However, if he wishes, I am willing to write to him on a confidential basis, as I do not think this sort of information ought to be made public.

NARACOORTE TRUST HOUSES

Mr. RODDA: I wish to ask the Minister for Planning a question about the red gum trees that have been left in a dangerous position with boughs overhanging Housing Trust houses at Naracoorte. I have taken up this matter with the Minister before, and I received a letter, I think before the recent election, from the Minister pointing out that the officers of his department would consider lopping and pruning those trees that were dangerous. Yesterday I spoke to some householders from Baker Street, Naracoorte, who have moved into new houses and who are worried about a most dangerous situation that arises from a number of large red gums overhanging their houses. Indeed, many tonnes of wood could drop through the roofs of these houses. The trees are a potential danger to the occupants and, of course, they could damage the homes. I should be pleased if the Minister would have a look at this matter and take some urgent action to rectify the position. One tenant told me yesterday that not only were twigs falling but also gutters on a new house were completely blocked. The residents are concerned that a strong wind would aggravate the position.

The Hon. HUGH HUDSON: I will obtain a report.

TEMPORARY TEACHERS

Mr. DEAN BROWN: Will the Minister of Education say what priority will apply to the 59 temporary teachers who wish to seek further employment with the Education Department and when these people can expect to know whether or not they will be re-employed by that department? In answer to Question on Notice No. 32, the Minister said that 59 people would receive letters requesting their resignation. I understand that their resignation would be automatic, because they are temporary teachers. Perhaps he could clarify that situation by saying whether or not they will be forced to resign at the end of the year. Many of these people—

The Hon. Hugh Hudson: Is that another question, or the same question?

Mr. DEAN BROWN: This question is subsequent to the question I have on notice. I think the answer from the Minister is very obscure, to say the least, about the current employment position of these people. It does not indicate that they will be dismissed as at the end of this year unless they are fortunate enough to receive

further employment, and I am seeking information on what the priority will be for these teachers in getting that further employment. I think the Minister should give some indication to these people, because some of them at least want to know whether or not they should be out seeking further employment for next year. I do not believe it is sufficient to allow these people to dangle in mid-air until the end of this year. I think they should be given some sort of guarantee as quickly as possible.

The Hon. D. J. HOPGOOD: The matter of priority for employment in the teaching profession has been discussed in this House previously. I have nothing further to add to what I have previously told honourable members. It is still not possible at this stage to say how many additional teachers it will be possible to employ within the confines of the Education Department budget because it is not yet known how many people will be either retiring early or resigning from the teaching service. This, of course, is the delicate aspect of the situation from year to year, and we are expecting that there will be a lower rate of resignations at the end of this year than has occurred in previous years, this being the general trend over the past three or four years. Once the figures are available to me I will know exactly where I stand in relation to the employment of people, and the re-employment of people who have been with us on a temporary basis. At this stage, that is all I can tell the honourable member.

MAELOR-JONES

Mr. WELLS: Will the Attorney-General say whether it is true that the land agent firm of Maelor-Jones has been delicensed? Members will know that Maelor-Jones Proprietary Limited, and in particular the activities of a Mr. Van Reesema, have been complained about in this House on many occasions. I have heard that this firm, because of the activities in which it has been indulging, has been delicensed. I should like to have clarification, if possible, from the Attorney-General.

The Hon. PETER DUNCAN: I am particularly pleased to be able to inform the House about this matter, because I know it has been a matter of concern to many members, for probably at least as long as I have been here, to see the end of the activities of Mr. Van Reesema and his firm Maelor-Jones in the area of land business dealings. The Land and Business Agents Board brought down a decision dated November 7 in relation to the firm of Maelor-Jones and Mr. Van Reesema, as follows:

In the view of the board the conduct of the licensed agent, Maelor-Jones, and the registered manager, Van Reesema, was dishonest and there was, in addition to various other elements, an intent to deceive certain of the persons with whom they did business . . . The board, therefore, orders that the licence of Maelor-Jones Proprietary Limited and the registration of Ernest Abraham Siewertsz Van Reesema be cancelled until further order of the board.

Honourable members will appreciate the importance of this decision, not only as a method of protecting the land buying and land dealing public in South Australia but also as a warning to other people in this area that, if they do not conduct their businesses according to the standards required by the community, they, too, will lose their licences and suffer the obvious consequences that flow from the loss of a licence. When firms such as Maelor-Jones operate outside the auspices and membership of the normal body that covers people in a certain field (in this case, the Real Estate Institute), members of the community at large would be very well advised not to do business with them, because usually membership of the professional body concerned is some indication of propriety on the part of the firm concerned.

LAND ACQUISITION

Mr. GUNN: Can the Minister for the Environment say when his department intends to pay the people who have had properties acquired for national parks? I have been contacted by a constituent who owns land in the hundred of Lake Wangary, sections 74 to 117, 410 to 417, and 419 to 422. There is also a property on the Nullabor Plain known as Koonalda station, regarding which the officers of the Minister's department have been negotiating. Those negotiations have been protracted, causing great concern to the people involved in relation to what future they will have on the properties. I ask the Minister to arrange immediately for these people to be paid what is their right and due. The gentleman from the hundred of Lake Wangary is owed a substantial amount of money. He has other people dependent on him, and I think it is quite wrong that the Government should carry on as it has over the past few months with regard to this matter.

The Hon. D. W. SIMMONS: I do not know about these two transactions. In the second matter to which the honourable member has referred, negotiations are still being carried on.

Mr. Gunn: At great personal hardship to those people.

The Hon. D. W. SIMMONS: Until the negotiations are concluded one way or the other, I guess the Government will not be paying the owner of the land. However, I will obtain a report for the honourable member.

MOTOR REGISTRATION OFFICE

Mr. ALLEN: Can the Minister of Transport say whether any consideration has been given to establishing a branch of the Motor Registration Division in Peterborough? Branches of that division are being established in various centres throughout the State, and it is considered by the residents of the Peterborough district that a branch established in this centre (which I point out is the largest centre in the north-east of the State) would be of particular benefit to the district and would expedite transactions with the Motor Registration Division.

The Hon. G. T. VIRGO: Consideration is given to establishing branches of the Motor Registration Division wherever the warrant for it can be established. I am sure that Peterborough would have been considered, but at this stage it is not on the list. Whether that is because it does not meet the warrant, which is somewhere about 50 000 transactions a year, to justify an economically viable unit, I do not know, but I imagine that is the situation. I will speak to the Registrar and, if there is anything further to add, I will let the honourable member know.

VALLEY ROAD

Mrs. BYRNE: Can the Minister of Transport find out for me whether the Highways Department has any responsibility in respect to Valley Road, which runs between Lower North-East Road and Grand Junction Road, Hope Valley?

The Hon. G. T. VIRGO: I will refer the matter to the Commissioner of Highways and get a reply for the honourable member.

STATUTES AMENDMENT (RATES AND TAXES REMISSION) BILL

His Excellency the Governor's Deputy, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Waterworks Act, 1932-1974; the Sewerage Act, 1929-1974; the Land Tax Act, 1936-1974; the Local Government Act, 1934-1975; and the Irrigation Act, 1930-1974. Read a first time.

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

That this Bill be now read a second time.

This Bill increases the generous remissions of rates and taxes for which provision was originally made by the Rates and Taxes Remission Act, 1974. The remissions are available to pensioners and other persons in circumstances of financial hardship. The Bill increases from $40 to $50 the maximum remission to be granted in respect of water or sewerage rates. It increases from $80 to $100 the maximum remission to be granted in respect of land tax or local government rates. I seek leave to have the explanation of the provisions of the Bill incorporated in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF PROVISIONS

Part I is formal. It should be observed that the Bill will be restrospective to the commencement of the present financial year so that it will apply to all rates and taxes levied during the course of that financial year. Part II increases the remission to be granted in respect of water rates levied under the Waterworks Act from $40 to $50. Part III increases the maximum remission to be granted in respect of sewerage rates levied under the Sewerage Act from $40 to $50. Part IV increases the maximum remission to be granted in respect of land tax from $80 to $100.

Part V increases the maximum remission to be granted in respect of local government rates from $80 to $100. Where a council has established a drainage scheme under section 530c of the Local Government Act and levies rates in pursuance of that scheme, the maximum remission is increased by the Bill from $40 to $50. Remissions granted by a council are, of course, recouped out of the general revenue. Part VI increases from $40 to $50 the maximum remission to be granted in respect of rates levied under the Irrigation Act.

Later:

Mr. GOLDSWORTHY (Kavel): This Bill will not give rise to any controversy. It seeks to increase the remission of rates paid by pensioners on council rates and water and sewerage rates and, in these circumstances, the Opposition supports the Bill. The only word in the explanation to which I would draw attention is the word "generous". The Government considers it is being generous in these remissions, but that is all relative. If one looks at what has happened to rates and taxes under a Labor Government one realises that they have greatly increased, and when we have had to deal with the combined effect of a Commonwealth Labor Government and a State Labor Government, we do not know where it will all finish.

The Government has used the word "generous" remission, but it it generous only in comparison with what would be a reasonable level of State taxation in comparison with what is the actual level of taxation under a Labor Government. The Government knows that State taxes have increased by about 300 per cent or 400 per cent during its term of office. At the recent State election the Opposition had a policy of reviewing these rates and taxes, so we support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Short titles."

Mr. GOLDSWORTHY: Can the Minister of Works explain the means test that has applied in relation to the granting of these concessions? Constituents in receipt of the age pension are denied the benefit of the remissions, because a means test is applied.

The Hon. J. D. CORCORAN (Minister of Works): The means test that the department has used to establish whether a person is eligible under this scheme is the one that has been applied in the past to the age or invalid pension, which requires that the person receiving a pension also receives the fringe benefits, not only a medical card. The honourable member probably is interested in what will happen if and when the means test on the pension scheme is done away with, and that problem has been exercising the Government's mind.

The honourable member may be pleased to know that some form of certificate will still be available to the Engineering and Water Supply Department from the Department of Social Security to establish whether people are eligible under this scheme, basically on the same arrangement as has operated previously; that is to say, we will still be able to find out who is eligible for fringe benefits, but the department will not be setting up its own means test branch. Evidently, the Department of Social Security can provide us with a certificate to enable us to do the same thing as we are doing now. Those people eligible for fringe benefits are those who are eligible.

Mr. GOLDSWORTHY: I think possession of about $18 000 worth of assets enables people to get the pensioner medical card. I do not know what are the other fringe benefits to which the Minister is referring. It seems, with the diminishing value of money and with inflation at its present rate, that there could well be indexation of these assets. Under Medibank, the pensioner medical card seems to have lost much of its force. If the Minister is saying that the Department of Social Security will set up some sort of—

The Hon. J. D. CORCORAN: That department will still provide some form of certificate.

Mr. Goldsworthy: Will that department do the job for you?

The Hon. J. D. CORCORAN: We would hope that it would. If it does not, we will have either to spread the matter across the board and disregard the means test or find some way to establish the level at which we should make the remissions available. Where fringe benefits are granted under the means test that applies at present, those people are eligible.

Mr. Goldsworthy: What fringe benefits are there apart from the medical card?

The Hon. J. D. CORCORAN: There are fringe benefits regarding telephone, television, and motor vehicles.

Mr. Russack: The television benefit was cut out.

The Hon. J. D. CORCORAN: Telephone and bus concessions and things of that kind apply to people who are eligible for a medical card. The same basis is used. The means test has not yet been abolished completely. I understand that the Department of Social Security will continue to issue a certificate that will enable us to establish the level at which we should make these remissions available.

Mr. GOLDSWORTHY: Does the Minister think there is a case for raising the level of assets that would enable these people to get remissions?

The Hon. J. D. CORCORAN: That has been done continually. In the past few years, there has been a big increase in the amount of assets, whether fixed or liquid, that people have been able to hold and still obtain a pension or a part pension. That is the same as indexing. Not only has the means test been abolished in some cases but it has been eased extensively in certain cases, and that is indexing. Pensioner organisations always have complained that the amount involved in the means test should be indexed, and that has happened. Those people who are eligible for a part pension or a full pension can own, in addition to their house, furniture and car (which are disregarded), much more in liquid or fixed assets than they could three or five years ago.

Mr. Goldsworthy: They don't all get a remission in rates.

The Hon. J. D. CORCORAN: That is because, if they have assets above a certain figure or if they are above the level where it cuts out, they are not eligible for a pensioner medical card. I think the figure is more than $18 000. The medical card will disappear soon, but at this stage we are relying on the certificate that the Department of Social Security will issue. We expect that that would move, as it has moved fairly considerably.

Mr. EVANS: We are encouraging people not to work, because substantial benefits are to be obtained if one does not work. The benefits are up to $100 for council rates and $50 for water and sewerage rates, making about $200 a year, plus benefits for land tax. I have a case at present involving a woman who chooses to work and earn about $30 a week, and she has had a pension of about $50 a week. If she considers the overall benefit of not working, taking the full pension and getting the benefits from having the card (concessions for driving licence, telephone, and travel), she sees that she is better off by not working. I hope the Minister's officers will look at that aspect when considering this, because, for psychological reasons, we should try to encourage these people to do some work if they can.

The Hon. J. D. CORCORAN: That circumstance has prevailed for many years, not only in the remission of rates and taxes but also in respect of the pension itself. I often suggest that the people should also look at the value of being able to work and the things that that does for them, the company and the interest it provides, and it may be worth much more to them than the original money they got for what they believed to be nothing if they did not work. That is the question to be answered, and it is a real one. My general advice to them is, "While you are able to work and are given that gift, then work."

Clause passed.

Remaining clauses (5 to 14) and title passed.

Bill read a third time and passed.

PRISONS ACT AMENDMENT BILL

Second reading.

The Hon. R. G. PAYNE (Minister of Community Welfare): I move:

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

It is designed to bring the Prisons Act into line with a proclamation made under the Public Service Act, 1967-1974, and published in the *Gazette* on April 11, 1974, whereby the title of the Permanent Head of the Prisons Department was changed from Comptroller of Prisons to Director of Correctional Services and a direction was made that every reference in the Prisons Act, 1936-1974, to the Comptroller of Prisons should be read as a reference to the Director of Correctional Services. That proclamation, however, did not affect or apply to references to the Comptroller of Prisons in other Acts. Although a number of Acts are being amended by the substitution of references to the Director of Correctional Services for references to the Comptroller of Prisons, there could well be similar references to the Comptroller of Prisons in other Acts, the examination of all of which would not be possible in the time available, and there would not be sufficient Parliamentary time to deal with all the corrective legislation before the end of this year.

To meet this situation the Bill proposes to insert into section 6 of the principal Act a new subsection (1a) which will provide in effect that, where in any Act, regulation, rule or by-law or in any document or instrument a reference, direct or indirect, is made to the Comptroller of Prisons, that reference should, where such a construction is applicable, be construed and read as a reference to the Director of Correctional Services. Such a provision would enable any references to the Comptroller of Prisons which could not be dealt with by corrective legislation because of lack of time this year to be read as references to the Director of Correctional Services.

Later:

Mr. GOLDSWORTHY (Kavel): This is a fairly simple and straightforward Bill which, if the second reading explanation is full and accurate, merely changes the references to "Comptroller of Prisons" in certain Acts to the new title of "Director of Correctional Services". I have scanned briefly the one copy of the Bill that has been in the House and, in the circumstances, the Opposition supports the Bill.

Bill read a second time and taken through its remaining stages.

COOPER BASIN (RATIFICATION) BILL

Read a third time and passed.

STATE TRANSPORT AUTHORITY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 5. Page 1684.)

Mr. RUSSACK (Gouger): This Bill and others relating to this matter, which were introduced on November 5, have been brought on early today, so little time has been available in which to research and investigate the implications. It has become a habit of this Government to bring in important and far-reaching measures at the close of a session, thus giving the Opposition little time to research them. I suggest that this procedure does not give an opportunity to members to peruse all aspects of the Bill.

The State Transport Authority Act was passed in 1974. Three Bills are involved in this matter. The State Transport Authority is to take over the responsibilities of the South Australian Railways Commissioner, the Municipal Tramways Trust and the Transport Control Board, and it will be responsible for the property, rights, powers, duties and liabilities of those instrumentalities. We support the Bill

because we believe it is a good idea to have the co-ordination and administration of public transport in the metropolitan area under the control of one authority. It is to be hoped that it will soon be possible to buy a single ticket for travel by bus, train or tram anywhere in the metropolitan area. This would minimise confusion and simplify travelling on the public transport system. Parliament has approved the formation of the State Transport Authority. These Bills will enable the metropolitan railways, tramways and bus systems in this State to be brought under the one administration. I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

Dr. EASTICK: Under the Bill "licensee" means a person who holds a licence. People can hold many different licences. Is this definition specific enough? It seems to me to be a loose definition. Perhaps "licensee" could be defined to mean a person who holds a licence issued under the provisions of this Bill. That would be more specific, because licences issued under the provisions of other Acts might be misconstrued under this definition.

The Hon. G. T. VIRGO (Minister of Transport): I should not like to venture a legal opinion, but obviously the Parliamentary Counsel is satisfied that "licensee" means a person who holds a licence. The definition of "licence" in this clause means a licence that has effect under Part IIA of this Act. I think the intention of the definition is clear.

Clause passed.

Clause 5 passed.

Clause 6—"Meeting, quorum, etc., of the Authority."

The Hon. G. T. VIRGO: I move:

To strike out "subsection" second occurring and insert "subsections"; after "meeting" second occurring to insert "and in the absence of both the Chairman and his Deputy from any meeting of the authority the members present shall choose one of their number to preside at the meeting"; and to insert the following new subsection:

(4*a*) Each member of the authority shall be entitled to one vote on a matter arising for determination by the authority, and the person presiding at the meeting of the authority shall, in the event of an equality of votes, have a second or casting vote.

This is simply a machinery matter that was omitted when the Bill was drafted.

Amendments carried; clause as amended passed.

Clauses 7 and 8 passed.

Clause 9—"Employment."

Dr. EASTICK: As I read this clause, it seems that several staff members of the authority will be appointed outside the provisions of the Public Service Act. For some time members on this side have questioned the appointing of more and more people outside the provisions of that Act. Can the Minister therefore say how many staff members of the authority will be appointed outside the provisions of the Public Service Act?

The Hon. G. T. VIRGO: No alterations to the situation is foreseen. Section 15 of the principal Act provides for the Governor to create offices pursuant to the Public Service Act. Provision also exists for a person so appointed to be appointed outside the provisions of that Act if it is so desired. Indeed, in one or two instances that has been done to give a greater degree of flexibility. The authority is a statutory body; it is not a department in the true sense of the word.

Clause passed.

Clause 10—"Enactment of Part IIA of principal Act."

Mr. RUSSACK: I pay a tribute to the Chairman and members of the Transport Control Board for the work they have done over the years. At times some people have not agreed with the board's findings and decisions; nevertheless, I am sure we accept that what was done was always done with good intent. Under the provisions of new section 15m (1) (*e*) a person confronted by an inspector is obliged to answer all questions asked by that inspector. Under the provisions of most other Acts a person, when questioned, is obliged only to give his name and address. I do not wish to do anything about this provision but, as an inspector will have far-reaching powers, I hope he will not abuse that power in a way that will be detrimental to people being questioned.

