HOUSE OF ASSEMBLY

Wednesday, December 8, 1976

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

ROAD TRAFFIC ACT AMENDMENT BILL (No. 3)

At 2.1 p.m. the following recommendations of the conference were reported to the House:

As to amendment No. 2:

That the Legislative Council insist on its amendment and the House of Assembly do not further insist on its disagreement thereto.

As to amendment No. 3:

That the Legislative Council amend its amendment by leaving out the words "one dollar" and inserting in lieu thereof the words "one dollar seventy-five cents",

and that the House of Assembly agree thereto.

As to amendments Nos. 4 and 5:

That the Legislative Council do not further insist on its amendments.

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee.

The Hon. G. T. VIRGO (Minister of Transport): I move:

That the recommendations of the conference be agreed to.

Amendment No. 2 is the amendment relating to the excess width of vehicles. That now includes a field bin in the definition of agricultural machinery.

Members interjecting:

The Hon. G. T. VIRGO: One of the colleagues of members opposite put this matter in jeopardy earlier today. It was only an eleventh hour effort by me that retrieved the situation. The conference was advised within two minutes of meeting that the Government did not disagree with that proposal, subject to agreement to the remainder. The issue revolved around the increase in the penalties for overloading. The view was expressed at the conference that an increase to $2 and $10 was an unjustified increase and would have a severe effect on the rural community. I pointed out to the conference in a general statement that I was not able to back up with facts, but now can, that the rural community is not the community that is offending in this area. I think the Committee might be interested to hear these figures. In April, May and June this year 970 prosecutions for overloading were dealt with. However, these prosecutions referred to offences that occurred in November, December and January, the period of the harvest when one would expect that, if the rural industry was going to infringe, that would be the worst period of infringement.

Mr. Venning: What a load of rubbish!

The Hon. G. T. VIRGO: It is strange that the rural industry, about which the member for Rocky River is concerned, was responsible for only 20 of the prosecutions out of the 970, only 2 per cent. The argument this morning was about whether the 98 per cent of commercial carriers convicted for overloading should have a reduced fine. I am pleased that finally some agreement was reached but I am disappointed that in an endeavour to ensure the passage of the Bill a reduction had to be made. Nevertheless, it was passed and we will have to live with it. The remaining two amendments which are partly associated with the fines were not insisted on. That was the final result of the conference.

Mr. RUSSACK: It was a good conference this morning, although it took an hour and a half to come to a satisfactory conclusion. I realise that on a conference such as this all members representing this Chamber consolidate in one opinion, Therefore, I am pleased that the conference agreed to amendment No. 2, which was moved in another place, concerning field bins. The Minister said that this amendment was almost put in jeopardy by a member of the other place, and I think I am justified in saying that it was almost put in jeopardy by the Minister yesterday when he said that, although he agreed with the amendment, to have a bargaining point he disagreed with it at that time. I am pleased it has been agreed to and that field bins will now be included in the relevant provision of the Road Traffic Act. That will be of much assistance to many people involved in that industry.

I am particularly pleased that a compromise has been reached on amendment No. 3. Even though it might be small, I am grateful that some consideration has been given and the penalty for overloading has been reduced by 25c for each 50 kilograms. Agreement was reached by the conference on amendments Nos. 4 and 5. I consider that the procedure adopted in this Parliament when there is a deadlock is a good one. It can lead to a compromise that is acceptable to both sides, so that a Bill is not thrown out. I agree with the Minister when he said that the conference was satisfactory, although I am not absolutely satisfied with the final result. I am pleased that amendment No. 2 has been agreed to and that at least some consideration has been given to amendment No. 3.

Mr. VENNING: I reiterate what my colleague has said about the conduct of the conference today. For many years the United Farmers and Graziers of South Australia has been attempting to get paddock bins classified as a farm implement. Although the Minister drove a hard bargain, we eventually reached a compromise. The Minister listed the prosecutions that had taken place during the harvest period, and he said he was not very concerned about it. One is not concerned at present with the 40 per cent allowance applying but the problem that will concern the primary producer is that 40 per cent will be reduced to 30 per cent and the following year it will be reduced to 20 per cent.

The Minister believes that manufacturers will upgrade their vehicles, but many primary producers do not travel in their vehicle more than 300 kilometres a year delivering grain to silos and taking their stock to market, so that a truck lasts them for many years. Many trucks are in good order and their owners will continue to use them for 10 years, and the trucks will be subject to the reduction in load limits as the years go by when the Chairman of the Transport Control Board recommends to the Government that the limit be reduced back to the maker's specification plus 20 per cent. This aspect of the matter concerns me. It is pleasing that a compromise has been reached at the conference because many aspects of the Bill were desirable and to have lost the entire Bill would have been fatal. The Government did not give much away; about 25c was the only amount it gave away, and the Upper House did not further adhere to its amendments Nos. 4 and 5.

Motion carried.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL (No. 2)

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I have to report that the managers for the two Houses conferred together, but that no agreement was reached. I seek leave to make a statement in connection with the conference.

Leave granted.

The Hon. J. D. WRIGHT: The failure of the Opposition to reach any compromise on the Bill is most regrettable. By insisting on the amendments made by the Legislative Council, the Oppposition has ensured that the existing Act will continue in force unchanged. We must remember, first, that the Act as it stands was passed by both Houses after an exhaustive conference in 1973. The Opposition had a majority in the Legislative Council, and some amendments were made to the Bill, but the final result was a compromise accepted by the Opposition. If the final form of the Act was as disastrous as members opposite claim, they would not have agreed to it.

Secondly, there were two main reasons for the Government's introducing amendments: (1) to correct the anomaly that arose with the economic down-turn, whereby some workers received more pay on compensation than they would have received if they had been at work; and (2) to attempt to lower the costs of insurance premiums being paid by employers. The amendments introduced by the Government met both of those aims. However, in each case the Opposition moved amendments that were quite unacceptable to the Government. The Opposition saw weekly payments as the opportunity to try to force the level of payment below what a worker would have received at work. In other words, it believes that a person unable to work through injury on the job should have his normal income reduced because of his misfortune. This is quite unacceptable to the Government.

Regarding insurance arrangements, during the course of the Bill's passage through both Houses, we saw the insurance companies and the insurance brokers asserting their authority over the Opposition at the expense of the employers whom the Government was trying to assist. In a conflict of interest between insurers and brokers, on the one hand, and the ordinary employer who pays the premiums, on the other hand, the insurance and broking interests prevailed. In the case of brokers, the Government accepted Opposition amendments in the Assembly. However, the Opposition Leader in the Council (not, it is worth noting, the Hon. D. H. Laidlaw, who was in charge of the Bill for the Opposition) moved an amendment that virtually restored the former position. In this context it should be noted that the Employers Federation and, more particularly, the Chamber of Commerce and Industry both have ties with insurance companies that write considerable workmen's compensation business. The Government has honoured its undertaking to correct anomalies and do something about insurance premium costs. It has been frustrated at all stages by the Opposition, which must now be held responsible for the fact that no changes in the Act have been made possible.

Mr. DEAN BROWN (Davenport): I seek leave to make a statement.

Leave granted.

Mr. DEAN BROWN: The State Government's decision not to accept the reasonable amendments to the Workmen's Compensation Act put forward by the Liberal Party is grossly irresponsible. I am shocked and disappointed that South Australians must continue to suffer under the present problems caused by workmen's compensation. The Premier and the Minister of Labour and Industry have both acknowledged these problems. However, during today's conference the Minister refused to accept any amendments to the rate of compensation, even though the Liberal Party offered to reach a compromise. The Minister's total inflexibility will be to the detriment of South Australians. The entire conference lasted less than seven minutes. The Government has claimed that a person on compensation should receive neither more nor less than the person at work. However, the Bill introduced by the Minister did not uphold this principle. A person on compensation is better off because he does not incur travelling, clothing and other expenses associated with his work. The Minister's Bill made only minor amendments that were expected to increase the problems under the existing Act, rather than overcome them. The numerous amendments moved by the Liberal Party guaranteed a person on compensation the award rate plus over-award payments, but excluded overtime and special payments. In addition, the Liberal Party's amendments allowed for the apportionment of liability for previously injured workers; the exchange of medical certificates possessed by the injured worker, preventing double payment for annual leave if a person is on compensation for more than 12 months (that is preventing 56 weeks pay in a 52-week period); and compensating a person for only one job. All of these amendments were rejected by the Government.