Dr. EASTICK: Under the provisions of new sections 15f and 15g, which relate to the granting of licences and the contents and conditions of licences, there is no clear indication that licences to be created under this Bill will be issued under definite guidelines. In other words, there is an escape clause that will allow the Minister (probably with the assistance or advice of the board) to impose more stringent conditions before a licence will be granted. This form of words has been used previously, but we are allowing a situation to arise whereby, without debate in Parliament, a different set of conditions may be permitted to prevail, and those conditions may have a deleterious effect on persons seeking licences. I do not seek to alter the situation or to suggest an amendment, but there is an inherent danger in these provisions.

Mr. Nankivell: Look at new section 15h.

Dr. EASTICK: I have written "danger" alongside that provision, and I will refer to that after I hear the Minister reply to my first comments.

The Hon. G. T. VIRGO: I appreciate the concern of the member for Light and the member for Gouger, but I have been assured that the powers being vested in the inspector are not different from those vested in inspectors generally. The inspector who has operated under the Transport Control Board (we have only one inspector) will continue to be so employed, and his performance has not been seriously brought into question, as far as I am aware. Occasionally an irate bus owner or operator may suggest that perhaps the inspector does not function correctly, but this invariably happens in other matters. A policeman who stops a motorist when that person is travelling at 20 kilometres an hour more than the speed limit is never the nicest person in the world, but that is human nature. Regarding licences, this provision is simply to carry on all the existing provisions, and there is no alteration except that, instead of being operated by the Transport Control Board, it will be operated by the State Transport Authority, which also will be operating in the other two areas. The member for Gouger has eulogised the Transport Control Board for the work it has done, and that board comprises three persons who also are members of the State Transport Authority.

Dr. EASTICK: In new section 15h, as the member for Mallee has indicated, a dangerous situation is spelt out, regardless of whether the provision was in the other Act. A person can set up to trade and suddenly have a further condition imposed on him. In the past, the matter has been carefully considered and followed through, and I hope that will be done in future. Under new section 15j, which deals with the transfer of licences, it will be possible to trade in licences. This is an entirely different approach from that which the Government had adopted previously. I refer to fishing licences and, more recently, the legislation introduced

by the Minister of Labour and Industry regarding concrete delivery trucks, in which case it was not possible to transfer licences.

I have stated previously that I believe the transfer of licences for a going business concern is not unreasonable and should receive our consideration. Section 15m deals with the powers of inspectors, and one appreciates how wide the powers are. They may be a follow through from what has taken place previously, but I ask the Minister to comment on new subsection (2) in that new section. If it is not available immediately will the Minister let me have information in due course about what will be the qualifications or authority of the other persons mentioned in that provision?

Will the inspector take only a person commissioned under another Act to perform some expertise or inspectorial service? For instance, will members of the Police Force be there to offset any problem that may arise from the instrusion of the inspector into the affairs of the individual? Will an inspector be able to take a person who has no qualifications in this area but who is merely a witness to the inspector's case?

The Hon. G. T. VIRGO: Again, it is simply a carry-on from the existing arrangement. New section 15m (2) provides for the exercise of the inspectors powers under new subsection (1). If, under new subsection (1) (*d*), an inspector wished to examine a vehicle for mechanical roadworthiness, he may not be qualified, or he may consider it desirable to have someone more qualified, so he would take with him a person qualified in that respect. Certainly, there need be no doubt that, if at any stage an inspector took anyone with him, it would be a person whom he was authorised by the board to take.

Clause passed.

Clause 11 passed.

Clause 12—"Audit."

Dr. EASTICK: Under this clause, we are including after "accounts" in section 17 of the principal Act the passage "under this Act". Can the Minister say what is the purpose of this phrase, which narrows or widens (according to one's interpretation) the State Transport Authority's requirements under the new Act?

The Hon. G. T. VIRGO: Including the phrase empowers the authority to audit the accounts currently audited under the Municipal Tramways Trust and the South Australian Railways Commissioner's Acts.

Clause passed.

Clause 13 and title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 5. Page 1684.)

Mr. RUSSACK (Gouger): This Bill, which is complementary to the one we have just passed, provides for the dissolution of the South Australian Railways Commissioner as a body corporate under the principal Act, namely, the South Australian Railways Commissioner's Act, 1936-1974, and for the transfer of his property, rights, powers, duties and liabilities to the State Transport Authority. This Bill, which is similar to the Municipal Tramways Trust Bill, transfers the responsibilty for the conduct of the metropolitan railways system to the administration of the State Transport Authority. Earlier this session, we saw the transfer of the non-metropolitan railway services to the Australian National Railways Commission but, in my opinion, there will be a somewhat unusual situation regarding the metropolitan railways. The Bill relating to the transfer of the railways provides that the railway employees from the Commissioner down, I understand, will be Commonwealth public servants. I hope that there will be no confusion or difficulty as a result of the metropolitan rail transport segment of public transport being administered and owned by the State Transport Authority, whereas its work force will belong to the Commonwealth Government. I believe that there could be some unforeseen difficulties as a result, but I hope that this does not occur.

The South Australian Railways Department, as we have known it, has served this State in a very real way. It has faced many difficulties over the years, and we know that the financial position and the economics of the conduct of the railways have been difficult. Nevertheless, with these three Bills being debated today, I suggest that history has been made in South Australia, as we are seeing the dissolution of these three bodies that have served the State so well. Again, I commend the men and women who now are making and who in the past have made their contributions to this State's railways. In a way, it is sad to see the change taking place; nevertheless, in supporting the Bill we hope that the new system will benefit the State and that we will see a more efficient public transport rail system which will attract increased public patronage and which will be able to convey a commuter from one part of the metropolitan area to another with ease. Although we support the Bill at the second reading stage, we reserve the right to comment further on the clauses in Committee.

Bill read a second time.

In Committee.

Clauses 1 to 10 passed.

Clause 11—"Closure of line of railway."

Mr. COUMBE: At present, before any line can be closed, there has to be reference to the Transport Control Board (which, of course, is abolished by this legislation), and also to the Public Works Committee. This provision does not refer to a proposed closure being referred to that committee, but I think that the Public Works Committee legislation might override this provision. Will the closure of lines in future still be subject to the scrutiny of a Parliamentary committee, as has been the practice in the past? I think it is most important that this House have a say in that regard.

The Hon. G. T. VIRGO (Minister of Transport): It is not the intention to have closures still referred to the Public Works Committee. The provision here is that the authority will take a decision in the light of the circumstances concerned. However, let us be clear on one aspect: we are talking now of metropolitan passenger services only, the country services being now dealt with by the Australian National Railways, so we are not discussing them at all. The authority would make the determination only in relation to metropolitan services. If the Public Works Committee legislation includes a provision that closures must be referred to it, it could be that there would be a conflict, and it would therefore be necessary later to amend that legislation.

Mr. COUMBE: I point out to the Minister that a couple of years ago, the matter of the Semaphore line was referred to the Public Works Committee, and I think it reported adversely after taking evidence from local interests. If I understand the Minister correctly, he is saying that the authority shall make the decision, after satisfying itself, that it is no longer economic to operate the whole or any part of the line and that, upon closure of that line, there would be an alternative transport service that would adequately

serve that area. The authority then has got to get the consent of the Minister, and I assume that would be fairly straightforward. Then the Minister puts it in the *Gazette* and the line is closed. I think it is important that a Parliamentary Committee have the oversight of this and the opportunity of taking evidence from local people. As I understand this measure, I think it is a retrograde one.

The Hon. G. T. VIRGO: The whole purpose of this legislation is to provide the State Transport Authority with the complete umbrella authority of handling the transport for South Australia. In this instance, we are talking about the metropolitan passenger service, and frankly I do not know what would be the point of having a State Transport Authority charged with the responsibility of providing the transport needed for the public which is the most economic and which provides that best service, and then putting a leg rope around it and perhaps not permitting it to do that.

The State Transport Authority will be required to consider what is best. The State Transport Authority would consider whether it was desirable to retain the line from Glanville to Semaphore or whether it was desirable to convert to a bus service, and in reaching that decision obviously it would consult with the people concerned. Surely that is the right way of going about the matter. The big weakness that people do not ever talk about in the present system is simply that, whilst the Railways Commissioner is not permitted to close a line without first getting the approval of the Transport Control Board and the Public Works Standing Committee, there is nothing to stop him from running no trains at all. The authority will overcome that weakness. It will be its responsibility to decide the form of transport that is to be run. Surely, if it has been good enough to provide a bus service or move one as the result of responsible decisions that have been taken all these years without reference to anyone else, surely the same thing must apply with regard to the passenger rail service.

If we wanted to stop running the trams down to Glenelg, would that have to go to the Public Works Committee, because it is a light rapid transit system? We should remember, too, that there is a provision within the transfer agreement that the Commonwealth and State will pursue the feasibility of establishing a separate suburban rail system altogether. If that were built as a light rapid transit system, as it almost certainly would be, under the honourable member's interpretation what would be the position there?

Clause passed.

Remaining clauses (12 to 16) passed.

Schedule.

The Hon. G. T. VIRGO moved:

After "Section 28 (2) . . ." in the first column and the passage in the second column opposite that passage to insert in the first column "Section 29 . . ." and opposite that in the second column to insert "By striking out 'Commissioner, if he thinks' and inserting in lieu thereof 'Authority, if it considers'."

Amendment carried.

The Hon. G. T. VIRGO moved:

After "Section 133 (1) . . ." in the first column and the passage in the second column opposite that passage to insert in the first column "Section 133 (1) (*b*) . . ." and opposite that in the second column to insert "By striking out 'Commissioner' and inserting in lieu thereof 'Authority'."

Schedule as amended passed.

Title passed.

Bill read a third time and passed.

MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 5. Page 1685.)

Mr. RUSSACK (Gouger): This is the third of three transport Bills to be considered this afternoon. It deals with the dissolution of the Municipal Tramways Trust, whose Act has been in existence since 1935. Here again, I wish to pay tribute to those who have served on the trust for the good service they have rendered this State. We have seen buses introduced to replace tramcars, although the Glenelg tram still operates. To many people the passing of the trust will be a sad occasion. We hope that it will be of benefit to bus and tram services that administration will now be under the State Transport Authority.

Clause 1 provides for a new short title, "Bus and Tramways Act". I think that the inclusion of the word "bus" in the title has a far wider implication than was first thought. The bus, nowadays, as far as public transport in the metropolitan area is concerned, has a greater implication because of the number of buses being used. Although the Tramways Trust has in the past been responsible for public transport in the metropolitan area, this Bill makes a provision for the authority to extend interstate, as clause 14 provides in new section 30. In his second reading explanation, the Minister states:

Section 30 empowers the operation of buses, and this power is continued in proposed new section 30 and extended to interstate operations with the consent of the Minister.

This is possibly unwarranted because it is the intrusion of what will be known as the State Transport Authority into the service of interstate bus operators and private enterprise. I understand that, with regard to some of the private owners (I think there were 13) taken over by the Government, trips interstate are now being made. That clause is being considered by members on this side of the House with very real concern. I do not think it is necessary to say any more regarding this Bill. It has the same intent as the other two Bills that we have considered. The Tramways Trust will be dissolved and its properties, rights, powers, duties and liabilities will be handed over to and taken as a responsibility of the State Transport Authority. We support the Bill to the second reading stage. With regard to the matter I have mentioned about which we are concerned, I have an amendment on file and it will be considered at the appropriate time.

Mr. EVANS (Fisher): I support the Bill. I will speak briefly to clause 14, which the honourable member for Gouger has just referred to. This clause, if passed as it now stands, will give the Tramways Trust and its successor, through this Bill, the opportunity to ply for hire outside the State. I know, at the moment, some of the buses are being used on interstate trips, because the authority has continued operating in the same way as the private operators operated before they were taken over by the State Government. A public transport authority needs first to look after the areas within the State. There are great difficulties at the moment for our Tramways Trust, as we know it, to show a profit. In fact, it shows quite a significant deficit.

I realise there are difficulties in attempting to make it pay. I know that in a society as affluent as that of Australia (and more specifically the South Australian community) in which more than one motor car to a home can be bought people do not like being inconvenienced by having to wait for even two or three minutes for a bus. People tend to like to have that independence, and to drive their own motor vehicles. Under those conditions

it is very difficult for a suburban or country transport authority to make a profit. If we are to enter into interstate hire on a continuing basis, I believe that there is every possibility that we will be subsidising, through general revenue or loans, a service in which a public transport authority should not be interested. If we are to have public transport within the State, let us worry about that field first.

There is no doubt that the M.T.T., in the main, has supplied the inner metropolitan area, the longer established residential part of that area, with a very good service, under very difficult conditions at times because of the lack of patronage by the community that it sets out to serve. That is not the fault of the M.T.T., but often it is the fault of our way of life, that we all have motor cars ,and often more than one to a home. Recently, the Minister has made the point that the trust is short of buses and is not able, for instance, to extend the ring route. It is not able to supply my area with the service that is necessary for that community. The areas of Bellevue Heights, Eden Hills, Blackwood, Monalta, Glenalta, Hawthorndene, Coromandel Valley and Belair, are not as well served as they should be.

The member for Stuart has said he has a problem in his area. The private operators in his area have, in some cases, been subsidised by the Government. If the Government had been willing to take that action in relation to the private operators in the metropolitan area about 12 months ago, those private operators would have continued, and there would have been no need to take them over at all. I refer to a statement the Minister made at that time of the take-over, when he said that, as private operators could not operate at a profit, the Government would take them over. He did not say that the Government-operated service did not operate at a profit, either. As I said earlier, I know the difficulties involved in achieving a profit margin with that type of service. I oppose clause 14 because, if there is an opportunity for buses to do an interstate run, those buses could better serve the South Australian people by working in the area in which we need public transport now—in the metropolitan area, and some near country areas and more remote country areas.

I oppose this clause, and hope the Minister can see my reason for doing so. If the Minister argues in debate that there is an opportunity for buses to operate on a continuing basis or that employment or contracts already operate in relation to interstate transport, we should put a terminating date on the operation of the clause, say, June next year. This would enable the authority to leave this area of operation and concentrate on the area I believe should be covered by a public transport authority, so that adequate public transport can be given to communities needing it, especially those on the outskirts of the metropolitan area. People living in the Districts of Tea Tree Gully, Elizabeth, Playford, and Mawson (even though the member for Mawson is having the rail service extended to his area), and in my own District of Fisher, would appreciate a better public transport service. I oppose strongly the part of this clause that refers to plying for hire interstate, and I hope the Minister will accept an amendment to it.

Mr. MATHWIN (Glenelg): I support the Bill generally. Apart from clause 14, I can see little wrong with it. I wonder why clause 14 has been inserted. Why does the Government think the present situation needs to be altered? Does the Government believe that the M.T.T. can run a system that is more viable than is the present private enterprise system, or does the Government believe that private companies are not providing a good and reasonable service in that area? I had the experience recently of travelling from Alice Springs to Ayers Rock by Ansett-Pioneer, and was provided with a good trip at a reasonable cost. I could not wish for anything better on that trip and I could recommend the services of that company anywhere. I cannot see the Government providing a better service in that area. I can see the Government providing a more expensive service, and I think this is what it could boil down to.

Mr. Keneally: I don't think the service from Alice Springs to Ayers Rock is involved; I don't think that is in the Bill.

Mr. MATHWIN: It is all right for the potential fourteenth Minister to interject, and he might eventually get there if we keep on increasing the number of Ministers in this House.

The DEPUTY SPEAKER: Order!

Mr. MATHWIN: Thank you, Mr. Deputy Speaker. I admit I was naughty. I mention the private trip to Ayers Rock only to assist the Minister to see the light. As the member for Fisher said, it appears that the M.T.T. has an abundance of buses that it does not know what to do with. I wonder how many buses suitable for long-distance travel would be lying idle.

If the Government believes that the present private bus service is not good and is too expensive for people to travel on, I think the best and cheapest way for the Government to act would be for it to offer a subsidy to those companies. When all but one of the privately operated metropolitan services asked the Minister for a subsidy when they were unable to compete with the M.T.T., the Minister would not agree to subsidise them. He left them with the choice of either running at a loss or putting up the fares so high that people would not be able to afford to travel on them. When the hatchet fell, the Minister said that, if they could not afford to operate, the Government would take them over, and that is what happened.

I would hate a similar situation to occur in relation to interstate travel. I think that would be entirely wrong, and it would be a disservice by the Government to the community of this State. Apart from that, I believe it would cost the taxpayers of this State much money to keep these services operating if the M.T.T. decided to enter this field. I ask the Minister and his colleagues to look at the possible effects of clause 14 and agree that the Opposition's objections to it are valid. Apart from clause 14, I support the Bill.

Bill read a second time.

In Committee.

Clause 1—"Short titles."

Mr. RUSSACK: Paragraph (3) of clause 1 omits the word "municipal" from the new short title. This could open the way for the authority to operate in non-metropolitan areas of the State. Perhaps that is not the intention but, when one considers that the railways agreement also gives approval for road, freight and passenger services to be extended or introduced, one wonders what is the intention of the Government. Private enterprise could be opposed. Because of the possible implications of clause 14, I draw attention to the fact that the word "municipal", which relates to the metropolitan area, is omitted from the short title.

Mr. MATHWIN: I would have thought the Minister would indicate what the Government had in mind about this matter. It would have been an excellent opportunity for him to say whether this Bill will be tied to other Bills

we have passed relating to private transport in country areas.

The Hon. G. T. VIRGO (Minister of Transport): For the honourable member's benefit (and I would not do it for anyone but him, because he is a new entrant to Australia) the municipal section of the Municipal Tramways Trust was sacked by the Playford Government many years ago when it ceased to be operated by municipalities.

Mr. RUSSACK: My understanding is that "municipal" means a municipality and relates to a tram or bus line that operates in a municipality, whether it be Adelaide, Whyalla, or Mount Gambier. The Government has taken over or has assisted transport in provincial cities. My point is that bus lines could be conducted by the authority between municipalities.

Clause passed.

Clauses 2 to 10 passed.

Clause 11—"Annual report."

Mr. RUSSACK: Will the annual report relate only to trams and buses, or will there be a general report from the authority relating to all forms of transport?

The Hon. G. T. VIRGO: The matter is subject to conjecture, but I hope the authority will submit an annual report containing sections dealing with the various forms of transport. However, I will discuss that matter with the authority's Chairman and suggest to him that the report should be set out in that way.

Clause passed.

Clauses 12 and 13 passed.

Clause 14—"Power of Authority to operate omnibuses."

Mr. RUSSACK: Will the Minister clarify what is intended by new section 30? The Auditor-General's Report indicates that the M.T.T. had an operating loss of $5 500 000 for 1974-75. If the authority is to start a new venture, I hope such a venture will be a financial success. As often happens, Government instrumentalities incur losses that have to be made good by the taxpayers. Can the Minister say whether any services of the type referred to are being conducted now and whether they are a financial success? What is intended in future under the provisions of this new section, and will any railway services be replaced by road bus services? I understand that interstate bus routes are confined to the point where passengers from other States can be set down in South Australia, but that if a passenger is picked up in South Australia he must be transported to another State, and cannot be set down in South Australia.

The Hon. G. T. Virgo: You're talking about a controlled route?

Mr. RUSSACK: Yes. Is it intended that, under the provisions of this new section, the authority could introduce bus services which could travel to other States, that the buses could travel off controlled routes, and that they could compete against private enterprise, thus having an advantage over private enterprise, since any losses would be absorbed by the taxpayer? Mr. Chairman, is it necessary for me to move my amendment, or can I seek information from the Minister first and then move my amendment?