Almost every sector of the community has criticised the Workmen's Compensation Act, including workers, injured people (who cannot be rehabilitated back into the work force), medical specialists, industry, and even the National Heart Foundation. Any Government that ignores such criticism is not worthy of governing South Australia. As I said earlier, I was disgusted by the Government's attitude at the conference this morning. It was an attitude of total inflexibility on the part of the Minister as to the real problems that are occurring under the provisions of the Workmen's Compensation Act.

The Minister has referred to the insurance clauses, on which there was basic agreement. He has accused the Liberal Party of acting as agents of the insurance brokers, but who in fact accepted the Liberal Party's amendments? None other than the Minister himself in this very place, so how can he accuse us of being their agents? The insurance provisions were trivial and peripheral to the main issues and problems arising under this Act. It is those problems that the Government promised but has failed to solve. The Government has been found to be wanting; its amendments were totally unsatisfactory; and because of its complete inflexibility on the important parts of that Bill, the Government received the treatment it deserved: its provisions were rejected.

Mr. McRAE (Playford): I seek leave to make a statement.

Leave granted.

Mr. McRAE: I support what the Minister of Labour and Industry has had to say about the conference, and I refute entirely what the member for Davenport has said. It is clear that the issue on which the Government has been maintaining its workmen's compensation policy (that is, that a person off work should receive no more than a person in a comparable job who is continuing to work) was provided for in the Bill. That is quite clear, and it has been clear all along. It has also been quite clear all along that employers in industry generally have been prepared to accept that. The real bone of contention that we know (and that any reasonable person knows) is that various insurance interests that are frightened of losing their cash flow through workmen's compensation, while widely stating that they are making such tremendous losses in that field, are also frightened that this is some devious means of procuring for the State Government Insurance Commission a monopoly in this area. That was the substance; every

member of this House who has followed the Bill through its course knows it, and so do the member for Davenport and his Leader.

Mr. Gunn: That's untrue.

Mr. McRAE: It is not untrue; it is quite correct. The Minister was at all times prepared to negotiate on insurance, and said so. The Minister stated what had been enunciated as Government policy (that a worker should receive no more but certainly no less than he would have received while at work) but, at the same time, stated that he was prepared to negotiate any reasonable arrangement so far as insurance provisions were concerned. That was rejected out of hand by the managers for the Upper House. Far from the Minister being dictatorial, or standing over anybody as has been suggested by the member for Davenport, it was the reverse. The other House adopted its usual stance of rejecting what was a reasonable proposition by the Government so that it could then parade some attack on the Government so as to defend what was its real purpose. The Opposition managers from the other House were not there, as the Minister said, to look after the interests of the ordinary employee, or the ordinary employer: they were there to look after the interests of the insurers, and nothing became more clear during the course of that conference. Anybody who was there would know that. The only reason that the conference took the meagre seven minutes that it did take was that some managers were not prepared to accept the Minister's invitation. I fully support what the Minister has had to say and, furthermore, I know that the people of South Australia, in particular the workers of South Australia and the vast majority of reasonable employers in South Australia, will also support it. That will greatly embarrass the Liberal Party and will backfire totally on the Opposition managers from the Upper House.

Dr. TONKIN (Leader of the Opposition): I seek leave to make a statement.

Leave granted.

Dr. TONKIN: It is a matter of great disappointment to me and to the members of my Party that there has been no compromise and no improvement on this Bill. When the workmen's compensation legislation was first introduced some years ago, it was felt quite firmly on this side of the House—

The Hon. D. A. DUNSTAN: On a point of order, Mr. Speaker, I understood that the members who were making statements to the House were members who had attended at the conference. Do I understand that the Leader is now intending, by leave of the House, to introduce a general debate on the matter?

The SPEAKER: The Leader has requested leave of the House to make a brief statement.

The Hon. D. A. DUNSTAN: I am prepared to grant that leave only to members who are reporting on what happened at the conference.

Members interjecting:

The SPEAKER: Order! The honourable Leader has been given leave of the House.

Dr. TONKIN: It was said at that time that the provisions would be a severe deterrent to industry coming to South Australia. When legislation was foreshadowed that amendments would be brought in, most people in this State breathed a sigh of relief, believing the anomalies would be corrected. When the Bill was first introduced in this House earlier this session it was apparent that the Government had no intention whatever of correcting anomalies or of correcting the basic problem, which was the problem of workmen's compensation legislation and increased costs keeping industry from this State.

From the reports on the conference we have heard so far, it is apparent that as it lasted for less than seven minutes, the Government was determined to reject out of hand the amendments made by members of the Opposition both here and in another place. It was apparent (and it will be apparent to anyone who considers that only seven minutes were spent in this conference) that the Government has been looking for an excuse to reject the legislation and leave the situation unchanged. The member for Playford has said that the Government was trying to correct the insurance provisions. That is a red herring. The whole point is that the Government has in its own way and true to form honoured its promises—honoured its promises by bringing legislation into this House knowing full well it would do everything possible to frustrate the passing of it.

Members interjecting:

The SPEAKER: Order!

Dr. TONKIN: I know that members opposite do not like it, and I have nearly finished. The people of this State can draw their own conclusions from the fact that less than seven minutes—

Members interjecting:

The SPEAKER: Order!

Dr. TONKIN: —were spent on this conference. If the Government was willing genuinely to come to any compromise at all on this matter, I would have expected it to have ventilated and explored every avenue of compromise, but instead less than seven minutes were spent on the matter. The Government has done nothing more than go through an exercise on this matter. It was a public relations exercise, but it will not affect the fundamental fact that the present workmen's compensation legislation will continue to be actively preventing industry from coming to South Australia. The tragedy of the matter is that it will be that lack of industrial development that will cost jobs in the long term, and the people who are supposedly specifically represented by this Government will in the long term suffer as a result of this legislation.

Mr. MILLHOUSE (Mitcham): I seek leave to make a statement.

Leave granted.

Mr. MILLHOUSE: This is a new procedure and I understand the Premier's perturbation at it. It is a procedure I have not known before but it is the only way in which the views of either side of the House can be aired if a conference between the two Houses has broken down. I was not on the conference but I have taken a great interest in this matter and I intend to say something about it. It appears that the old system, which was certainly artificial, that the managers from each House championed the point of view of their own House must have broken down irretrievably, judging by the remarks of the member for Davenport.

The Hon. R. G. Payne: You'd have thought he was from the other place.

Mr. MILLHOUSE: From the way the honourable member spoke it was obvious he was not championing the majority view of members in this place.

The Hon. Peter Duncan: They're so used to ripping up conventions.

Mr. MILLHOUSE: That may be so. Certainly, if this convention of the Parties in each House and between the Houses is to be forsaken, I can see that in future there

will be much less chance ever of coming to any compromise when there is a disagreement between the two Houses. I should have liked some further explanation from members of the Liberal Party for the apparent abandonment of the convention that has, to my certain knowledge, existed for well over 20 years. However, that is by the by. My own personal view in this matter was closer to that of the Liberal Party than to that of the Government. I have said consistently that compensation should be set at 85 per cent of average weekly earnings, and, until we do that, the working of the Act will be utterly unsatisfactory. However, that was not the compromise, but it is something in which I believe strongly and which I shall continue to urge in the House.