The CHAIRMAN: The honourable member can move the amendment after other honourable members have spoken on this clause.

Mr. MATHWIN: I do not know whether the Minister is going to reply.

The Hon. G. T. Virgo: I understand Standing Orders provide that only one member at a time can speak.

Mr. MATHWIN: When a member seeks information from a Minister, the Minister is allowed to reply.

The CHAIRMAN: The Minister can please himself in Committee. Opposition members have the opportunity to ask three questions on each clause.

Mr. MATHWIN: Thank you, Mr. Chairman. What is the reason behind new section 30? Does the Government believe that a Government-run system travelling to other States would be more viable than the service offered by the private sector? Does the Government believe that private industries are not providing reasonable services because of the costs charged? Does the Government believe that a Government-operated system, which has operated at a loss of $5 500 000 in the metropolitan area, will not incur losses in the interstate field? If the Minister believes he will run a cheaper service and reduce the present huge losses, I suppose I could support it. Why is the Government engaging in interstate travel by the M.T.T.? Will the M.T.T. provide better facilities than are provided now?

The Hon. G. T. VIRGO: Let me at the outset put the member for Gouger and the member for Glenelg at ease. I am sure that the member for Glenelg will be delighted to hear that the Government does not intend to "knee in" to the private sector and pinch its lucrative services. The Government has been faced with the fact that operators have said to it, "Please, will you take over our services?"

The honourable member's amendment would mean that, when the next operator asks, I would have to tell that person, "I am sorry, we cannot now take over your services as you required us to do or provide you with employment on a continuing basis from your business to the Government, because the Opposition has said that you must stay in business and run at a loss." Indeed, I would have to say that to the operator with whom we are currently negotiating to try to get a reasonable assessment of his assets, in the same way as we have done with the private operator. I am amazed that an amendment of this kind has been suggested. We are dealing with an authority known as the State Transport Authority, which will be responsible for running services throughout the State, and to other States where required. We are not "pioneering" in these fields, and that is not a pun.

Mr. Venning: Where you are not required!

The Hon. G. T. VIRGO: If the member for Rocky River wants the services in his area withdrawn, I take note of his interjection and I will see whether it can be done and whether we can accommodate him. The situation is ridiculous.

Mr. Gunn: You're in a ridiculous situation!

The Hon. G. T. VIRGO: If the member for Eyre wants the service in his area withdrawn, he only has to say so, too. We have passed a Bill today to authorise the State Transport Authority to do things, and we also have passed a Bill today to transfer the authority from the South Australian Railways to the State Transport Authority. We are part of the way through doing the same job here so that we will have a total State transport project, for which the member for Gouger applauded us a short time ago.

Mr. Russack: For public transport.

The Hon. G. T. VIRGO: We are talking about public transport. What is the good of having a State Transport Authority to run transport in the metropolitan area?

Mr. Russack: Why did you sell the country railways?

The Hon. G. T. VIRGO: We are not really debating the transfer of the railway system, but I am pleased, for

South Australia's sake, that the Commonwealth Government proclaimed that legislation before the fiasco today. We have before us legislation to establish a State Transport Authority to provide passenger services. It is not operating as the Bee-line bus in the city of Adelaide or operating only the metropolitan services. It is responsible for the whole of the transport of this State. We have just passed a Bill to transfer the powers of the Transport Control Board to the State Transport Authority, and now members opposite are saying the service should not operate in the country areas. They have not done their homework very well.

Mr. RUSSACK: I move:

In new section 30 to strike out "and may, with the consent of the Minister, operate motor omnibuses outside the State".

I understand that the authority is the State Transport Authority, not an interstate transport authority, and the Minister has said that the Government does not intend to intrude into private enterprise or go into direct competition with it. The Minister also mentioned negotiations that are taking place with a private organisation.

The Hon. G. T. Virgo: It approached us.

Mr. RUSSACK: Yes. The provision of public transport in the metropolitan area, which is essential in the course of business and private affairs, is one thing, but to provide transport to other States for the pleasure and recreation of people is another thing. I ask whether the firm with which the Government is negotiating is purely an interstate bus line, or whether it operates in the metropolitan area and to other States. It could be the metropolitan operations that are not paying, whereas the long-distance operations to take people to other States could be paying. The State Transport Authority, which will administer the Municipal Tramways Trust, will control public transport as its major task, but interstate travel is an entirely different matter.

Mr. MATHWIN: I support the amendment. During the Minister's reply, it was apparent to me that he is interested in getting into the interstate field.

The Hon. G. T. Virgo: We're in it already.

Mr. MATHWIN: All right. The Minister said that, if a private service was running at a loss, he would be willing to take it over. That is a repetition of what happened in the metropolitan area, whereby private bus operators running at a loss could not compete with the trust, which was subsidised by this State's taxpayers to the extent of $5 000 000.

The Hon. G. T. Virgo: That's untrue.

Mr. MATHWIN: When private operators asked for Government assistance, the Minister said that no assistance would be forthcoming. When they were on their knees, the Minister said benevolently, "We will take you over for over $1 000 000," and the Government received over $1 000 000 in real estate. We seem to be following a pattern that has already been set. The Minister indicated that much the same would apply to private operators engaged in interstate travel, so a service subsidised by this State's taxpayers will be able to compete with private enterprise at a time when the latter is on its knees. If a Government-run service operates at a loss the taxpayers subsidise it, whereas, if private enterprise is suffering a loss, the Government offers to take it over, and it seems that is exactly what the Government has in mind.

Mr. EVANS: I, too, support the amendment. I thought that we were talking about a State Transport Authority, not an interstate one. It would be unfair if some of the private operators who were taken over by the authority operated outside the State. I believe that a sufficient number of private operators supply the needed services. If a service cannot operate profitably, it cannot be an essential service. We have the Overland, which travels fairly rapidly from a speed and time point of view, and we have air transport. There is a shortage of buses in the metropolitan area and in the outer areas, so I see no reason why we should enter the interstate field. I see no necessity for the authority, which is lacking in relation to services in many parts of the State, to ply for hire outside the State. I believe that we should serve our own people first.

Mr. GOLDSWORTHY: I, too, support the amendment. The Minister interjected that the $5 000 000 subsidy referred to by the member for Glenelg was incorrect, whereas the Auditor-General's Report for the financial year ended June 30, 1975, states that the Municipal Tramways Trust was given a subsidy of nearly $6 000 000. So, the member for Glenelg gave a conservative estimate of the deficit. Page 309 of the report states that the trust earned $13 400 000 in the relevant financial year, whereas the cost of earning that income was $18 900 000. So, the Government had to pay $5 900 000 to subsidise the trust's services. The trust's greatest increase in expenditure was an increase of $2 800 000 for wages and salaries. Living in the north-east hills, I am aware of the services that were provided into the north-east suburbs for many years by private contractors. They had to operate at a profit, whereas the trust has gradually extended its operations into the territory by taking over what it regarded as profitable routes. The constraints on private contractors do not exist on Government operations, and it is essential that private operators show a profit: otherwise, they will go out of business. Competition makes for efficiency and, as soon as the Government takes over these enterprises, the thrust for efficiency disappears. All the amendment does is ensure that interstate operators have the chance of continuing to operate, and I am sure that they will do the job as efficiently as possible in view of existing competition. Say what he likes, the Minister cannot gainsay the argument put forward by the member for Gouger, and he certainly cannot refute the conservative statement made by the member for Glenelg. I support the amendment.

Mr. RUSSACK: I thank members on this side for their support, and point out that on page 309 of his report the Auditor-General states:

The main factors which caused the retrogression of $4 152 000 were increases in rates for salaries, wages and associated expenses, increases in costs of materials, services, interest and depreciation, extension of services and the additional expense of running previously licensed services for 12 months compared with four months in 1973-74. These were partly offset by revenue resulting from fare increases and increased patronage.

Therefore, the escalation of costs over income in relation to the Tramways Trust during the year 1975 was caused by private services being taken over, yet the Minister says the Government is negotiating with further private enterprise.

The Hon. G. T. Virgo: Because they have come to us; we have not gone to them.

Mr. RUSSACK: There is a reasonable acceptance of this in relation to essential public transport services in the metropolitan area, but I fail to see that this is essential in relation to interstate travel. I therefore ask honourable members to support the amendment.

The Committee divided on the amendment:

Ayes (20)—Messrs. Allen, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Nankivell, Rodda, Russack (teller), Tonkin, Venning, Wardle, and Wotton.

Noes (21)—Messrs. Connelly, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, McRae, Olson, Payne, Simmons, Slater, Virgo (teller), Whitten, and Wright.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed.

The Hon. G. T. VIRGO: I move:

After "repealed" to insert "and the following section is enacted and inserted in its place:

33. (1) The authority shall not commence to operate any of its motor omnibuses on any road on which any motor omnibuses have not been operated within the period of five years immediately preceding the day on which the authority proposes to commence such operation without the consent of the road authority for that road.

(2) A road authority may refuse its consent under subsection (1) of this section only on the ground that the operation of motor omnibuses on the road would cause unreasonable damage to the road.

(3) Where the road authority for a road is a body or person other than the Commissioner of Highways and that body or person refuses its consent under this section in relation to that road, the authority may refer to the Commissioner of Highways the question whether the operation of motor omnibuses on the road would cause unreasonable damage to the road.

(4) Where the Commissioner of Highways determines pursuant to subsection (3) of this section that the operation of motor omnibuses on a road would not cause unreasonable damage to the road, the authority may commence to operate any of its motor omnibuses on that road.

We originally intended to delete the provisions for the trust to confer regarding new routes. We have looked at this further, and we think it is desirable that something should be retained so that the authority is involved in consultation with the local government body. Accordingly, the clause is reinserted, but in a better form to comply with present requirements.

Mr. RUSSACK: I am disappointed that the Minister was not able to distribute this amendment earlier. Therefore, it has not been possible to study it in detail, but I understand that local government is being accepted in the consideration regarding certain roads.

The Hon. G. T. Virgo: Yes.

Mr. RUSSACK: Would the Minister report progress so we can consider this amendment?

The Hon. G. T. VIRGO: The purpose of the amendment is to ensure that the authority confers with the local government body so that the condition of the road can be determined. It is a procedure that has been followed in the past. Indeed, section 33 of the principal Act refers to any bus that operated before October 9, 1928. It is really the same provision as currently exists, but it has been updated to meet the present situation. As in the present legislation, the Commissioner of Highways assumes a fairly important role, because he can, if need be, be the final arbiter.

Mr. MATHWIN: I ask the Minister to consider giving us a short time to consider this amendment, as it is a complicated matter.

Mr. EVANS: Having looked at this amendment earlier, I thought that it would present no problem. I think that, where the Commissioner of Highways said the roadway was suitable and it proved to be unsuitable, he would be faced with some demand from local government to make funds available. I think the amendment is satisfactory.

Mr. RUSSACK: Having considered this amendment, I do not oppose it.

Amendment carried; clause as amended passed.

Remaining clauses (16 to 27), schedule and title passed.

Bill read a third time and passed.

ABORIGINAL LANDS TRUST ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 6. Page 1747.)

Mr. ALLEN (Frome): I support the Bill. It is consequential on the enactment of the Community Welfare Act, 1972, which repealed and to a substantial extent superseded the Aboriginal Affairs Act, 1962. In consequence, some of the provisions of the Aboriginal Lands Trust Act have become obsolete or anomalous, and in need of amendment to render them meaningful for bringing out a consolidated version of the last-mentioned Act for inclusion in the new edition of the Public General Acts.

Clause 2 amends section 6 by amending subsection (1) so as to enable the Governor to appoint additional members of the trust without a limitation on their number. This provision previously restricted the membership of the trust to nine; this clause removes that limit and resolves that problem. The limit on the number of additional members is removed because of a steady increase in the number of Aboriginal communities that wish to be represented on the board. Additional Aboriginal councils are being formed from time to time, and this clause gives those councils an opportunity to have a representative on the trust. The other clauses are consequential to clause 2. I support the Bill.

Bill read a second time and taken through its remaining stages.

INDUSTRIAL COMMISSION JURISDICTION (TEMPORARY PROVISIONS) BILL

The Hon. J. D. WRIGHT (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to make certain temporary provisions with respect to the jurisdiction of the Full Commission of the Industrial Commission of South Australia and for other purposes. Read a first time.

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

That this Bill be now read a second time.

The purpose of this Bill is quite clear and its terms are simple. It is aimed at overcoming an apparent deficiency in the jurisdiction of the Full Commission under the Industrial Conciliation and Arbitration Act, 1972-1975, which has only become evident in recent weeks and which is threatening the future of what I have previously described in this House as the "fragile package" of wage indexation. I would remind members of the Premier's statement in relation to wage indexation in his policy speech at the beginning of the election campaign last June. He then said:

To tackle inflation I have for a year sought the co-operation of all Governments in supporting the indexation of wages, and the confining of wage increases to indexation, with provision for anomalies. At the Premiers' Conference last week, the Liberal State Governments finally agreed to this principle. We will introduce legislation to give effect to it.

At the time, of course, it was not clear exactly what form of legislation would be needed to best give effect to this policy and the Government has taken the view that it

will stand ready to introduce legislation as and when necessary to assist the implementation of wage indexation and to ensure that it will work.

Our first legislative action, which was approved by both Houses in September, was to repeal the provision of the Act relating to the living wage so that there could be no impediment to quarterly adjustments flowing from wage indexation being applied to employees under State awards. Following this, as soon as the Australian Conciliation and Arbitration Commission handed down its decision in the national wage case in September, I applied to the State Industrial Commission to grant the cost of living increase on the same basis it had been awarded by the Federal Full Bench. The State Commission decided that, although it could grant the wage flow-on, the section under which I applied, section 36, did not give it power to adopt the Federal guidelines. Rather than resort to legislation, the Government then sought to have guidelines determined by the Commission by way of a test case. However, this has proved abortive. A number of points of law have been referred to the Full Bench concerning the jurisdiction of the commission in this matter and, rather than continue in this state of legal confusion which is preventing a proper assessment of cases on their merits, the Government has decided to introduce this Bill to put the power of the commission beyond doubt.

It has been necessary to introduce the Bill today and try to ensure its passage this week because Parliament will not be sitting again until February and there are now a number of matters waiting to be dealt with by the commission that the Government is naturally anxious should not be further delayed because of any technicalities. Before turning to the detailed provisions of the Bill I want to make some comments on the general situation. The Government believes that the system of wage indexation is a vital element in containing inflation in the current economic climate in Australia. Although it is still too early to judge with any certainty, the signs are that it is already having some effect. The inflation rate has been dropping.

Indexation offers advantages to employees and employers. For the workers, it is the only sure means that their wages can be protected from the impact of inflation by regular cost of living adjustments on a uniform basis. For the employers, it provides an orderly and understandable system of wage fixation to replace the chaotic situation of the past few years. However, quarterly adjustment cannot work if it is simply added to all existing methods of wage adjustment. It must be in the context of guidelines which are suitably flexible to ensure that wage justice is done and that anomalies can be corrected, but which establish definite ground rules to ensure that leapfrogging claims do not build up the inflationary pressures that indexation is aimed at relieving. I would stress that the Government, although firmly supporting the Federal guidelines, is not seeking by this Bill to lay down guidelines or direct the commission. It is purely an enabling Bill—to empower the commission, if it chooses, to adopt the guidelines in whole or in part, to reject them, or to formulate its own. The commission is still the only forum where the parties must put their case and be judged on its merits. The Federal Commission has not been able to lay down clear guidelines as to all the provisions for anomalies and catch-up areas. Here they will have to be left to the State commission to decide the merits of each case or group of cases.

Mr. Coumbe: Are there any matters *sub judice* in relation to the Bill?

The Hon. J. D. WRIGHT: I do not think so. I seek leave to have the explanation of the clauses of the Bill inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

This Bill, which is essentially of a temporary nature, being expressed to expire on December 31, 1976, sets up the legislative machinery under which certain principles, guidelines and conditions expressed or given effect to in relevant decisions of the Australian Industrial Commission relating to wage indexation may be applied in the industrial jurisdiction of this State. Clause 1 is formal. Clause 2 incorporates this measure with the Industrial Conciliation and Arbitration Act, 1972, as amended. As an incidental result definitions used in that measure will apply to this Bill.

Clause 3 sets out the definitions used specifically for the purposes of this measure. Clause 4 enables proclamations to be made, bringing within the scope of the measure other wage fixing authorities, as defined. Clause 5 is a most important provision and is commended to members' particular attention. It specifically empowers the Full Commission of the Industrial Commission in dealing with flow-on cases arising from decisions of the Australian Conciliation and Arbitration Commission to apply the principles, guidelines and conditions enunciated by that commission in giving its decision.

Clause 6 specifically empowers the Full Commission to reopen the matter referred to in the clause and deal with it as if the Act presaged by this Bill had been in force when the matter was last before the Full Commission. Clause 7 extends the principles of the measure to "Proclaimed Wage Fixing Authorities" as to which see clause 3 and clause 4. Again these authorities are empowered to consider and apply the principles, guidelines and conditions mentioned earlier to the extent that those principles, guidelines and conditions are applied by the Full Commission. Clause 8 is in somewhat different form but, in effect, enables the question of "the public interest" to be taken into account in registering industrial agreements. In this regard the Commission is authorised to take into account the principles, guidelines and conditions as applied by the Full Commission. Clause 9 expires the Act presaged by this Bill on December 31, 1976.

Later:

Mr. DEAN BROWN (Davenport): I point out that, unfortunately, the Opposition has had to consider this Bill in tremendous haste. It was introduced into this House late this afternoon. We have had only three or four hours to consider it and its possible effects. It seems to be fully in line with the policy that both the Government and the Opposition in this State have supported—wage indexation. For those reasons, the Opposition will support the Bill as it currently sees it. However, I hope that during the debate the Minister can clarify some points that I think need to be answered. I shall outline them specifically and ask him to refer to them in his reply to the debate.

In supporting the Bill, as I have said, I support the guidelines laid down by the Commonwealth commission earlier this year for wage indexation. Those guidelines at long last gave some hope of wage stability in Australia. However, we have found that those guidelines apply only to Commonwealth awards and it is up to the individual States to apply them to State awards. I understand that most, if not all, of the States have now applied some sort of guidelines in relation to State awards. Perhaps the Minister could mention any State that has not yet

done so, but, from my information of the past two hours, I have the impression that they have all applied such guidelines.

I also find of some interest the Premier's answer to a question I asked on November 5, when I asked him whether the Government intended to introduce legislation for wage indexation before the House adjourned. I was surprised that the Premier, in answer, said that at this stage it was pending agreement between the various State Premiers. I find it rather surprising when, within a week, the Bill is suddenly introduced. Also, it is surprising since at that stage most of the Liberal States had already accepted guidelines brought down by the Commonwealth commission and, therefore, I should have thought that the Liberal State Premiers had already clearly indicated the lines and principles upon which they intended to act.

Mr. McRae: Did you say "within a week"?

Mr. DEAN BROWN: Yes; I asked the question on Wednesday of last week. I will not read the entire answer from the Premier, but it is clearly set out at page 1679 of *Hansard,* as follows:

It was a proposal from the Premiers' Conference. It was initiated by me at the Premiers' Conference, and agreed to by other Premiers, in principle, at the Premiers' Conference earlier this year. As a result, the working parties have been preparing uniform legislation, but at this stage we have no undertaking from Liberal-governed States that they will proceed with legislation of this kind, despite the fact that they agreed to it in principle at a Premiers' Conference. Regarding the South Australian legislation, there were several misunderstandings between the Government and the trade union movement on the legislation. They have been resolved, and the principles that the Government has stated clearly are and will be maintained.