My most important reason for speaking is to ask (and I hope that leave will be given to the Premier to speak or to the Minister to reply) that members and the public of South Australia be told what is proposed. It is agreed, I think, by all members in this House and elsewhere and the general public that the Act is not working as it should work. We all want to have it amended in one way or another. This attempt by the Government has broken down amidst the rancour and ill feeling we have seen displayed this afternoon. What now does the Government intend to do to remedy what it acknowledges to be a completely unsatisfactory situation? Something must be done about the Act. We cannot go on like this because, in the view of most members, it is costing far too much. The Act has anomalies in it that are completely unfair to many people who are genuinely on compensation, and so on. This is certainly an expense that we, as a State, cannot afford. This attempt has gone. I ask the Government to let us know what it now proposes as a remedy.

The Hon. Peter Duncan: Remove the obstruction in the other House.

The Hon. G. R. Broomhill: Can't you get Cameron and company to support you?

Mr. MILLHOUSE: I wish I could answer that. I do not believe that we can afford to wait as long as that. Action is urgent and ought to be taken. I realise the difficulties involved in doing anything in this session, but is it the Government's intention to try again next session, I hope with some variation that has more chance of agreement among us all? I ask that question, because I think that, apart from all the squabbling we have heard this afternoon, that is the supremely important issue.

Mr. COUMBE (Torrens): I seek leave to make a statement.

Leave granted.

Mr. COUMBE: I was prepared to speak later in the day but, apparently, the Minister has decided to change the procedure somewhat. What has happened in the past is that every member, irrespective of whether or not he was present at the conference, has had the opportunity to debate the issue. As I have leave of the House, I am entitled to speak, and I intend to do so. When we went into the conference this morning, it was apparent, after the formalities were over and we had gone through the usual ritualistic kindliness and courtesies, that clause 7 was the nub of the whole affair. Clause 7 deals with weekly payments and compensation. The other matters, on which there could have been compromise, were refinements, but clause 7 was the nub of the matter. It is a fact that the Minister of Labour and Industry, the Chairman of the conference, categorically said to the conference that it was the Government's intention and policy not to budge one iota on clause 7. There was to be no compromise whatever as far as the Government was concerned. Let us be frank about this: clause 7 deals with the provision that has caused a lot of the trouble in the Workmen's Compensation Act since it has been introduced. Here was an opportunity for some compromise, but the Minister said frankly and plainly on behalf of the Government that he was not prepared to compromise or move one inch.

Dr. Eastick: He was the only House of Assembly speaker.

Mr. COUMBE: Yes, he was the only House of Assembly manager who spoke at the conference.

Members interjecting:

The SPEAKER: Order! There are far too many interjections.

Mr. COUMBE: It is correct that the Minister, to my recollection, was the only manager from the House of Assembly who addressed the conference. Therefore, it was clear that the Government would not budge on this matter. I have said before that the 100 per cent weekly award rate plus over-award payment is a compromise. This was not acceptable. It was not put forward this morning, because it had been put forward in the debate before. I was appearing on behalf of the Assembly as a manager.

Mr. Millhouse: It sounds as though you were appearing on behalf of the Liberal Party.

Mr. COUMBE: I had made my point here in the House where it should be made and I am willing to make it again. The member for Mitcham asked what would happen in future. I recall what happened on this occasion. This House received from the other place a private member's Bill introduced by the Hon. Mr. Laidlaw. After the second reading speech was given here by the member for Davenport, the debate was delayed for some time until the Minister spoke. That Bill is still on the Notice Paper.

At that time the Government did not proceed with that Bill, and it was obvious to members that the Government did not want to proceed with it until it brought its own Bill in. It was not prepared to concede that anybody other than the Government had any rights in this matter; it gave the impression that we were being audacious in putting forward such a method to improve working conditions in South Australia. The Government thought it had a monopoly. The Government can easily correct this anomaly that is before us now. I challenge the Government to proceed with the Bill which is still on the Notice Paper and which has come from the other House. If one looks at the provisions of the Bill closely one can see that they will get over all these anomalies that are being talked about. I challenge the Government to do this. It can proceed with that Bill now in this session of Parliament. If the Government wants subsequently to amend that Bill or bring in its own measure, it can do so. Therefore, I challenge the Government to accept that procedure.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. D. A. DUNSTAN: At the outset I want to indicate that I do not propose that this procedure be adopted in future, and I give members due warning of that.

Mr. Millhouse: I'm surprised you let it go this far, actually.

The Hon. D. A. DUNSTAN: I did. It is a new procedure, as the honourable member has observed, and I do not propose to allow this —

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I give notice to honourable members so that they will not be surprised in future.

Mr. Dean Brown: You're going to stop freedom of speech.

The Hon. D. A. DUNSTAN: The honourable member is so free with his speech that I really do not think that I can be accused of stopping him. He is the only person who can bring his speech back to reasonable limits of reason, good taste, and persuasiveness.

Mr. Goldsworthy: You want the public to hear only one side of the story.

The Hon. D. A. DUNSTAN: I am sure the honourable member has an opportunity of making his statements to the public but, as I have said before, unfortunately for the honourable member the public does not take terribly much notice of him. In relation to this matter, let me make it clear, since two members have asked what is the Government's position on it, that the Bill which has been rejected by another place (because that is the effect of what has happened) was introduced to this House after a long series of conferences, and after a previous Bill initiated by the Government in relation to this matter had not been proceeded with because of objections by industry. Subsequently to that measure, discussions were held with industry and with the Industrial Development Advisory Council concerning the contents of workmen's compensation provisions, specifically provisions to correct an anomaly under which a man, because of overtime assessments for the previous 12 months, could be paid more while he was off from work on compensation than whilst at work.

An initial proposal by the Government to deal with that matter was put before the Industrial Development Advisory Council, which advised strongly against it. Discussions were held with the council, and the Government accepted its view. The Government was not intransigent in this matter. The Government then put forward the proposal which came before this House, and the members of the Industrial Development Advisory Council went on record with appreciation to the Government for its acting flexibly and reasonably in this matter and introducing a measure which met a great many of the objections the council had made. Whilst some believed that compensation payments should be less than a man would get if he were at work, they indicated that they accepted that it was specific Government policy, and policy expressed at elections and endorsed by the electors, that a workman off from work should be paid what he would be paid if he were at work.

Mr. Goldsworthy: Laidlaw's Bill does that.

The Hon. D. A. DUNSTAN: It does nothing of the kind; it specifically reduces the amount that he would be paid. The result was that we put a measure before this House with the intention that it should pass, but making clear that the Government could not be in a position of accepting anything less than the policy on which it was clearly bound by what it had put before the electors. That policy, for which this Government had a clear mandate, has been rejected by an Upper House with a majority that is unrepresentative of the people in this State, as members of this place well know.

Mr. Chapman: Will you go back to the people and try it?

The Hon. D. A. DUNSTAN: The honourable member would not like us to go to the people at any time.

Mr. Chapman: Any time you like.

The Hon. D. A. DUNSTAN: The honourable member says that only because he knows he would sink some of his colleagues whom he does not like. We know quite well how he feels about some of his colleagues. Let us not mince words about that. The position therefore is that the measure for which the Government has a clear mandate has been refused. The Government is unable to introduce a measure which is not in accordance with its specific policy on this matter, and it will not do so. If there is any sign that members in another place are prepared to accept what the view of the electors has been, as expressed at elections, we would take action.

QUEEN ELIZABETH HOSPITAL

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Queen Elizabeth Hospital—Emergency Department Extensions.

Ordered that report be printed.

PRACTICES OF PARLIAMENT

The SPEAKER: After consideration of the events of the evening of November 17, I wish to make a statement. The law of Parliament does not consist solely of Standing Orders but is comprised of other elements, including custom, precedent and practice. The practice of the House is the unwritten law of the House, built up over many years, and is equally as important as the written Standing Orders and is made up of precedents set by custom, interpretations of Standing Orders and by rulings given from the Chair over the years.