I find that an incredible answer from the Premier, as the Liberal States at least have already adopted the Commonwealth guidelines under their present commissions. I also find it interesting that the Industrial Commission in South Australia has, I believe, ruled that it has not the power to adopt such guidelines, whereas it seems that other States, under existing legislation, have been able to adopt them.

Also, it is incredible that no legislation has been required in the other States, and yet the Premier in answering my question last week indicated that an attempt was being made to achieve uniform legislation between the States. It seems that the Premier on that occasion was misinformed or did not wish to reveal that he intended to introduce this legislation this week. I think the relevant clauses of the Bill are clauses 3, 5, and 6. Clause 3 clearly indicates that the legislation will apply to any wage-fixing authority in this State effecting State awards. One area of concern, though, is the definition of "remuneration", which is as follows:

"remuneration" includes wages or salary and payments in the nature of wages or salary, including penalty and overtime rates, shift premiums, industry allowances and like or other additions to ordinary time rates and commissions, but does not include fees or charges for specific services:

As the definition contains the words "or other additions to ordinary time rates", it must include over-award payments. Perhaps the Minister can clarify this matter. Obviously, the definition excludes fees for doctors, lawyers and other people by whom a specific service is given. It is logical that such a wage-fixing authority does not have the right to fix medical fees.

I understand clause 5 to mean that the Industrial Commission will have full powers to establish whatever guidelines it deems fit. This is an important provision, as the commission in this State does not necessarily have to adopt the guidelines laid down by the Commonwealth commission. It is able to establish its own guidelines, and I am afraid that, in doing so, the commission could easily make wage indexation apply to over-award payments as well as to award payments.

The Hon. J. D. Wright: Well, that's its right.

Mr. DEAN BROWN: I realise that. However, I am afraid that we in this State will see wage indexation being applied to over-award rates as well as to award rates whereas, under the guidelines laid down by the Commonwealth commission, there is no power to legislate on wage indexation applying to over-award rates. The Parliamentary Counsel is trying to obtain further information on section 36 of the Act, under which the commission can make decisions regarding award rates and other remuneration. It is clear that under clause 5 of the Bill the commission will have power to apply wage indexation to over-award rates.

Clause 6 relates to retrospectivity, reverting to the decision made by the State commission on October 2. Perhaps the Minister could outline the exact reasons for this. I understand that the commission can reopen that decision and lay down certain guidelines regarding it. If that is so, I see no danger whatever in introducing such legislation. However, I wonder what effect this will have on the decision handed down earlier this week relating to dentists and whether that decision will be affected in any way.

The Hon. J. D. Wright: What part of the decision are you worried about—the increase in wages that was granted?

Mr. DEAN BROWN: That is so. The Minister should clearly indicate any other decisions which have been handed down since October 2 and which may be affected. In supporting this Bill, I am concerned about what guidelines will be adopted by the State commission. If the commission adopts any other guidelines that depart in a major principle from the guidelines already laid down by the Commonwealth commission, we would have the untenable position in which people in this State could be getting wage increases far greater than those being granted in other States. This would have an adverse effect on the competitive nature of industry in this State, and would be likely to lead to a breakdown of indexation at the Commonwealth level and in the other States. The whole principle of wage indexation is that it should be uniform throughout the whole of Australia and that no individual section of the community can gain or benefit in a certain way over any other section.

Mr. Millhouse: But do you really think that is likely to happen?

Mr. DEAN BROWN: As the Minister has said in his second reading explanation, and as is clearly stated in clause 5, the commission has the power to adopt any other guidelines whatsoever. I urge the member for Mitcham carefully to read clause 5, as there is no guarantee whatsoever that the State commission will necessarily adopt the guidelines laid down by the Commonwealth commission. Perhaps it is unfortunate that the State Government has not come out and specifically laid down recommendations regarding what guidelines it believes should be adopted. Perhaps during his reply the Minister will be willing to say that the State Government will recommend to the State commission that it should adopt the Commonwealth commission guidelines. If not, as I said previously, it will place industry in this State at a disadvantage compared to industry in other States. More important, it will jeopardise the whole future of wage indexation throughout Australia.

It seems that, traditionally, award rates, and not over-award payments, have been dealt with under section 36 of the Act. One hopes that this will apply in future. I think I have clearly indicated that, under the definitions in the Bill, there is power for the State commission, even though it may be tradition, to move into the over-award payment area.

The other important clause is clause 8, which controls sweetheart or other agreements that are reached. This is the basic intention of wage indexation, and it is this area that the Premier has promised to cover. I am pleased to see that it has been included in the Bill. It means that, if an agreement is reached and an attempt is made to register it with the commission, it must be considered in light of the public interest. If it is not in the public interest, as indicated in this clause, it can be disallowed. I think the term "public interest" means within the guidelines; perhaps the Minister has other ideas regarding that. I think it is stated to include the "principal guidelines or conditions already laid down by the State commission". Therefore, any sweetheart agreement that is reached must still come within the guidelines. This will basically stop any other agreements, outside the guidelines, being reached.

It is for these important reasons, including the attempt to control inflation in Australia, that the Liberal Party in South Australia supports this Bill. On numerous occasions its members have urged the Premier to introduce this legislation as quickly as possible. This is a responsible way of trying at least to slow down the wage-push inflation from which Australia, and South Australia particularly, is suffering, and of which we have seen devastating effects in the last two years. Indeed, we have seen inflation in this State reach a level just below 20 per cent. No economy can remain stable indefinitely with inflation rates at that level. Not only does it jeopardise employment opportunities but also it puts smaller industries at a great disadvantage, as they are unable to keep up with the required capital improvements. That sort of inflation rate also places at a great disadvantage those persons on fixed incomes who are unable to obtain the benefits of wage and salary increases generally. I support the Bill, and hope it passes quickly through this place and another place. Equally, I look forward to certain reassurances from the Minister, the main ones being that wage indexation in this State will not apply to over-award payments and that it is Government policy that the Commonwealth commission's guidelines will be adopted by the State commission.

Mr. McRAE (Playford): Whenever I speak on industrial matters I find myself in the difficult position of inevitably offending someone, but I suppose that that applies to all members. I recall speaking as a young apprentice in this place (I think that I have now completed my term of industrial apprenticeship of five years in the House), when I said that those who supported collective bargaining were supporting an evil purpose, and for that I was roundly condemned and attacked by members of my own Party. I refused to withdraw those words then and I refuse to withdraw them now, because I have been proved right during the past three years. The hectic argument has resulted in the most powerful achieving their object and the least powerful being ground into the dust (just as has occurred in that great capitalist centre of the United States of America and in the great Marxist state of the Union of Soviet Socialist Republics). Just what has happened in the U.S.A. and Russia has happened here. I will not be popular for saying that; I say that as a private member, but the Minister would not say it.

Having said that to vindicate what I said three years ago in the House and the dreadful punishment that I took from some people who had not done their homework, I will now proceed to examine the Bill. The Minister of Labour and Industry has had the full support of the Labor advisory committee. For the benefit of Opposition members (with the exception of the member for Torrens, who knows a lot about the machinery of these matters), I point out that to have the support of the industrial matters committee of the Parliamentary Labor Party and at the same time of the Labor advisory committee is a great achievement, because that committee is well spread in terms of industrial, political and social views. To have such support means that the whole industrial movement (every working person in the State) can believe that it is not just the Government that is acting but also the A.L.P. and the Trades and Labor Council. The Minister deserves to be congratulated on what has occurred this evening (and such congratulations I never give lightly).

I turn now to the Bill and some of the questions raised by the member for Davenport. In no way can I, should I, or will I give assurances, but perhaps I can give some explanations before the Minister gives some assurances, as I am sure he will. If one looks at the Bill one finds that the situation is expressed in a poem over 250 years old—"No man is an island in himself." South Australia cannot be an island in the midst of a great continent that has adopted these principles; nor, on the other hand, can South Australia be consistent with my principles, the principles of the Liberal Party of Australia (South Australian Division) or the Liberal Movement of South Australia, and attempt to bind our judicial authorities with a bland, blunt and determined statement, "That you shall do X, Y or Z as we determine," because that would be a complete vote of no confidence in the Judiciary, and I would not support such a move.

The philosophy of the Bill can be expressed briefly, and I support the member for Davenport in his reasonable and clearly stated principles, which may be summarised as follows: first, Mr. Cameron of the Federal Parliament and, secondly, Senator McClelland, his successor, adopted certain principles of wage fixation that should be linked to price fixation. Now, the immediate difficulty is that they have not been linked to price fixation, and I can understand the worry of any trade unionist or worker of the State who looks at the Prices Justification Tribunal and says to himself, "Is that tribunal indexing as fairly and as toughly as the Commonwealth Conciliation and Arbitration Commission?" I know its Chairman (Mr. Justice Williams) to be a reasonable, sensible and decent man but, nevertheless, I can understand that worry. What have we done to solve the various problems?

First, I invite members to turn their attention to the title of the Bill, which is the Industrial Commission Jurisdiction (Temporary Provisions) Bill. In other words, that indicates to this State's workers that, unless they get a fair deal from the Prices Justification Tribunal, it is unreasonable to expect that they should blandly accept wage indexation in the way in which it has been summarised by the media. I next invite members to look at clause 2, which is most important, and which deals with the proclaimed wage-fixing authority. Essentially this provision means that the Minister has sought to go through every conceivable wage-fixing authority in South Australia and, to ensure that he has not missed any wage-fixing authority (and I am sure that his officers have not missed one), there is a regulation-making power or a proclaiming power

(I have forgotten which, but it is immaterial in such an important jurisdiction as this one).

This State has more employees whose wages and conditions are determined by the provisions of State tribunals than are determined by Federal tribunals; some people might find that surprising but, nevertheless, that is the case. I also point out that many of the major industrial organisations of employees have pledged their support to the principle of wage indexation on the basis that there be a fair principle of price indexation, and that worries me. I am far from being convinced, without casting any reflection in any way upon Mr. Justice Williams, that, within his terms of reference, it is possible to adjust the two. Notwithstanding that, unions as powerful as the Australian Workers Union, the Australian Government Workers Association, the Liquor Trades Union, the Shop Assistants Union, the Storemen and Packers Union, the Meat Industry Union, the Miscellaneous Workers Union, the Clerks Union, the Public Service Association, and the South Australian Institute of Teachers, have all come in behind this Bill and have been sufficiently responsible to say, "If we get a fair go from this Bill, we will support it."

In saying that, they have displayed the responsibility that some Opposition members in this place and in other places often deny they possess. The Government has been tremendously careful to look at the position of the commission, the conciliation committees, the Public Service Board (because it becomes an employer in relation to this matter), the Public Service Arbitrator, and the Teachers Salaries Board, and has even gone to the lengths of mentioning the Local Government Officers Classification Board. I understand that would involve the Municipal Officers Association, although it is possible that other unions could be involved in that. The first point is that many unions have had the courage to come forward and support the Government in what it is doing, subject to certain clear assurances for which they are looking. I do not blame them for that; I certainly would do so.

Mr. Becker: All unions are represented.

Mr. McRAE: I cannot speak for any union. I do not speak for the Government. It would follow, therefore, that I cannot speak for any unions. Other unions may say that the whole Bill is dreadful, but the main thing is that the unions concerned in this jurisdiction have put the Minister in a position where he can present this Bill in Parliament without any embarrassment. That is the key. I thank the member for Hanson for his interjection, albeit illegal under our Standing Orders, as it has permitted me to summarise in that way. The member for Davenport was worried about the definition of "remuneration". The Minister will give assurances about over-award payments, but let me have the temerity to say that it is impossible, because of the width of the types of employment with which we are dealing, to use any word other than "remuneration"; for instance, we are dealing with such a variety of people that "wages" becomes inappropriate. We are dealing with salaried personnel, as, for instance, under the Teachers Salaries Tribunal, under the Public Service Arbitrator's jurisdiction, and so on. We are dealing with other sorts of people whose income cannot be described as wages. We are dealing with a variety of people who, in industrial terms, have their income described in ways varying from "salary" to "wages", and therefore an intermediate term, as defined, is "remuneration".

I am certain that the Minister will give the assurance (although, of course, I cannot and will not do so) that "remuneration" does not include over-award payments. It would be nonsensical to give any other assurance. Members will also notice that "wage fixing authority" is carefully defined to pick up the odds and sods, if I may be so ungraceful to those who may have been overlooked. The whole field is covered. Clause 4 proceeds to deal with that. I turn now to the most important clause of the Bill, clause 5. The member for Davenport asked what we were really saying by clause 5 and why we did not lay down some guidelines. The answer, in a nutshell, is that section 36 of the current Act had a predecessor. The current Act is the 1972 Industrial Conciliation and Arbitration Act; that, in turn, had a predecessor, the 1967 Industrial Code; and that, in turn, had a predecessor, the 1936 Industrial Code, I think. One can trace this legislation back to the early 1890's, and the equivalent of section 36 has always been there; in other words, do members, in the process of this most important Bill, one of the most significant if not the most significant Bill to pass this Parliament (hopefully, in view of what the member for Davenport has said)—

Mr. Mathwin: In one day. It was brought in today.

Mr. McRAE: And on the right day. I should have thought it was a most appropriate day to bring in this legislation. Looking at section 36, we must ask ourselves whether we really want to tell the Judiciary that, notwithstanding any misapprehensions about the Commonwealth guidelines, it will follow those Commonwealth guidelines because we say so. Alternatively, do we want to say to the Judiciary, "Look at the Commonwealth guidelines. If you believe that they are valid, put them into effect"? Any member who has read the various decisions knows that such people as Mr. Commissioner Marron, Mr. Justice Olsson and the present Public Service Arbitrator (Judge Stanley) have all expressed the opinion that they are not prepared to be bound by the Commonwealth guidelines, and for very good reason. If we take the Public Service area alone, in 25 000 employees we see no fewer than 500 groups; honourable members will realise that, under the Public Service Arbitration Act, a group can be as few as 20 people.

Do we really want to tell our Judiciary how to exercise its discretion? Do we really want to throw away that support, that confidence we have had in our Judiciary for the past 75 years, or do we want equity, good conscience, and the substantial merits of the case to prevail? I suggest we would want the latter to prevail. I pursue that topic no further except to say that the three gentlemen to whom I have referred have all said that there is no way on earth that they will be railroaded into a position of denying justice to the workers in this State simply because a Commonwealth authority happened, on a certain day of a certain month of the year, to bring down certain guidelines. They will not tolerate that situation, nor should they tolerate it.

Mr. Evans: Hear, hear!

Mr. McRAE: I am pleased to hear members opposite saying that because that is proper procedure. That does not mean a *laissez faire* approach to the matter, because the gentleman involved would not allow a stupid or irresponsible situation to arise. All that is wanted by members of the Judiciary and the Commissioners concerned is that there be a proper method by which people who were caught under the complex system that applied before April 30 can catch up and that those caught subsequent to May 1, under proper circumstances (and I stress those words) as laid down by the South Australian Industrial Court can be in a reasonable situation.

Clause 6 is a strong but flexible clause. In other words, the commission will lay down guidelines (and I express

full confidence in the gentlemen who comprise the Full Commission, whoever they may be). I doubt that those guidelines will be exactly the same as those applying in the Commonwealth field, or that they will deviate strongly from them; the commission will probably adopt a mid-way situation. The commission, like most professional organisations in South Australia, is neither extremist to the left nor extremist to the right. The Full Commission, having adopted that situation, leaves it within the ambit of a certain Commissioner to deny the principles. It is left open. Of course, he would not lightly deny the principles because of appeals against his decision. Situations could arise that could demand that he depart from established principles. No honourable member would want any Commissioner to be put in a position in which he would force industrial unrest by demanding that someone follow established guidelines; that would not solve the problem.

I turn now to a most important clause that demands great attention. This clause relates to agreements and, in effect, is like section 28 (2) of the Commonwealth Act. It means that general principles cannot be by-passed by entering into a sweetheart agreement. Let us be blunt about this matter. The Government, the Minister, and everyone else have been clear about wanting justice for South Australian workers in the sense that those workers will get comparative wage justice with their counterparts in other States and in the Commonwealth sphere. We do not want workers to be put into an invidious situation.

We want to see that their true economic situation will be retained. To achieve that, and acknowledging that South Australia cannot be an island in itself (no matter what Mr. Max Harris says about South Australia being a new separatist State), clause 8 of the Bill must be included. Clause 9 is probably one of the most important clauses of this measure. It is so short and simple that I suppose most people would not comment about it. It is a guarantee to the entire trade union movement and the workers of this State that we are not amending the Industrial Conciliation and Arbitration Act, under which the jurisdiction lies, but are enacting a new Act in the knowledge that the situation that confronts us is hopefully a temporary situation. We will do everything in our power to ensure that it is a temporary situation, and that the workers of this State can be reassured that all those who have served on any of the committees that have advised the Minister have worked, and will continue to work, determinedly and unceasingly to get a reasonable measure of justice for the workers of this State. However, should any circumstances arise in the meantime that would require that the Act be amended or abolished, members of the Parliamentary Labor Party committee or the Labor advisory committee would advocate that most strongly without fear or favour to anyone. I recommend the Bill wholeheartedly to the House for its unanimous support.

Mr. MILLHOUSE (Mitcham): I support the Bill. I hope I can take less time than members who have preceded me, especially the member for Playford. I must complain to the Minister about the introduction and passage of the Bill so speedily through the House. This measure arises from a judgment of the commission, dated October 2. According to the copy of the judgment I have, the Minister made an application on September 18, and the reasons for the decision were published on October 2. If I am correct, five or six weeks have passed since the decision was handed down. Therefore, one would have thought that that was more than ample time for a Government to decide whether to introduce a Bill and to give notice in the usual way, rather than introduce the Bill presumably without notice.

The Hon. J. D. Wright: There was the flow-on application.

Mr. MILLHOUSE: When was that made? I am talking about the judgment about which reference is made in the Bill and out of which the Bill arises. There should have been ample time for the Government to introduce the Bill in the usual way and give people time to look at it. I therefore appreciated the point made by the member for Davenport. However, when one reads the Bill it does not take long to understand it. I rather suspect that the member for Davenport has matters on his mind other than this Bill. Having made my complaint about the Bill, I have only one other point to make on the clauses before I deal with some of the matters raised by the member for Davenport. I wondered about clause 4 (2) which is a retrospective provision and which states:

(2) A proclamation under subsection (1) of this section may be expressed to apply and have effect on a day that occurs before the day on which it is made and that proclamation shall apply and have effect according to its tenor.

However, I am satisfied with the explanation I got that it is to be used simply in case the Minister or, more appropriately, the Parliamentary Counsel overlooked a wage-fixing authority when drafting clause 3 of the Bill. I do not believe that any real harm can come from the element of retrospectivity in clause 4 (2), which the draftsman has included. I want, in answer to some of the things the member for Davenport said, to refer to the judgment itself, because it really explains what is in the mind of the commission and what it considered was likely to happen. On page 1 of the copy I have the commission states:

We are specifically requested to declare that the so-called eight point guidelines enunciated in the Australian Commission National Wage Case decision of April 30, 1975, as amplified in its more recent pronouncement, are, for the immediate future, rigidly and strictly to be applied by all members of the commission. This approach was strongly supported by all representatives of employer interests who appeared before us.

The next paragraph probably founded some of the remarks of the member for Playford. It states:

On the other hand, the representatives of the United Trades and Labor Council and of specific employee groups invited us to accede to the application to vary award rates generally but to decline to give any mandatory directions as sought. Their objections on the latter score were based on jurisdictional grounds and arguments as to industrial merit.

The commission goes on to base its decision only on jurisdictional grounds and to say nothing about the industrial merit. It states:

We do not propose to make any declaration or give any mandatory direction as asked by the Minister.

The final couple of sentences, which I refer to, are as follows:

We entertain no doubt that, provided that it can be applied to what is shown to be a proper "firm base", the adoption of steps to lead to a full introduction of indexation is essential and that, to that end, the eight principles of the Australian Commission must be given the most careful consideration by this commission and all of its members.

It goes on to deal with situations that are *prima facie* anomalous. I cannot see that it would be proper for us to do other than to give, as we are invited to do in this Bill as it stands, the jurisdiction to the commission. I do not think we should bind it, as apparently the member for Davenport, because of the fears he raised, would like to do in some way (I am not sure how he wants to do it).

I am content with the Bill as it stands, because it seems that it does give the jurisdiction to the commission, but it does not take away its discretion. I do not think that we need have any fears about the responsibility with which the commission will exercise its jurisdiction.

Dr. EASTICK (Light): It is unfortunate that this Bill has been introduced with such speed, because it prevents a consensus of opinion being obtained on this side as to the degree of support that can be given to this measure. I find myself in some conflict with my colleague the member for Davenport and the member who has just resumed his seat, because I believe that there are grave dangers in this Bill. It has shades of the Myer-Queenstown affair whereby, as a result of retrospective provisions, through the Minister (previously it was through the Premier) the Government seeks to have its own way whether or not that is the will of the court. The mouthings of the Minister—

Mr. Evans: It is interfering with the Judiciary.

Dr. EASTICK: I will come to that point.

The Hon. J. D. Wright: It is not. It is giving it the right to reopen the case. Otherwise we have to wait until next March to open—

Dr. EASTICK: I will come to that. The Minister is touchy.

The Hon. J. D. Wright: You are just silly.

Dr. EASTICK: I might reciprocate in relation to the manner in which the Minister has conducted himself in this House tonight. He has been all of a tither, which indicates to me and other members that he in concerned about some aspects of the Bill; otherwise, he would approach it much more rationally. The position is that the mouthings of the Minister in the second reading explanation of the Bill are some of the most disgraceful I have heard since I have been in this House. The explanation reflects upon the Judiciary of this State. I refer members to the Minster's statement. He started off as follows:

The purpose of this Bill is quite clear and its terms are simple.

No-one can dispute that that is what he said. What he does not go on to say is that its terms are also dictatorial. The Minister states:

Rather than resort to legislation, the Government then sought to have guidelines determined by the commission by way of test case. However, this has proved abortive.

What sort of a reflection is that upon the Judiciary, that the test case did not go the way the Minister believed it should? The Minister further states:

A number of points of law have been referred to the Full Bench concerning the jurisdiction of the commission in this matter and, rather than continue in this state of legal confusion which is preventing a proper assessment—

By whose decision is it not a proper assessment? Who has complained that it is a state of legal confusion? Obviously, the commission does not believe it is in a state of confusion. It recognises that the law it was given by this Parliament over a period and over which it has been asked to adjudicate was deficient in the area in which the Minister sought to have action taken. The Minister has punted and lost before the commission. Having punted and lost, he now seeks by this Bill to reverse the decision or, at least, to have a second go at the same subject by entering through the back door.

I have stated in this House on several occasions that members on this side continue to hold the view that we are completely opposed to retrospectivity (certainly, that is my view). Clause 4 (2) and clause 6 contain the retrospective provisions in the Bill and they are against the best interests of the people of this State in total (I am not referring here to this area of jurisdiction, but to the total situation). Last Thursday the Opposition was subjected to a claim that precedent permitted a certain action to be taken. That action taken by the Minister for Planning causes me grave concern in respect of any other piece of legislation which seeks quietly to enter through the back door, and which can then be used as a precedent for doing the same thing on another occasion.

I do not accept the value of this Bill in the same light as do other members. I appreciate the point of view advanced by the member for Playford who wanted (and I will apologise to him later if I misrepresent his position) to clear his conscience in respect of the degree of direction to the Judiciary that he recognises is contained in this Bill. He kept coming back to that one aspect of the Bill, and said that he would not want it believed that Parliament had directed the Judiciary. This is the real danger in this Bill. Clause 6 (2) provides:

The Full Commission is, by force of this subsection and notwithstanding anything in the principal Act or any other Act or law contained, authorised and required—

"Authorised" I can accept; but I cannot accept "and required", which is a direction by virtue of Parliamentary decision to the court as to what it will do. If the Bill were to allow the authorisation without the direction by "and required", I could conceivably have a somewhat different attitude to the measure, apart from the retrospective aspects that I have already said are abhorrent. Parliament is not asking the Judiciary to examine the measure and determine, by interpretation, the intention of Parliament. The Parliament is making clear that the court is required to sit, and so it goes on. In several places "shall" is used and in other places "may" is used. I ask why those two words are used. Clause 6 (1) provides:

Without limiting the generality of section 5 of this Act, this Act shall apply and have effect to and in relation to an application, to the Full Commission by the Minister of Labour and Industry for an order varying the wages or other remuneration payable generally to employees under awards in accordance with the decision of the Australian Conciliation and Arbitration Commission made on the eighteenth day of September, 1975, as if this Act had been enacted and in force on the day on which that application was made.

The Minister submitted a case that was not supported by the court, and now he is seeking to come in through the back door. In clause 7 the word "may" is used. That clause provides:

Notwithstanding any other Act or law, each Proclaimed Wage Fixing Authority is, by force of this section, empowered of its own motion to have regard to and may apply and give effect to any principles, guidelines or conditions enunciated or laid down in or attached to any relevant decision of the Full Commission authorised in whole or in part by section 5 of this Act.

I do not quibble with that situation. It gives a direction and allows the commission to determine the attitude it will adopt to the particular measure but previously the words "and require" are used, and that is the equivalent of saying "and shall". I cannot accept that. It is a direction, telling the commission "thou shalt", by Parliament's decree. Clause 8 (1) provides:

Notwithstanding anything in the principal Act contained, no agreement providing for an increase in remuneration payable to employees and entered into on or after the commencement of this Act shall be registered as an industrial agreement pursuant to that Act until the commission upon application made to it by any person in that regard certifies that the agreement is not against the public interest.

Again, we have to find a qualification of what is against the public interest. Subclause (2) of that clause provides that, in determining whether an agreement is or is not against the public interest, the commission may have regard to certain things and may apply them. Someone, probably members of the organisation to which the member for Playford referred as the group that has been advising the Minister (indeed, it may have been the member for Playford) saw the folly of the use of "shall" in those areas and demanded that "may" be included in those two vital areas.

The action that the Minister seeks to take in this measure is out to destroy the autonomy of the courts. I cannot accept that. I believe it is totally against the best interests of the people of the State now and will be so in the future if the matter is used as a precedent. I give the Minister fair warning that I intend to vote against the Bill.

Mr. COUMBE (Torrens): I support the Bill. At the outset, I congratulate the member for Playford on having the spirit to speak up in the defence of a fairly important statement he made in this House. I recall that statement and it made him very unpopular. At least he has the guts to speak up against a very rigid rule of his Party. Whether he is proved right is another matter.

The whole basis of the Bill is wage indexation. We have seen wage indexation operating for long enough, although it has only been a short time in the Commonwealth sphere to see that, if it is going to work, it must apply in South Australia as well as in the Commonwealth jurisdictions. According to the Minister's second reading explanation, the other States either have acted or are acting on similar lines. I have examined the question of restrospectivity. I am concerned about what will happen in future to see that wage indexation is given a fair trial and to find out whether it can work.

At the same time, it is only right that the Minister, when replying to the debate, should refer to the cogent points raised by members on this side, particularly the member for Light, regarding retrospectivity. That is referred to first in clause 4 (2). This wording is unusual, because the Governor can make a proclamation for some day that has passed. The Minister has not referred to this in his second reading explanation, and he should say why it has been included. It seems to me to be peculiar. I can see some way in which it could apply, but no explanation of it has been given, and I think this is one matter that is concerning the member for Light. Retrospectivity is also referred to later.

There has been much reference to clause 5, and we are beginning to get into the area referred to by previous speakers where the Bill seeks to empower the Parliament to direct the courts. Many Acts give powers to courts but here we are setting out deliberately to direct the courts to do certain things. The question of whether this is correct has properly been raised. Clause 5 contains the word "shall". It provides:

Notwithstanding anything in the principal Act or any other Act or law contained, the Full Commission shall, in making an order under section 36 of the principal Act, have regard to and may apply and give effect to in whole or in part and with or without modification any principles, guidelines or conditions enunciated or laid down in or attached to any relevant decision of the Australian Conciliation and Arbitration Commission constituted under the *Conciliation and Arbitration Act*, 1904-1974, of the Commonwealth.

The court shall, in making an order, have regard to certain things and, having done that, it may apply and give effect to them in whole or in part. I have read with interest the judgments of our State commission on these matters and I have read why the commission would not agree to all the guidelines. I understand that it favoured some but not others. The State commission would not go all the way with the eight major points brought down by the Commonwealth commission. We get the use of "shall" and "may" in this regard. The commission can consider some or all of the eight major points and give effect to them in whole or in part, but it has some discretion. If I am interpreting this correctly, it does not mean that the commission must accept the whole guideline points laid down by the Commonwealth commission, but it must have regard to all those points in reaching a decision. That is as I see it. I may be wrong but I should like the Minister to correct me if I am. They must look at certain things but they have a discretion as to which of those eight major points they will come down on.

Clause 6 is where we are getting more direction. Two dates are mentioned in subclauses (1) and (2). As I understand it, the first date (September 18, 1975) is the date of application by the Minister, which came down within a few days of the handing down of the Commonwealth decision. The second date (October 2, 1975) was the date of the judgment handed down by the State commission which, in effect, turned down the application by the Minister made under section 36 of the Act. Therefore, we have those two dates, so clause 6 states, in effect, that the Act shall apply in relation to an application made by the Minister of Labour and Industry "for an order varying the wages or other remuneration payable generally to employees under awards in accordance with the decision of the Australian Conciliation and Arbitration Commission made on September 18, 1975, as if this Act had been enacted and in force on the day on which that application was made".

The wording here is a little ambiguous. When I first read that, I thought that September 18 referred to a decision of the Australian Conciliation and Arbitration Commission made on September 18, 1975. That is how it reads, but apparently it is the date of the application. So it is a little ambiguous. I trust my statement is the correct one. I know that October 2 is correct.

I should like to know from the Minister when he replies (because the member for Light raised an important point in this connection although I do not wholeheartedly agree with him in this because I am concerned about what will go on in the future; and I believe some cases can be reopened), since that application by the Minister, what cases are pending, what are part heard, or what have been heard and rejected: in other words, what cases can be reopened if this provision is re-enacted. I take it the Minister is saying, in effect, that there will be no obstacle now to a number of cases previously rejected being able to be reopened and reheard. It is important that they be able to be reopened, and I want to know if there are a number of cases that have been held up (it does not say so in the Minister's explanation, in any detail), and it is important for us to know whether, if this provision is passed, there is no barrier to any cases that have been rejected being reopened and reheard. If that information is given to the House, it may still a little disquiet that has been expressed by the public.

Clause 8 deals with sweetheart agreements. I do not know how to define "the public interest", which is a generic term that covers things broadly, but it gives effect to a statement made in the House by the Minister, which was subject to some criticism outside, when he said he was determined to cut out the sweetheart agreements. I agree with him on this occasion.

The Hon. J. D. Wright: Who said that?

Mr. COUMBE: I seem to recall that the Minister made some statement that he was not in favour of sweetheart agreements. I, too, am not very much in favour of them, and I do not believe the Minister is. This Act will expire on December 31, 1976, and I think the Minister should explain why. I think it is to give this indexation a fair go and trial. It looks as though it will not be permanent but, having got it on the Statute Book, there is nothing to prevent a simple Bill, like the Prices Act, coming in for this legislation to be re-enacted for a further 12 months. That is likely to happen. It may be only a pious hope, but we hope that by that date the bogy of inflation may have partly, if not completely, disappeared.

So we are considering here a major Bill which, I believe, should as far as wage justice and costs in this State and rewards to the workers are concerned, ensure that everyone gets a fair go. If it is not introduced, harm can come to the work force and the general community, to both parties to industry in this State. This Bill should go through by Thursday of this week, at the very latest.

Mr. BECKER (Hanson): I find this legislation, which we received late this afternoon, needs far more consideration than we have been able to give to it and its ramifications.

Mr. Mathwin: It is a disgrace to bring it in so late.

Mr. BECKER: We understand why the Minister has brought it in now, because we have only to look at this afternoon's *News* to see the following report:

S.A. Wage Case Row Looming. A major confrontation is brewing over the introduction of wage indexation guidelines to awards covering more than 150 000 State Government workers. This follows the referral of the whole question of guidelines to a Full Bench of the South Australian Industrial Commission by the Public Service Arbitrator, Judge Stanley. An urgent full Trades and Labor Council meeting began at 2.30 p.m. today to consider the move.

Therefore, the Minister has been in an awkward situation. Fair enough. The point that the Minister is obviously trying to overcome is a situation that arises year after year, and now we shall find it after every award decision from the Commonwealth commission: that is, we are looking for a method or system that will ensure automatic flow-on for the South Australian unions under the State awards. So, whenever a Commonwealth decision is made, everyone has to troop along to the State commission to obtain a flow-on. I see nothing wrong with trying to come up with a method that can prevent this continual lining up for the decisions. It is a costly process for the unions and the employers but, to bring in legislation, as we have, and to incorporate in it the various clauses, one wonders just what sort of a deal or arrangement has been made.

The member for Davenport has touched on certain aspects of the legislation, and the member for Light has, too. The member for Mitcham gave one of those brief, apologetic speeches to show that he has been present in the Chamber, but he is not here now. His attendance, as it was this afternoon, is only fleeting. Yet he goes on to deal with something that does not really concern this Bill at all. The problem is that a decision was handed down yesterday by Judge Stanley in the dentists' case. Next Thursday, there is to be another decision in relation to the magistrates. Otherwise, the commission will be in trouble. The Government is in trouble, so it must do something to help the commission in this way; it will also help the unions.

One gets the feeling that eventually we will have to face the fact that the State Industrial Commission is almost obsolete and that it would be better if we had a Commonwealth Arbitration Commission with branches in all States. Much time and money is spent trying to obtain wage and salary justice for workers in this country. There must therefore be much merit in having fewer unions and the whole system's being made a federal one. However, we have got what we have got, and we must help where possible.

I am concerned about the definition of "remuneration". I should not have thought it would be our desire to define "remuneration" in such a way as to include over-award payments. I will seek an assurance from the Minister on this matter. I cannot satisfy myself about this definition, or on whether "remuneration" is specifically spelt out in this way to cover not only wage and salary payments but also all other payments, such as penalty and overtime payments, shift premiums and industrial allowances—indeed, anything associated with wage and salary payments. I take that to mean over-award payments.

Having for many years received over-award payments, I have appreciated them. Has this been spelt out deliberately so that over-award payments will be indexed? Will penalty rates, overtime and so on be indexed? Does it mean that the State commission can do this, even though the Commonwealth commission cannot, although I believe there has been one decision on this matter? Clause 4 has been dealt with. I wonder why this must be done by proclamation. Clause 5 has been dealt with capably by my colleagues, as has clause 6, on which some fears have been expressed.

Clause 8 relates to sweetheart agreements, with which I have seen nothing wrong. I cannot understand how the unions in this State would agree to such a provision. Indeed, I do not think some of them would agree completely to the Bill. I still think that clause 8 is an infringement on the right of unions to obtain benefits and side agreements in certain areas. Why should they not be able to do so? Why should we have to legislate to prevent something like this happening? I think some of the unions will be stamped on and held down under this Bill, and this is not a fair go for the workers or for the unions which are trying to do the right thing. The unions cop too much blame for all the costs of wage and salary increases. There are certain aspects of this Bill on which the Minister will have to elaborate in more detail and give the House assurances, which can then be taken as a direction to the Industrial Commission.

Dr. TONKIN secured the adjournment of the debate.

ACTS INTERPRETATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 6. Page 1747.)

Mr. EVANS (Fisher): I will open the debate.

The SPEAKER: This will make the honourable member the principal speaker for the Opposition.

Mr. EVANS: When the Leader comes back I am sure he will not need to speak for more than half an hour. Because of certain events that have occurred in Australia, the Leader is out of the Chamber for just a moment. I am led to believe this Bill seeks to carry out some of the suggestions made by Mr. Edward Ludovici relating to certain Acts of Parliament. I wish to take this opportunity of expressing my appreciation of the work done by him in consolidating certain Statutes so that they may be printed and more easily used by persons needing to use them. I have not studied the Bill in detail, but I am sure the Leader will have some views on it.

Dr. TONKIN (Leader of the Opposition): I thank the member for Fisher for so adequately introducing the debate on behalf of the Opposition. Matters have moved at such a speed in many spheres that it has been extremely difficult for me to keep up. The Bill provides for a new edition basically of the consolidated South Australian Statutes. It is a Bill that can truly be said to mark the end of the work of the Commissioner of Statute Revision, work which he has done over many years and which he has carried out extremely well. There is no doubt at all that we as a Parliament and the people of South Australia generally owe a great debt to the Commissioner, Mr. Edward Ludovici (formerly the Parliamentary Counsel).

The Commissioner has had a long and distinguished career. He came to Western Australia in 1949 and was admitted to practise law in 1950. He was a solicitor and Parliamentary draftsman in the Western Australian Crown Law Department from 1950 to 1959. He came to the South Australian Parliamentary Draftsman's Department in 1959, and was admitted to the South Australian bar in 1960. He has been Commissioner of Statute Revision for South Australia since 1967. All members know only too well that, when we look at the collection of Statutes around the Chamber or anywhere else, it is extremely difficult at times to turn up immediately an Act that has been amended several times over the years and to make sense of it.

It is frequently necessary to have three or four volumes of the Statutes open at the same time and to consult each volume, one after the other. Indeed, that is the case with the Health Act, where it has been totally impossible to bring all its provisions together and have them make sense. That has been the case simply because of drafting anomalies and because it has been almost impossible to make them consistent by passing several Bills. Since 1967, with a view to publishing all Acts together, the Commissioner of Statute Revision has worked steadily and assiduously for long hours in consolidating the Statutes.

We have periodically seen the fruits of his labour being brought into this House as Bills have been introduced to amend anomalies that exist. All those Bills have been directed towards reprinting the South Australian Statutes from 1837 up to and including 1975. In order to reprint the Statutes, and because it is not possible to cover every eventuality, this Bill provides, by regulation, a means of dealing with anomalies that are inoperative or inconsistent with the provisions and references of other Bills. Normally, I should say this a slightly dangerous course. If this Bill is to be passed, certain safeguards are absolutely essential. Regulations are subject to disallowance by Parliament and can be exercised only to make consequential changes. In other words, we will be carrying on the sort of work done in the various Bills drafted by Mr. Ludovici and presented to Parliament. The provisions are ultimately subject to challenge in the courts. In these circumstances, I believe this measure is necessary, and I take this opportunity of paying a tribute to the work being done by the Commissioner of Statute Revision, Mr. Edward Ludovici.