The practice in this House over many years in the case of the use of objectionable language has been for the Speaker, when called upon by an offended member, or of his own volition, to ask the offending member to withdraw the words complained of, to the Speaker's satisfaction, and the act of withdrawal has been accepted as sufficient apology, even though the words "and apologise for their use" have always been in the Standing Order. If members were to be made to apologise for every misdemeanour committed in the heat of debate, the position would become farcical. In 1885, E. G. Blackmore, in his *Practice of the House of Assembly*, wrote:

> Every such objection must be taken at the time when such words are used, and not after any other member has spoken. Any member, having used objectionable words and not explaining or retracting the same or offering apologies for the use thereof to the satisfaction of the House, shall be censured.

It will be noted that Blackmore says "or offering apologies" not "and offering apologies".

It will be seen that the same practice has operated in this House since 1885, and the last time it was tested was in 1974, when the honourable member for Davenport, in objecting to words used by a Minister, also insisted on an apology, but the then Speaker ruled that the words objected to had been withdrawn to the satisfaction of the Speaker whereupon, on motion of the honourable member for Mitcham, the ruling was objected to in writing and eventually upheld by the House.

I point out that, prior to the incident on that evening, I insisted that objectionable words uttered by a Minister involving the gallery should be withdrawn, as they reflected on honourable members of the Opposition, but in that

instance no apology in addition to the withdrawal was demanded. I also draw attention to the fact that in the second incident I, as Speaker, without waiting for objection from any member, took the initiative in demanding that the Minister concerned should withdraw and that, in accordance with past practice, the withdrawal of the remark was sufficient apology. As far as I can ascertain, the practice of the Legislative Council, which has the same Standing Order, is the same as that in this House, as demonstrated recently by events in that Chamber when the President also ruled that he would follow my interpretation in a similar situation that arose in that Chamber. The same practice is also followed by many other Australian Parliaments.

QUESTIONS

COMPULSORY UNIONISM

Dr. TONKIN: Will the Premier say whether the Government has resiled from its position on compulsory unionism (in the guise of preference for unionists) and the removal of civil torts involving trade unionists, or does it intend to persist with the legislation foreshadowed at the opening of this session? The Government announced these measures in the last session and, since then, we have heard very little about them. Following adverse public reaction it could be said that the Government has backed away from them. There has been a great deal of adverse reaction to the proposals within the community. The Government announced in the Governor's opening Speech to Parliament that the measures would be introduced, but they have not been introduced. The tort provisions were highlighted by the events surrounding the Kangaroo Island shearing dispute. The criticism of compulsory unionism has been highlighted by the Lachs case and by troubles in school canteens, by the Government's instruction to councils that only unionists could work on unemployment relief projects and, the latest, that ancillary staff joining the Education Department must either be a member of a union or give an undertaking that they will join a union after obtaining a position. It is well recognised that these matters are totally contrary to the Universal Declaration of Human Rights and the rights of the individual. Will the Premier, therefore, indicate whether the Government now intends not to continue with those proposals?

The Hon. D. A. DUNSTAN: In the first place, the Leader has not described correctly the Government's proposals, but that is his wont. The Government has not changed its policy.

SPORTING GRANTS

Mr. LANGLEY: Will the Minister for the Environment, representing the Minister of Tourism, Recreation and Sport, appeal to the Federal Minister in charge of sport to fund travel for Australian and overseas championships, as was done during the time of the Federal Labor Government? Sport plays a vital role not only in the sporting field but also in producing ambassadors for our country. Decisions have been made lately that have been reversed quickly, and it seems that Federal Government funding for sport has almost disappeared. Former assistance was invaluable for the administration of sport and the provision of facilities for participants. A pleasing aspect of the Federal Labor Government's programme in this sphere was the introduction of a Minister in charge of sport, a portfolio that was appreciated greatly by all sporting people.

The Hon. D. W. SIMMONS: I shall be pleased to refer the honourable member's question to my colleague. I know that the Federal Government has reduced considerably its commitment in this area. The Prime Minister had the benefit of a first-hand impression of the consequences of that reduction when he visited the Montreal Olympic Games recently. However, given the Prime Minister's propensity to change his mind and back-track, it is possible that he will be willing to reconsider this issue. I will therefore see whether another approach can be made to him to ascertain whether the Federal Government will accept some responsibility in this area.