Dr. EASTICK (Light): I certainly support the comments made about Mr. Ludovici. The assistance he has given to the Parliament of the State and his willingness to assist individual members of Parliament is appreciated. Can the Attorney-General say in reply why, in 1975, it is necessary to make this provision? I know the purposes for which the provision is to be used, but why is it necessary in 1975 to use this provision when it was unnecessary to insert such a provision when the previous consolidation was undertaken in 1936 when, presumably, a simliar situation applied? Reference to the principal Act shows clearly that no such provision was provided previously, so this is a departure from normal. The Attorney therefore has a responsibility to say why the Government has seen fit to adopt this course of action.

Does the Government intend to move a series of amendments to the appropriate Bills or to introduce a Statutes Amendment Bill to give effect to all the changes that are effected by regulation, and then repeal regulations that were passed under this provision, which is contained in new section 52? I suspect (and this is why I seek the information) that alterations made by regulation could not be incorporated specifically in the Acts of Parliament as consolidated, because a regulation is not an Act of Parliament. Whether or not it is intended that such regulations will allow the alteration to be made in the production of the consolidation Act, and that they in turn will be ratified by Acts of Parliament to make them valid, is the question I believe the Attorney should answer.

Notwithstanding the annotation included in this Bill, does the Government intend to repeal regulations after it has passed the necessary amending Acts to give effect to the alterations that will be effected by the regulations provided under new section 52? I fully support the Bill but want to be assured (as I believe do other people) that this measure will not be used as a precedent to circumvent the powers of Parliament. As of last Thursday, the precedent of what took place on the floor of the House previously was the basis on which a course of action was taken by the Minister for Planning. The whole basis of his argument then was the precedent aspect. I want to be certain that, in this vital area, we will not suddenly be told that a precedent was created in the amendment we are considering now. I think it imperative for the Attorney-General to assure the House of the full intention, and to give an assurance that the provision will not be used in future.

The Hon. PETER DUNCAN (Attorney-General): I will take a few moments to reply to the member for Light, because he has raised legitimate matters. I assure the honourable member that this will not create a precedent. This is not the first time that this practice has been used to amend legislation. The honourable member possibly will be aware that it is not infrequent that, in legislation, regulatory power is provided to amend matters such as costs and fees stated originally in the legislation. That is a more specific example than the one before us but, although this is possibly a broader use of that power, it is not a precedent, since this type of amendment of Statutes by regulation has been used previously. I will link up that statement with the reason why it has been thought desirable to include this power in this circumstance. As the member for Light has rightly pointed out, in the consolidation in the 1930's, this was not done, but Mr. Ludovici feels that this will ensure that, as the legislation is printed in the consolidated form, it can be as up to date as possible.

By providing this regulatory power, any further amendments of a formal or corrective kind found necessary between Thursday of this week, which will be the last day for legislation to be amended by the Parliament for incorporation in the consolidation, and the final proof stage can be made by regulation, and the amendments can be annotated to the bottom of the page so that a person who goes through the Statutes will see that a particular amendment has been made by regulation. The Government does

not intend in future to provide in the form of an Act for those amendments made by regulation although, if the honourable member suggests that that should be done, I shall be pleased to consider the matter.

Dr. Eastick: It would be a much tidier way.

The Hon. PETER DUNCAN: It will not be tidier, since the consolidation will have the annotated regulatory changes to the Acts printed on the pages, and we feel it would be preferable to leave the situation as printed in the consolidation, rather than further amend it then. Parliament will have the opportunity, when it meets again in February, to consider any amendments made by regulation, and it will be possible then for Parliament to set aside any regulation which it does not agree with or to which it has specific objection. We are not trying to undermine the rights of the Parliament: this is merely an expeditious method of ensuring that this consolidation will be as up to date and correct as possible at the time of printing.

Bill read a second time and taken through its remaining stages.

STATUTE LAW REVISION BILL (HOSPITALS)

Adjourned debate on second reading.

(Continued from November 6. Page 1748.)

Mr. WARDLE (Murray): I support the Bill and believe that other members on this side also support it. I am pleased that the Leader of the Opposition referred as he did to Mr. Edward Ludovici. I also referred to him in the debate recently on another Statute Law Revision Bill, and one of the pleasing aspects is that this man has had health sufficient to enable him to carry on with the Statute revision. Doubtless, it will be a pleasure to receive the consolidated Acts when the work has been completed.

This Bill is short. Largely, it repeals the Hospital Benefits Act, 1945, and the Hospital Benefits (Amending Agreement) Act, 1948. I guess that the coming of Medibank has made these two Acts redundant, although ever since January, 1963, when the Commonwealth Government moved into the medical benefits field, the Acts to which I have referred have not been so prominent. The other five Acts dealt with in the second schedule to the Bill are the Community Welfare Act, the Criminal Law Consolidation Act, the Crown Lands Act, the Electoral Act, and the Juvenile Courts Act.

All that the Bill before us does is make the changes I shall state. In the case of the Community Welfare Act, it changes the title of the permanent head from Comptroller of Prisons to Director of Correctional Services. In the case of the Criminal Law Consolidation Act, it makes a similar change. In the case of the Crown Lands Act, it changes areas from acres to hectares, and, in the case of the Electoral Act, the Electoral Officer for the State becomes the Electoral Commissioner. In the case of the Juvenile Courts Act, the title Comptroller of Prisons is changed to Director of Correctional Services.

Bill read a second time and taken through its remaining stages.

SOUTH AUSTRALIAN FILM CORPORATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

FISHERIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 5. Page 1686.)

Mr. RODDA (Victoria): This Bill was set down to be debated at 3 p.m. but, gradually, we have been pushed back; I hope that that does not indicate the way in which the fishing industry should be regarded. Although the Bill is a simple one of three clauses, it makes far-reaching inroads into the fishing industry, and it is completely off-side with my Party's policy on fishing. The Bill took its rise from a proclamation made on October 2, and I will refer to the proclamation, because of the far-reaching effects it will have on the industry. At page 819 of the South Australian *Government Gazette* of October 2, the proclamation states:

Public Service Act, 1967-1975: Amalgamation of the Department of Fisheries with the Department of Agriculture: abolition of office of Director of Fisheries—alteration of effect of references to Department of Fisheries and to Director of Fisheries.

Proclamation by His Excellency the Governor of the State of South Australia.

By virtue of the provisions of the Public Service Act, 1967-1975, and all other enabling powers, I, the said Governor, upon the recommendation of the Public Service Board, and with the advice and consent of the Executive Council, do hereby:

(1) Amalgamate the Department of Fisheries with the Department of Agriculture the said Department of Fisheries thereby becoming part of the Department of Agriculture.

(2) Abolish the office of Permanent Head of the Department of Fisheries.

(3) Change the name of the Department of Agriculture to "Department of Agriculture and Fisheries".

(4) Change the title of the office of the Permanent Head of the Department of Agriculture and Fisheries from "Director of Agriculture" to "Director of Agriculture and Fisheries".

(5) Provide that the reading of a reference in any Act to the "Department of Fisheries" shall be read as a reference to the "Department of Agriculture and Fisheries".

(6) Provide that the reading of a reference in any Act to the "Director of Fisheries" or to the "Director of Fauna Conservation and Director and Chief Inspector of Fisheries" shall be read as a reference to the "Director of Agriculture and Fisheries".

The proclamation was given effect to by the Hon. T. M. Casey on behalf of the Premier. I refer to the proclamation, because my Party gave an undertaking to the fishing industry that the fisheries portfolio would always be maintained. However, henceforth the Fisheries Department, with its Minister, will be merged with the Agriculture Department. In 1967, a Select Committee examined the industry's problems and produced a comprehensive report as a result of which, in 1971, when the Government was re-elected, a new Fisheries Act came into being and the fisheries portfolio was removed from the agriculture portfolio. The new Act seemed to have the blessing of the industry generally.

This was considered to be a specific development. The report shows that in 1966 the fishing industry provided about $5 000 000 to the State's coffers from its earnings, whereas this year it will provide about $17 000 000. So, the industry has not been standing still but has progressed. As a result of the Corbett report and a change in Government policy in the past two years during which the Fisheries Department has been without a Director, the department is now being amalgamated again with the Agriculture Department. Here we have three simple clauses in a short Bill, but it brings about sweeping changes in the industry. Although they may work, we have some doubts and some misgivings. It is the policy of my Party that the fishing industry should have its own department, with its own Director and its own officers to deal exclusively, in an expert way, with the many specific problems confronting such an industry. This has been underlined on many occasions by leaders of the fishing industry, and it was put forward strongly by the witnesses from the department who gave evidence to the Select Committee.

It was put to me very strongly earlier this year when I spoke as shadow Minister of Fisheries to the South Australian Fishing Industry Council. I came in for some chiding from certain members of the council for the policies of the Playford and Hall Governments in tying the Fisheries Department to the Agriculture Department. The Corbett report made only scant reference to the department and to the industry in the gazettal notice of October 2, 1975. Now we have a Bill which, in referring to the Director of Fisheries, ties fisheries hook, line, and sinker to the Agriculture Department. People in the industry are not very happy about this. It seems there is a touch of irony in the fact that, on the first occasion when this Bill was set down for debate and when I was warned, as the member leading for the Opposition, we had to wait virtually three hours to reach the matter. It is not that the other matters have not been important, but I hope this is not a straw in the wind for this important industry. Clause 2 states:

Section 5 of the principal Act is amended by striking out the definition of "the Director" in subsection (1) and inserting in lieu thereof the following definition:

"the Director" means the person for the time being holding and performing the duties and functions of the office of Director for the purposes of this Act:

We must not lose sight of the fact that, efficient though he may be, the Director of Agriculture and Fisheries is, in his own right, an expert in agricultural practices but has no expertise in the fishing industry. This concerns fishermen. I have spoken to some of them today, and over the weekend I spoke to people in the various areas itemised by the fishing zones throughout the State. They are important. They are worried, but full of hope that this move by the Government will pay off. Clause 3 further delineates the office of Director, stating that there shall be an office of Director for the purposes of the Act, and that power is conferred on the Governor to appoint to that office such persons as he thinks fit. So, there is the authority for the Government of the day to make an appointment to that position. This question of administration looms large in the minds and on the consciences of the fishermen. In the second reading debate on the Bill in another place, the Minister said:

Licence transfers will be within the scope of the administration of the Agriculture and Fisheries Department, thereby achieving two important results. First, it will relieve the Chief Fisheries Officer of much of the routine work that was previously his responsibility. He previously had to spend much time in connection with the appeals tribunal, in the administration area, and in authorising licences. This area will now be the concern of the administrative part of the department. The Chief Fisheries Officer will still, of course, have prime responsibility for determining how many licences should be issued. This, after all, is one of the essential points in connection with fisheries management policy and fisheries extension. On the basis of research work and economic studies, he will be able to make recommendations concerning the question of granting new licences. The responsibility for handling application forms, licence transfers, and renewals will be taken from him, allowing him to spend more time in the area where he can serve the industry best. The new organisation will effectively use the combined resources of agriculture and fisheries to produce a better service to agriculture and the fishing industry.

That has overtones of duplication, or of one hand not knowing what the other is doing. It is in the area of licensing tribunals and the authorising of appeals that the fishermen have their greatest concern. The matters of licences and over-fishing are always looming large in the industry. Coupled with that is the matter of the basic difference in the two types of industry. Agriculture is on land, carried out by individuals, and clearly delineated. In the fishing industry, the resource is owned by no-one. We have managed fisheries, and it will be a special duty of the Director of Agriculture and Fisheries, on the advice of the Chief Fisheries Officer, to see that that management is maintained. Yet those two requirements are entirely in opposition to one another.

There will be the matter of inspection and, as the Minister has pointed out, whilst it is not in the Bill (the Bill makes three short references to the powers of the Director), there will be full use of the administrative staff of the Agriculture Department. I should like some assurance from the Minister that there will be a special administrative branch of experts in the Agriculture and Fisheries Department, as it is to be known, to give expert attention to the problems of this specific area. The two types of production are entirely different; one is managed on the ground and is tangible, while the other is cast in the broad scope of the ocean and is the subject of a vastly different type of research. It has all the impositions and vagaries of international law attaching to it. While it is perhaps in the grey area of the Bill, the question of the control of the three-mile limit and international waters is cutting right across the administration of the Fisheries Department.

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

Mr. RODDA: For two years members on this side questioned the then Minister of Fisheries (Hon. G. R. Broomhill) about when a Director of Fisheries would be appointed. The Minister could never tell us when such an appointment would be made. We were told from time to time that several applications had been received but, on each occasion, we were also told that there was not a suitably qualified applicant. The Liberal Party has always been adamant about this matter. On July 2, during the recent election campaign, the then Leader of the Opposition (Dr. Eastick) said:

We will appoint a Director of Fisheries to fill a position left vacant for two years by the present Government, and proceed to implement a set of co-ordinated policies to set the industry on a sound footing.

The Opposition will take steps to ensure that, with the merging of the two departments, the person charged with the dual responsibility, a responsibility not looked on with favour by the industry, performs the job properly. The die is cast, and we on this side will work constructively to see that the industry does not suffer. We will want to see carried out the policies spelt out by the Leader when addressing a meeting at Port Lincoln about the working of the Fisheries Department. Those policies are part and parcel of the provisions embodied in clause 2.

During the recent election campaign the Minister of Fisheries (Hon. Mr. Chatterton) announced that the Government would implement a buy-back scheme for the industry. However, we have not heard much about it since. The new Director will have to look at that aspect. Cray fishermen in the South-East are concerned to see that there is not a drop-off in pots under the buy-back scheme and that people are not being taken out of the industry. I am looking forward to hearing what Professor Copes, who is in South Australia looking at this matter, will have to say about the industry. With metrication, there has been a decrease in the number of pots because of the expense incurred by fishermen in the industry. This matter was not raised at the recent election campaign.

The Opposition will ensure that the Minister carries out the promises he made at the election campaign. The matter of pirating in the prawn fishing industry that occurred on the Far West Coast has been moved

out beyond the three-mile limit. This, too, spells doom to managed fisheries. It is a matter that must be investigated quickly by the Director of Agriculture and Fisheries. It was brought to my notice today that, because of a departmental delay (and I am not reflecting on Mr. Olsen, the Acting Director, because he has not had full control of the department) in collecting licence fees for the Commonwealth. Many fishermen, although they have paid their fee, have not received a licence and, as a result, were apprehended and prosecuted because they contravened Commonwealth law by not having a licence.

Many anomalies have arisen. Research must be carried out in the fishing industry; and it must have a proper administration. This Bill provides for administration from the Agriculture Department, but that administration will probably come from people who would not know which end of a boat goes into the water. I hope these fears will prove not to be justified. I assure the Minister that the Opposition will observe closely this changeover and will work closely with fishermen in their various districts. Indeed, some members of the Opposition are working closely with fishing industry committees in the various fishing zones. This is one of the shortest Bills introduced this session, but it is probably the most far-reaching. The Opposition supports the Bill, but will want to know in the Committee stage how the Director and the Chief Fisheries Officer will liaise. We hope this legislation will work well in this important industry. I assure the House that members on this side will be vigilant in watching the activities of this new arrangement. I support the Bill.

Mr. BLACKER (Flinders): This measure concerns my district probably as much as it affects any other district in the State. The appointment of a Director and of a Chief Fisheries Officer in the department is a significant change, so much so that it enables specialisation by the respective departmental officers in coping effectively with the tasks they have been given. In the past many queries and animosities have developed between various fishing groups, various fishermen and the department. This can be related to the make-up of the fishing industry. With the merging of the portfolios of Agriculture and Fisheries, we have an immediate conflict. Although they are both primary industries, they are nevertheless different in their make-up. They are different to the extent that the fishing resource is a State-wide asset. The agricultural industry is different because each block of land belongs to and is controlled and operated by a person who owns, leases or hires it. In other words, the land is the tool of trade to the farmer, whereas the fishing industry is different because it has a common pool of resource. Therefore, one must come back to the fact that, if we are to maintain that common pool of resource as an effective and viable unit, we must have an effective management system. This is where the vast difference between the agriculture portfolio and the fisheries portfolio lies.

Concern has been expressed by fishing groups that the merging of these two portfolios will be against the best interests of both these industries. The merging has been defended by the Minister in a report published in a local Port Lincoln paper. The Minister, when addressing an Eyre Peninsula meeting of delegates to the Australian Fishing Industry Council, stated:

Most of you will have experienced administrative problems or delays when dealing with the Fisheries Department in the past. When I took office over one third of the staff positions were vacant. Many of these were key personnel.

One of the greatest problems that the Fisheries Department has faced is in trying to get personnel who have an understanding of the industry and who have a leaning towards proper management policies. Not only do we need officers with a firm hand in respect of stating policy but also it is important and necessary to have a firm system of back-up laws from this House to administer such policies.

In no way should poaching in restricted areas or encroaching on other people's equipment on the high seas be tolerated. We must reconsider our scale of penalties applying to law breakers in the fishing industry because of the nature and the make-up of the industry. We are not dealing merely with a man's property and his neighbour's property: we are dealing with a State-wide resource, and its management must be carried out on a State-wide basis.

True, there are complications in this area, too, because of the definition of State waters and Commonwealth waters. Consequently, the role of the Director and of the Chief Fisheries Officer will become more and more important as the responsibility for developing a complete industry throughout the State will fall heavily on the shoulders of these two officers. This is one of the far-reaching aspects of the Bill. Although the previous speaker has stated that this is the shortest Bill presented to Parliament, nevertheless, its effects are far reaching.

Although the amalgamation of certain portfolios was recommended in the Corbett report, the amalgamation of these two portfolios was not recommended. The fisheries and conservation portfolios were recommended for amalgamation. I am pleased that the Government has seen fit to consider the amalgamation of the agriculture and fisheries portfolios because, although conservation is an important aspect of fisheries resource management, conflict in administering the conservation and fisheries portfolios could arise.

Consequently, differences could arise in the one portfolio if one Minister sought to administer both those portfolios effectively. In the case of the agriculture and fisheries portfolios, a slightly different attitude is required and, although I have just suggested that the philosophies behind agriculture and fisheries resource management are somewhat different, I believe that they do not conflict in relation to administration.

The concern expressed about the downgrading of the fisheries portfolio has been fully justified, because it is one of the most important portfolios dealing with the effective resource management of a primary industry. Although the industry may be considered a small industry by some standards, I point out that it has grown from a $5 000 000 to a $17 000 000 industry, despite the small increase in the number of people involved in the industry. Unfortunately the capital that has been invested in it has hardly returned an acceptable yield. This stresses even more the importance of firm management policies. I refer to the unnecessary expenditure, or even the excessive expenditure, in the industry at a time when returns have been limited.

Oversea export markets have been static, so the net return to the industry and its ability to cover the cost of invested capital has been such that the industry has not been a viable investment proposition. The need for the appointment of a Director and a Chief Fisheries Officer has become more and more important. The fishing industry has been pressing for these appointments for a long time.

No reflection can be cast on Mr. Olsen, the former Acting Director of Fisheries, because his ability as a conservationist and his knowledge of the fishing industry have never been questioned. It has been suggested that one reason why the position of Director of Fisheries has never been filled is that there are few people in Australia with the knowledge of the fishing industry that Mr. Olsen has and, consequently, few people are willing to act in a situation where Mr. Olsen could be proffering all the advice.

However, with the appointment of Mr. Olsen as Chief Fisheries Officer, we will see a markedly different approach to the advantage not only of the department but also of fishermen and of the industry generally. Much of the antagonism that has developed between the Fisheries Department and fishermen may be avoided if the department can obtain sufficient personnel to act as proper public relations officers able to sell the necessary message to fishermen, while at the same time ascertaining from fishermen the real needs of their industry. The industry generally relies heavily on two-way communication between the department and the fishermen and, without proper management, this can never be achieved.

The issuing of licences is a matter that is continually raised and, without doubt, this matter causes the most concern amongst fishermen in the industry. Probably half of the inquiries I receive related to fishing are in respect of the application of licences. Unfortunately, not enough people appreciate the importance of this licence, the privileges, the opportunity, and the ability to fish within a managed resource pool that go with it. This aspect is often neglected. The time is coming when we will have to have harsher penalties in respect of people who breach the Fisheries Act and the requirements laid down to provide proper resource management of our limited fishing resources.

Our fishing industries are predominantly coastal fishing industries located in the gulfs of this State, and such industries are generally referred to as inshore fishing industries. I refer to the prawn grounds located at the heads of both gulfs and the netting and scale fishing that is also carried out there. All this activity is generally regarded as being inshore fishing, and it is these fisheries that require the extra management that is necessary. I support the second reading, although I believe that in some respects the Bill is premature, having in mind that the Government is expecting a report from Professor Copes, who has been in South Australia recently to compile and deliver a report on managed fisheries throughout the State. The Bill obviously is in line with the Government's policy on fisheries.

Mr. GUNN (Eyre): I am concerned that the Government seems to have set out on a course of action that could downgrade the department responsible for fisheries. The Government seems to have reversed its decision of 1973 or 1974, when it seemed to have accepted the report that the Australian Fishing Industry Council (South Australia) submitted to it. That report was headed "South Australian fishing industry, a case for greater Government recognition," and was presented to the then Minister of Agriculture (Hon. T. M. Casey). Three submissions were made in the report, and the first was as follows:

That South Australia's fisheries be raised to the status of a Ministerial portfolio.

That took place, and the industry was pleased. It had the support of members on this side then, and we support it today. The second point was as follows:

That the South Australian Government provide modern fisheries research facilities in keeping with the value, the greatly increased size, and the obvious potential of the fishing industry.

The Government has gone some of the way in this matter, but much more is required, because the fishing industry can play a significant part in the proper development of South Australia. The third point was as follows:

That the South Australian Government provide funds to the Department of Fisheries in this State so that the department can function at a level at least comparable with similar departments in other States.

The State department responsible for fisheries has not functioned as well as departments in other States, particularly Western Australia. The industry has acted in the interests of fishermen and, therefore, of people of this State. I, like other members on this side, have received a submission from the Australian Fishing Industry Council, from Mr. Puglisi, of Port Lincoln, a man with much interest in the industry who has made a significant contribution to it. I will quote from the submission, so that the House can be aware of it. It states:

The fishing industry in South Australia has seen what can be described as a fairly dramatic expansion during the past 10 years. This has been centred predominantly around the income earned from the rock lobster, abalone, tuna and prawn fisheries.

They are all managed fisheries. The submission continues:

There are, however, no widely accepted reasons to expect that the current annual catches of any or all species will deteriorate to any marked degree, bearing in mind the controls currently in existence as detailed in the Fisheries Act and regulations and amendments. There are also fairly limited developments taking place in other fisheries in the State. Accompanying this development has been an increasing awareness of people associated in the industry of the need for a strong and unified voice in the presence of an association to approach Governments both Federal and State to gain assistance and afford protection to the industry basis. To this end the Australian Fishing Industry Council was established in 1968 with branches operating in each State of the Commonwealth.

Unfortunately, in the past several groups of people have been speaking on behalf of the industry, and they have not spoken with a united voice. This has not been in the best interests of the industry. Like the member for Flinders, I have many fishermen living in my district, and the industry employs many people. It is absolutely essential to assist it so that it can continue to develop.

The SPEAKER: I should like to call the honourable member to order. He keeps talking about assistance to the fishing industry, but this Bill does not in any way mention that. All it sets out to do is change two titles, and I ask the honourable member to keep within the framework of the Bill.

Mr. GUNN: Certainly, I shall be pleased to follow your impartial guidance, Mr. Speaker, but, as you have rightly pointed out, it is a short Bill and it sets out to change two offices. The effects of these changes on the fishing industry could be substantial. If one examines what those changes will mean, it is proper to talk about assistance, because what will be the position under the proposals that the Minister has put before the House? In my opinion, they are clear.

The Director of Agriculture is a very competent person, and the occupant of that office always will be, but the officers do not have any knowledge of the fishing industry. Therefore, it is important that the industry be provided with assistance and officers who are fully informed, competent to advise, and competent in the management of fisheries. Unless we have a proper fisheries management in the State, the catches will deteriorate and many people in the industry will not be able to make an adequate income or obtain a reasonable return on investment.

Therefore, it is essential that the matters I have been raising be considered by the House. The member for Victoria, in a lucid address, clearly stated the Opposition's policy on the matter. I wish to raise one other matter. As I have said, the Australian Fishing Industry Council has made a submission to the Minister, and its proposal is now operating in Western Australia. You would be aware, Mr. Speaker, that under present legislation a proportion of the money collected by the department for fees for fishing

licences is paid into a special fund for research, and the considered opinion of the industry is that part of this money ought to be made available to employ an executive officer who could liaise with all the fishing groups in South Australia and discuss current legislation.

That would be a difficult job, because the fishermen hold many diverse opinions, but this situation now operates in Western Australia and I understand that the officer gets on all right. It would be necessary to appoint someone with a knowledge of the industry and experience in dealing with the public, because the job would be complex, but I believe that it would assist the industry and make it easier for the industry to present its views when it is discussing matters with Ministers, particularly Ministers like the Deputy Premier.

The industry as a whole is not pleased about some regulations currently in operation. I do not want to delay the House unduly, as I understand the Minister has a sheaf of legislation that he wants to get through this evening. However, I hope that the Government will appropriate at least $40 000 for this project. In conclusion, I will quote from the document that has been made available to members on this side and, doubtless, to the Government. I hope the Government has considered it, and I ask the Minister whether he has seen it.

The Hon. J. D. Corcoran: I've been waiting for it.

The SPEAKER: I trust that it is relevant to the Bill.

Mr. GUNN: Yes, it is quite relevant to the matter under discussion, because we are discussing the administration of the department responsible for fisheries, in which the Government intends to alter the administration side. The submission deals with the liaison between the administrative side and the fishing industry, and doubtless it would be in order if I quoted from the document. The proposal that the industry has outlined on page 15 of the document briefly sets out what the duties of the executive officer would be. They are as follows:

Under the direction of the executive:
prepare all material required for all meetings;
attend all meetings for the purpose of recording minutes, receiving the meeting's direction on matters requiring attention;
attend to all matters emanating from any meeting of the branch;
prepare and distribute the monthly newsletter;
liaise with Government departments initially as a public relations exercise, and later as a means of obtaining information relative to the industry on matters affecting the industry;
contact with the media;
prepare submissions as and when required;
establish a library for the use of members;
report on Government legislation;
visit all members as regularly as possible—

that would be a difficult course of action to take—

ensure a close liaison is maintained with kindred associations;
attend to all matters relative to the administration of the branch's educational programmes;
maintain the books of account of the branch;
if seen fit be nominated to any committees where representation by the industry is needed;
liaise with other States and overseas organisations; and
prepare and distribute industry statistics.

I think they are the relevant matters. I sincerely hope the Government will not, by the course of action it is taking by submitting this legislation to the House, downgrade the Fisheries Department. The industry is important to my electorate, as it is to the electorate that the Deputy Premier represented for some years. It is important that nothing be done to harm that industry. The present situation is difficult as some people are deliberately setting out to flout the law and are deliberately disregarding the regulations. If they are successful, they will destroy the managed fisheries programme in South Australia; and, if that takes place, it will affect the whole industry and will not be in the best interests of the people of South Australia. I hope the Government can take the necessary action to prevent a course of action already taken by a fishing boat known as the *Allan*, which deliberately breached the regulations. I hope that action will be taken to prevent further boats deliberately defying the will of this House. I support the second reading.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Interpretation."

Mr. RODDA: It was said in the other place that the Chief Fisheries Officer will be responsible virtually for policy but that matters of administration, such as an appeal tribunal and the issuing of licences, will be handled generally by the department. Can the Minister tell the Committee where the cut-off point will be? Will the general administration in respect of licences be done under the direction of the Director of Agriculture and Fisheries? Can the Committee be assured that there will be expert advice from the Chief Fisheries Officer, who seems to be the right person to have the overall guidance in this important matter?

The Hon. J. D. CORCORAN (Minister of Works): I think the honourable member during the course of his earlier remarks drew attention to the difficulty that this Government has had in dividing administration from the research aspect of fisheries. He will be well aware that the former Director of Fisheries was appointed Director of Research and we advertised, on a number of occasions, for a Director of Fisheries, but we could not get a satisfactory or suitable man. I am sure the member for Henley Beach will agree that at times we thought the position had been blackballed, because we would get from people whom we considered to be suitable a nibble anyway, and after a short time they would die away. Clearly, the administrative side of the Fisheries Department will be completely separated from the research side (which concerns the honourable member), and that will be done at the direction of the Director of the department. It is clearly desirable that we have someone in charge of administration—the issuing of licences, etc.—which has been such a bone of contention in the past, and that the problems we have had in the past will be cleared up. Largely, those problems have led not only to a lack of staff, particularly on the administrative side, but also to a lack of power to delegate. Any member with experience of this department over a period of time will appreciate that a lack of power to delegate has led to delays in the issuing of licences, even though people have applied well before time.

The Government is concerned to see a vast improvement in the administrative side of the operation of this department and, at the same time, an improvement in the research side, because the industry is important to this State. It is one that I sincerely believe has great potential but that potential will not be realised until we have not only a proper research facility, which must be properly backed up, but also a competent administrative side. As the honourable member and other honourable members have stated, there is no magic in this but we have tried to promote the thing by creating a separate department and trying to appoint a Director of Research and a Director of Administration, but so far that has not worked. We think this is another approach which, I hope, will work.

Dr. EASTICK: This clause and clause 3 suggest the distinct possibility that the new Minister of Agriculture and Fisheries will have a series of Directors under him, and that there will not be one Director of the Department of Agriculture and Fisheries. However, it is conceivable, from the definition, that we could have a Director of Agriculture and at the same time a Director of Fisheries. I believed, from the Corbett report and Government statements following that report, that there was to be a degree of rationalisation and a reduction in the number of departments. I could accept the situation where the definition was dealing with a Deputy Director if he was going to exercise this authority and be answerable to the Director of the Minister's department. It is along these lines that I ask about the type of management and personnel envisaged in the new Agriculture and Fisheries Department.

The Hon. J. D. CORCORAN: I appreciate the point that the honourable member is making. However, I do not think I can do better than refer to what the Minister of Agriculture said on November 4 (page 1598 of *Hansard*), as follows:

I point out that the role of the Chief Fisheries Officer in the new structure of the Agriculture and Fisheries Department is to examine management policies. He will have responsibility for research and extension in the Fisheries Branch. The Chief Fisheries Officer, Mr. Olsen, is in the same salary range and the same Public Service classification as he was when he was Director of Fisheries Research.

The Minister then went on to refer to downgrading. I thought that covered the point made by the honourable member. He suggested that, simply because the Director of Agriculture would also be Director of Fisheries, so to speak, we would still have two separate functions, one of administrative management and the other one of fisheries research, under the one Director.

Dr. Eastick: I believe there was to be a situation in which there would be one Director, but this is wide enough to allow for two Directors.

The Hon. J. D. CORCORAN: I do not know whether they would be termed "Directors". I think they would be termed "Chief Fisheries Officer" and "Chief Administrative Officer". The functions would be as the honourable member has visualised them. One person would be specifically responsible for the management and administration of the department and the other for research. That is how I have always hoped the department would work. There is a distinct difference between the administrative and research work, and the research side of fisheries activities in this State has suffered as a result of the Director's having to be responsible for both administration and research: he could not wear both caps successfully. I hope, as we hoped in the past in creating two positions of Director, that this will lead to the situation that we have visualised for some time.

Mr. BLACKER: The Minister has suggested that one of the Director's inadequacies was the inability to delegate. I take it that this provision will allow the Director to delegate powers within the department. Will this mean an expansion within the Public Service, or is it an attempt to involve voluntary organisations in decision-making?

The Hon. J. D. CORCORAN: I did not mean to be critical of the former Director of Fisheries, Mr. Olsen, when I said he did not delegate sufficiently. This was because of the nature of his job, which, politically, was a hot potato. He was constantly called on not only by me but also by other members to explain why certain things happened. I think it was because of the pressure exerted on him over a period of time that he thought he could not delegate.

Dr. Eastick: And he's had four Ministers in short succession.

The Hon. J. D. CORCORAN: That is indeed a relevant point. Mr. Mick Olsen has probably served more Ministers than has any other departmental director. No-one should under-estimate the difficulties with which Mr. Olsen has been faced as Acting Director and Director of Fisheries. As a member who represented all the lobster fishing ports in the South-East, I have some understanding of the difficulties involved in dealing with the people in this industry and, in the circumstances, Mick Olsen has done an admirable job.

Dr. Eastick: And the majority of them respected him for it.

The Hon. J. D. CORCORAN: That is so. There is no doubt that Mr. Olsen had a tremendous task. I think Mr. Olsen thought that I was being critical of him. In fact, I was not; indeed, I sympathised with him for the position in which he found himself. All these things led to his being unable to delegate because, every time he did so, he got into trouble. I hope we can obviate that sort of situation. I hope what I have said explains to the honourable member the feelings that Mick Olsen and I have regarding this matter and that we can solve the problem that has confronted the department in the past. I think we can.

Regarding research, Mr. Olsen is probably without peer on the Australian mainland. He knows his stuff. However, he was never given an opportunity to finish anything he started, because his administrative duties constantly dragged him away. So, by splitting his time, Mr. Olsen could not succeed in either area.

Mr. RODDA: From what the Minister has said, it is obvious that the Chief Fisheries Officer, an expert in research, will need extra inspectors on his staff. On the Far West Coast, some people fish outside the three-mile limit whereas at other times they do not. These people can sneak into fishing grounds where they should not be fishing. Will there be further amendments to the Act to give it teeth and to provide what the Chief Fisheries Officer must do in relation to research? It seems to me that this is only the tip of the iceberg.

The Hon. J. D. CORCORAN: I do not think there will be any great necessity to amend the Act, substantially anyway, as a result of this. The real problems regarding inspections, and so on, are the continual squabbles regarding areas of responsibility that occur between the Australian and State Governments. People try at times to exploit the differences between the two Governments. The powers that are needed to operate, direct, protect and promote the industry already exist, and can be worked on if the organisation of the department is changed. Of course, other odd amendments may have to be made.

I have believed for a long time that additional staff was needed. However, it is important that, if we are to get that staff, we must have adequate and proper direction to keep it employed efficiently. This was beyond the resources of the former Acting Director, as he was responsible for so many aspects of the department's work. I hope that with the separation, and with the Director coming from elsewhere, this problem can be solved.

Dr. EASTICK: I accept what the Minister has said following the statement made by the Minister of Agriculture in another place. However, it confirms my belief that it will be possible in future, even though it may be the Government's immediate intention to have a Chief Fisheries

Officer, to have a Director of Fisheries as well as a Director of Agriculture. Evidently, the Minister of Agriculture does not dispel such a distinct possibility, but this would defeat the rationalisation of the Public Service on which the Government has embarked as a result of the Corbett report. I have been in the company of Mr. Olsen and members of the fishing industry and have heard those members laud him for the work he had done in the department (even though they could not accept his replies at times) and for the consistency of his work. However, the Government did not help him much. Not only was there a series of Ministers but, when the position of Research Director was created and Mr. Olsen was appointed, it left the position of Director vacant, and he had, at short notice, to assume that office as Acting Director because of the department's inability to function without his signature on documents. I hope that the Bill will resolve that intolerable situation.

Clause passed.

Clause 3 and title passed.

Bill read a third time and passed.

NATIONAL TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 30. Page 928.)

Mr. WOTTON (Heysen): I support the Bill, which enables the National Trust to bring its rules and by-laws up to date and into line with present circumstances. The main purpose of the Bill is to revise the principal Act with a view to removing from it the rules and by-laws of the trust presently contained in the schedule, and to substitute a new section 9. New section 9 (1) provides the power to extend the rule and by-law making powers by proclamation, and these rules are enacted by new section 9 (3). New section 9 (2) contemplates that the council of the National Trust will, within six months after the passing of the Bill, make a new set of rules and by-laws, thus giving the council ample time to review and consolidate its present set of rules so that a new set may be produced and approved by a general meeting of members. However, until the new rules come into effect (but notwithstanding the repeal of the schedule to the Act), the council may continue to be guided by its old set of rules. Under new section 9 (3), the *status quo* will be preserved under the existing rule, notwithstanding the repeal of the schedule.

This is a straightforward Bill. The National Trust has been attended to by various voluntary bodies consisting of various people and committees in charge at different times. Over the years, it has been impossible for proper records of all the amendments made to the schedule to be kept. There has been great difficulty in establishing several of the amendments which have been made to the schedule but which have not been correctly validated. Many irregularities may be found in the current schedule, and I will not go through all of them; however, one relates to the subscription fees and the change to decimal currency. Under the present schedule, a life member shall be a person who pays to the funds of the trust the sum of 20 guineas, which will now be converted to decimal currency. The Bill is concerned with just one of many cases in which it has been possible to amend the Act by rule or regulation, and where the correct procedure for making rules has sometimes not been followed.

In many cases, it is also necessary to remove or separate the Act from the rules in order to assist in consolidating the Act. The proposals to which I have referred are essentially a matter of tidying up the Statute Book. The trust is anxious for the Bill to be passed as soon as possible, and there is no disadvantage to the trust in removing the schedule from the Act and in having its rules and by-laws published in the *Government Gazette* from time to time. The council of the trust will have the same powers to make the rules to be used in the running of the trust, as was the case prior to the repeal of the schedule. Put simply, the Bill, when approved, will allow the trust to bring its rules and by-laws up to date and into line with present-day circumstances, and it will also enable the Act to be consolidated under the Acts Republication Act. In removing the schedule, so will be removed the doubtful validity of several of the amendments that have come about through the lack of concise records, and also that possible irregularities and defects in the procedures followed when some of the rules have been amended. I support the Bill and ask other members to do likewise.

Bill read a second time and taken through its remaining stages.

SUCCESSION DUTIES ACT AMENDMENT BILL

Returned from the Legislative Council with the following suggested amendments:

No. 1. Page 3, line 6 (clause 5)—Leave out "any duty" and insert "any estate duties, succession duties, or other death duties".

No. 2. Page 3—After line 14 insert new clause 5a as follows:

"5a. *Amendment of principal Act, s. 9b—Relief from duty on successive deaths.*—Section 9b of the principal Act is amended—

(*a*) by striking out from subsection (2) the passage 'five years' and inserting in lieu thereof the passage 'nine years'; and

(*b*) by striking out subsection (3) and inserting in lieu thereof the following subsection:

(3) Subject to subsection (4) of this section, every such rebate shall be an amount equal to a percentage of the duty paid on the property (other than limited interests) which passed to the successor from his predecessor, and the percentage shall be determined in accordance with the following rules:

(*a*) if the successor died in the first year after the predecessor—90 per cent;

(*b*) if the successor died in the second year after the predecessor—80 per cent;

(*c*) if the successor died in the third year after the predecessor—70 per cent;

(*d*) if the successor died in the fourth year after the predecessor—60 per cent;

(*e*) if the successor died in the fifth year after the predecessor—50 per cent;

(*f*) if the successor died in the sixth year after the predecessor—40 per cent;

(*g*) if the successor died in the seventh year after the predecessor—30 per cent;

(*h*) if the successor died in the eighth year after the predecessor—20 per cent;

(*i*) if the successor died in the ninth year after the predecessor— 10 per cent."

No. 3. Page 6, line 9 (clause 14)—Leave out "and".

No. 4. Page 6 (clause 14)—After line 11 insert the following:

"and

(*d*) where property is derived from the deceased person by a beneficiary of the fourth category, and that property includes moneys received by the beneficiary under a policy of assurance effected on the life of the deceased person—

(i) the amount of those moneys; or

(ii) an amount of five thousand dollars,

whichever is the lesser."

No. 5. Page 8 (clause 14)—After line 21 insert new definition as follows:

"'beneficiary of the fourth category' in relation to a deceased person, means—

(*a*) a spouse of the deceased person; or

(*b*) a descendant of the deceased person."

No. 6. Page 8, lines 24 to 27 (clause 15)—Leave out all words in these lines and insert the following:

(1) Subject to subsection (2) of this section, where property derived by a spouse, ancestor or descendant of a deceased person includes any beneficial interest in rural property, the special statutory amount is determined in accordance with the following rules:

(*a*) where the value of the beneficial interest does not exceed $80 000, the special statutory amount is 60 per centum of the value of that interest;

(*b*) where the value of the interest exceeds $80 000, but does not exceed $200 000, the special statutory amount is $48 000 plus 26¾ per centum of the amount by which the value of the interest exceeds $80 000; and

(*c*) where the value of the interest exceeds $200 000 the special statutory amount is 40 per centum of the value of the interest.

No. 7. Page 9, lines 41 to 43 and page 10, lines 1 to 3 (clause 20)—Leave out paragraphs (*a*) and (*b*) and insert new paragraphs as follows:

(*a*) by striking out paragraph (b) of the proviso to subsection (3) and inserting in lieu thereof the following paragraph:

(*b*) if a savings bank or building society is satisfied after reasonable inquiry that it is unlikely that steps will be taken to prove the will (if any), or to obtain adminstration of the estate, of a deceased person and an amount not exceeding two thousand dollars is held on deposit, or invested, in the name of the deceased person in that savings bank or building society, the bank or society may, after the expiration of one month from the date of death of the deceased person, and without the Commissioner's certificate or consent, permit those moneys to be withdrawn by a spouse, ancestor or descendant of the deceased person who has become entitled to those moneys;

(*b*) by striking out from paragraph (*c*) of the proviso to subsection (3) the passage "in which moneys are held on deposit" and inserting in lieu thereof the passage "or building society in which moneys are held on deposit, or invested,"

(*c*) by striking out from paragraph (*c*) of the proviso to subsection (3) the passage "from the account" and the passage "in the account".

Consideration in Committee.

Amendment No. 1:

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

That the Legislative Council's amendment No. 1 be agreed to.

This relates to the deduction of gift duty liability, and clarifies the position in relation to the measure. I recommend that the Committee accept the amendment.

Motion carried.

Amendments Nos. 2 *to* 4:

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

That the Legislative Council's amendments Nos. 2 to 4 be disagreed to.

Amendment No. 2 relates to quick successions. The proposal of the Legislative Council is that the quick succession provision be amended to accord with the Western Australian provision. The provision already made in the principal Act is very much more generous than the position in the other States, other than Western Australia. It is considered that the provision for quick successions at the moment is quite adequate, and the Government does not believe that this amendment should be accepted. Amendment No. 3 is consequential. Amendment No. 4 provides for assigned assurance policies, to bring assigned assurance policies back into special concession in the Act. The Government removed the provisions relating to these policies quite deliberately, and it is not proposed to accept the amendment which seeks to perpetuate the special treatment afforded them in the past. Our considered view is that there is no more reason to encourage people to provide for their beneficiaries in this way than there is to encourage them to provide in any other way. There are numbers of other ways of providing for beneficiaries. The number of policies which occur under this provision is not large, but we do not see any reason why there should be a distortion of the normal provision for dependants in relation to this particular means of providing for dependants rather than others. In consequence, we do not propose to accept that amendment.

Mr. NANKIVELL: Amendment No. 2 relates to quick succession. The Premier has said that this is somewhat similar to the Western Australian provision, but the reason for introducing a succession of this kind is that such provisions can be very harsh. I have been witness to this on a number of occasions fairly recently. We have all heard the advice of the Premier to transfer property into joint names. A situation exists where property is held in the name of one person and is transferred automatically to another. In such cases, quite substantial hardship could result from the manner in which the estate has been left. The intention of the amendment is to try to make provision for the case where the estate of someone who dies within, say, nine years as a beneficiary of a previous deceased estate has a progressive write-down in the amount allowable by way of rebate. It is heavily weighted; in the first year after death it is 90 per cent, tapering off at nine years to nil.

I have no strong views on this amendment. However, it is a worthwhile amendment in view of the way in which estates at present are left. It is designed progressively to reduce hardship. People have an opportunity to make adjustments, and if they do not do that within the terms of the present Act we cannot legislate for people who will not help themselves. They cannot be forced to take action, but we do not wish to see them penalised unduly because of a situation that has existed in the past. People have traditionally accepted it, but now their attitude towards it is progressively changing.

An important point to the Commissioner of Stamp Duties and to the Premier, as Treasurer, would be what this would mean in terms of revenue. If it does not mean much in terms of revenue, it could mean a great deal in terms of hardship. Weighing one against the other, if it will not be a great cost to the State to agree to the amendment, I suggest that what is intended here is not unreasonable in terms of alleviating hardship to some people. I should like the Premier to say whether any calculations have been done to see what would be involved in relation to normal estates.

The Hon. D. A. DUNSTAN: I have not got a figure. It is extremely difficult to calculate. The Commissioner for Taxes recommended strongly against it.

Dr. EASTICK: I add my support to the view of the member for Mallee, and I do so against the background of the bonus the Government will receive with the passage of this Bill, by which the benefit for succession purposes will reduce from the age of 21 years to the age of 18 years. This is more than a 14 per cent benefit by virtue of the number of successions coming the way of the Government. The latest statement by the Under Treasurer, delivered today, shows that for the month of October there was a surplus of $5 000 000. On known figures it is conceivable that there could be a $10 000 000 surplus

for the current 1975-76 year. There has been an oversupply of tax funds in some areas indicated in the figures provided to October 31. A concession to the community in terms of this amendment would not be a loss to the Government. It will not, on present indications, find itself in a position of having less funds than had been budgeted for. The provisions of the amendments are made in good faith to the people of South Australia, and the Committee should support them.

Motion carried.

Amendment No. 5:

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

That the Legislative Council's amendment No. 5 be disagreed to.

This amendment alters the provisions in relation to beneficiaries of the fourth category, and I think it relates to the previous amendment.

Mr. NANKIVELL: The previous amendment hinges on the introduction of the new definition of a category 4 beneficiary. I can relate my remarks on this amendment to the same circumstances I related to previously where, under the provisions of the principal Act, people provided for life assurance policies because special provision was made for a rebate of up to $5 000. These people, in good faith, took out policies in order to take advantage of what is a perfectly proper rebate deduction. This Bill removes the life assurance rebate, and I submit that people will be disadvantaged; in fact, some of them will be embarrassed because of this provision.

I suppose people could get paid-up policies, but people have honestly and legitimately entered into an agreement for a life assurance policy because it was proper for them to do so under the provisions of the principal Act. These people are to be excluded unless we accept the definition of the fourth category and approve of it being an additional category for a rebate. I ask the Premier, because it could cause hardship, whether it would cause greater loss of revenue to the State to remove this rebate provision from the principal Act.

The Hon. D. A. DUNSTAN: Admittedly, there are not many policies that have so far come to hand. We do not know how many are outstanding, and will not know until death has occurred. The provision of a policy of this kind does not mean that the value of the policy is lost if this change is made. It simply means that it does not attract a rebate. Many people make provision of this kind without having assigned the assurance policy, but have simply provided an assurance policy against this position without assignment. We do not see any reason why a particular class of assurance should attract this rebate when other provisions made for beneficiaries do not.

Mr. NANKIVELL: In these categories most people would have arranged their assurance in a different way, and others would have taken out the assurance on the life of a deceased, if one can use that term. That is one procedure by which one can take advantage of life assurance. In this case there has been some sort of encouragement to take out assurance on one's own life. That is what concerns me. It is not the recommended procedure, but is a procedure that is encouraged by the principal Act. If that provision is deleted and the people concerned do not die immediately, I suppose they can instruct their insurance companies to change the form of the policy.

Dr. Eastick: By paying the relevant stamp duties.

Mr. NANKIVELL: Yes, notwithstanding that, however, it is probably the lesser of two evils. It is important that people be advised of this change, because it is possible to change the assignment of a particular life assurance policy. Just as the Premier has so conscientiously advised people to put land into joint tenancy, if he wishes to remove this advantage he should be just as conscientious in advising people to change their life assurance policies.

Motion carried.

Amendment No. 6:

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

That the Legislative Council's amendment No. 6 be disagreed to.

I understand this amendment emanated from the Hon. Mr. DeGaris and relates to rural rebates. His amendment proposes to increase rebates to 60 per cent where the beneficial interest in the rural property does not exceed $80 000 and to reduce the rebate to 40 per cent between $80 000 and $200 000, and remain at that percentage where the beneficial interest exceeded $200 000. It is a slight alteration in the incidence of the tax, but there are many estates where the succession would fall in the category to which he is giving this specific rebate. We do not believe that it is reasonable to take the rebate to more than 50 per cent in any category. Although we would not perhaps be entirely averse to his assistance in revenue in relation to larger estates, we are not willing to trade that as a *quid pro quo* in relation to rebates in the first category with which he deals.

Mr. NANKIVELL: In moving this amendment in another place, honourable members were rather concerned at what they considered to be the disparity that would exist if the Bill were not amended so that rebates differed as between large and small estates. Members in another place believed the provision was too generous to large estates and far too harsh to small estates. Strangely enough, members in another place thought we were being too generous to large estates, and believed that, in moving an amendment of this nature to equate the situation, they were being just in their determination.

The Hon. D. A. Dunstan: It is not necessarily large and small estates; it is large and small successions.

Mr. NANKIVELL: I see now that the Premier is suggesting that these amendments are far more subtle than they appear on the surface. As far as the general principle is concerned, I would support it without looking for an ulterior motive, because, in all fairness, if it does not affect revenue (and I know that must be an overriding factor in the Premier's thinking on this matter) it would seem far more equitable in the present economic climate to be less harsh on smaller estates and ask people with larger estates to pay a little more. Surely calculations have been made relating to the impact of this provision. If it is not significant, I suggest the amendment would not be unreasonable.

The Hon. D. A. DUNSTAN: Again, I do not have a figure, but it is suggested that the impact would not be inconsiderable.

Mr. GOLDSWORTHY: I would really like to hear the Premier further discuss this amendment. It has been suggested that it is a little more subtle than appears on the surface. I believe this is the sort of provision that would be dear to the Premier's heart. I would have thought that this amendment would be sure to succeed. Is it asking too much for the Premier to comment on this matter? Will the impact on revenue be minimal?

The Hon. D. A. DUNSTAN: I did not say it was minimal, I said it was not inconsiderable.

Mr. GOLDSWORTHY: Now I see it in a different light. In the Premier's view, it will cost the State too much?

The Hon. D. A. Dunstan: Yes.

Dr. TONKIN: This immediately raises the question of what is "not inconsiderable". Is the Premier talking about thousands of dollars, hundreds of dollars or millions of dollars? Has this situation been carefully costed?

The Hon. D. A. Dunstan: It cannot be done.

Dr. TONKIN: "Considerable" can mean less than 10 per cent or 50 per cent. Surely there must be some indication that the Premier can give the Committee.

The Hon. D. A. DUNSTAN: I said earlier that I did not have a figure. The view of the Commissioner was that this would be an unwise amendment to accept as it could have a marked effect on revenue. It is not possible to cost it out exactly. As honourable members know, not only the number of deaths but the patterns of successions vary from year to year; it is difficult to get a precise figure in relation to these matters. Nevertheless, the Commissioner's view was that it could have a marked effect.

Mr. GOLDSWORTHY: That is all vague. The operative words are "could" and "may". The Premier obviously has no idea of what this amendment would cost, and he has not justified his opposition to it. I thought this amendment would be near and dear to the Premier because he is all for the little people and wants to get at the big people.

Motion carried.

Amendment No. 7:

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

That the Legislative Council's amendment No. 7 be disagreed to.

This amendment relates to the taking of moneys, without the filing of a succession duties statement, from building societies. We allow this in relation to savings bank deposits, but it is now proposed that money on deposit in building societies should be put in. I point out that building societies are not the only other places other than savings banks in which people have money on deposit. If we do allow building societies to be covered by this provision, there would be much demand on the Government to apply the provisions in all other areas in which money was placed on deposit, like credit unions and finance companies. If the Succession Duties Office is satisfied in any estate that no succession duties will be involved and that the only asset is money in the name of the deceased in a deposit account, it issues the appropriate succession duties certificate without delay. There is no difficulty about people getting that money if that, in fact, is the only asset in the estate. A record is kept of these assets and, if succession duties statements are subsequently lodged, then the amounts that have been so allowed to be paid out on a certificate can be aggregated; but, if there is no application to the Succession Duties Office and there is no certificate issued, there is not a record; no record is afforded to the department of the amount paid out. In these circumstances we can easily face considerable evasions. The Commissioner is strongly opposed to widening the provision in this section.

Mr. NANKIVELL: The Premier has said that the widening of this provision could cause difficulty; it can be done only if a Bill is brought into this House by a deliberate act of the Government, or the acceptance of an amendment to an existing Act. Much importance has recently been placed on people putting their savings into building societies for the benefit which accrues to the community through the stimulus directly given to the building industry. Could not this provision be widened to include building societies just as saving banks are dealt with? Why should we accept savings banks? They are largely Government institutions, whereas building societies are largely co-operative institutions. I do not believe there would be such administrative difficulties. If one can administer the savings banks why cannot one administer building societies in the same way? I refer to the importance of building societies. We should encourage people to invest money in the building industry. It could pay off to allow them this slight loophole in view of the benefits which will follow to the State in other ways.

Motion carried.

The following reasons for disagreement to the Legislative Council's amendments Nos. 2 to 7 were adopted:

Because the amendments would create inequity in the incidence of succession duty and would have an adverse effect upon the revenue of this State.

ADELAIDE FESTIVAL THEATRE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 30. Page 928.)

Mr. COUMBE (Torrens): This is a short Bill, which I support. It corrects certain omissions in the principal Act, which was passed in 1974, to relieve the Adelaide City Council of certain financial obligations in relation to the Festival Theatre. Much rate revenue is lost by the council because the Crown owns much property and land within the city on which no rates are paid. This Bill provides for reimbursement to be made at periodical times rather than on an annual basis and, when payments are made by the council into the sinking fund, they will attract reimbursement by the Government. All members support that provision.

Surely all members must be gratified at the results published last week of the level of bookings at the Adelaide Festival Theatre last year. The Select Committee of which I was a member, and which examined this matter, had doubts about what the level of bookings would be. The figures presented last week show that there has been an extremely high level of bookings throughout the year; in fact, the level was much higher than that in any comparable theatres. The committee was concerned at the level of bookings that would occur between the holding of the Festival of Arts every two years, but the results more than vindicate the confidence shown in establishing the Festival Theatre, the Playhouse and the Space. Adelaide is now internationally renowned for its theatre, not only in relation to the facilities but also for the high level of productions that are attracted to and presented here, and anything we can do to assist to maintain that level of entertainment and culture in South Australia is to be commended. The Bill assists the Adelaide City Council and corrects omissions that should not have been made in the 1974 Bill.

Bill read a second time and taken through its remaining stages.

CONSTITUTION ACT AMENDMENT BILL (ELECTIONS)

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, lines 11 to 17 (clause 3)—Leave out the clause.

No. 2. Page 1, lines 18 to 25 and page 2, lines 1 to 12 (clause 4)—Leave out the clause and insert new clauses 4a and 4b as follows:

4a. Amendment of principal Act, s. 14—Periodical retirement of Legislative Councillors—Section 14 of the principal Act is amended by striking out the word "Whenever" and inserting in lieu thereof the passage "Subject to section 14a of this Act, whenever".

4b. Enactment of s. 14a of principal Act—The following section is enacted and inserted in the principal Act immediately after section 14 thereof:

14a. (1) Special election for members of Legislative Council—The Governor may, at any time after any member of the Legislative Council has completed the minimum term of service provided for by section 13 of this Act, issue a writ for a special election for members of the Legislative Council to be held within the period of three months next following that completion.

(2) Sections 14 and 15 of this Act shall respectively apply and have effect in all respects as if, on the day on which a special election provided for by subsection (1) of this section is held—

(*a*) the House of Assembly had been dissolved; and

(*b*) a general election of the House of Assembly took place.

No. 3. Page 2, lines 13 to 26 (clause 5)—Leave out the clause.

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

That the Legislative Council's amendments be disagreed to.

These amendments specifically negative the entire Bill as it was introduced in the House and passed. The purpose of the Bill, as was plain from its title, was to provide for coincidence of elections for the Legislative Council with those for the House of Assembly. The provisions of the Legislative Council's amendments are that the Governor be empowered to call special Legislative Council elections to be held within three months of half of the members of the Legislative Council having completed a minimum term of six years. That election would necessarily not coincide with the elections for the House of Assembly, and would completely negative the purpose of the Bill.

Dr. TONKIN (Leader of the Opposition): I suppose it was inevitable that the Premier would oppose the amendments of the other place, and the reason he has given was particularly brief. I see no reason why the provisions that have been written in to enable the members of the Upper House to serve their full term should not apply. Indeed, I believe that these are necessary amendments to render the Legislative Council able to fulfil completely its proper function as an Upper House and as a proper part of the bicameral system. I know that I could stand up and speak for as long and as hard as I liked on this matter, but I know that the Premier is totally and absolutely inflexible in this matter because it is his Party's policy to do away with the other Chamber as soon as he can. For that reason, I do not intend to press the matter at the debating stage, but I certainly will take it to a division.

The Committee divided on the motion:

Ayes (21)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Connelly, Corcoran, Duncan, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (21)—Messrs. Allen, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin (teller), Venning, Wardle, and Wotton.

Pairs—Ayes—Messrs. Keneally and McRae. Noes—Messrs. Allison and Vandepeer.

The CHAIRMAN: There are 21 Ayes and 21 Noes. There being an equality of votes, I give my casting vote in favour of the Ayes.

Motion thus carried.

The following reason for disagreement was adopted:

Because the amendments render nugatory the provisions of the Bill.

ADJOURNMENT

At 10.52 p.m. the House adjourned until Wednesday, November 12, at 2 p.m.