SEXISM

Mr. GOLDSWORTHY: Is the Minister of Education aware of the contents of the report by the Sexism in Schools conference held at Wattle Park Teachers' Centre on September 18 and 19, and does he support the recommendations of that conference? I have been contacted by a headmistress who is concerned greatly about the activities of so-called feminists in the Education Department. I have read the report to which I have already referred. On March 13 last year in this House I asked the then Minister of Education (the Hon. Hugh Hudson) a question on this subject, and among other things he replied:

I think that what is far more important on the issue of sex discrimination is the attitude of people, and the extent to which attitudes are formed by textbooks probably is fairly limited. Consequently, we would not proceed to replace textbooks, except when they were falling due for replacement.

The report of the conference to which I have just referred states:

Concern was expressed in particular that most materials in use in schools are sexist and that non-sexist and counter-sexist materials are desperately needed.

Later the report deals at length with curriculum, and regarding English books states:

English source materials be locally produced as quickly as possible to reflect social changes and current social concerns. Materials need to be devised in schools and, as rapidly as possible, distributed to other schools. This means that there needs to be efficient machinery for this process set up in South Australia;

The second recommendation states, in part:

Teachers look at new literary forms because the old forms of children's literature, e.g. fairy tales, tend to reproduce the old formula of girl + boy = marriage = happiness ever after; . . .

The report also criticises traditional manners as follows:

. . . that's not how ladies behave . . . ladies before gentlemen; boys don't hit girls . . .

Briefly, I will indicate for the Minister parental reaction to the report. That reaction was fairly widespread, from what I can gather. The criticism came entirely from women, and one criticism was as follows:

I feel that the mother's role is a most important and rewarding one given to women, and the degradation of this role by women liberationists is going to be detrimental to our society.

Another criticism is as follows:

The report as a whole is not orientated towards the well-being of children at all, but appears to be the work of very selfish women thinking of themselves.

In conclusion, the report makes recommendations to go far beyond what the former Minister of Education envisaged last year, and the activities and aspirations of

these feminists is seen by many people as an attack on marriage, the family unit, and the essential role of the wife and mother. In view of this information, I ask the Minister whether he is aware of the report and, indeed, whether he supports what is recommended therein.

The Hon. D. J. HOPGOOD: If any conflict exists between the recommendations of the Sexism in Education conference and the statements that from time to time have been made by my predecessor and me, it would be only as to the pace at which curriculum and textual material should be replaced. Reading materials will not be junked in a wholesale manner when that material is now in good order or because there could have been changes in emphasis in our society since the books were produced. I would wish to see texts used in schools that awakened girls to the wider options that are available to them as citizens in the latter part of the twentieth century, and I would wish to encourage the development of these texts and curriculum materials. I take it that, in very broad terms, that is what the Sexism in Education conference is also encouraging.

Mr. Goldsworthy: Have you read the report?

The Hon. D. J. HOPGOOD: Not in detail; I have read a precis of it. Briefly, that is the position, although in general terms no conflict exists between the position of the Government and that of the specific resolutions that came out of that conference. If the conference (and this has not been spelt out) was requesting of me, as Minister of Education, to shred immediately or otherwise dispose of all the material with which it took issue, I must disappoint the people concerned. On the other hand, if the honourable member is suggesting to me that he is perfectly satisfied with the *status quo* and that we should not make modifications to what is now used in schools, I am afraid that I must disappoint him, too.

UNEMPLOYMENT BENEFITS

The Hon. G. R. BROOMHILL: Will the Minister of Community Welfare seek a clear statement from the Federal Minister for Social Security (Senator Guilfoyle) on the rights of school leavers to obtain unemployment benefits? My question is prompted by a report in yesterday's *Advertiser*, which states:

Unemployment benefits would be paid to school leavers if the Director-General was satisfied reasonable steps had been taken to obtain employment, the Minister for Social Security (Senator Guilfoyle) said yesterday. Replying to Senator Cavanagh (A.L.P., S.A.) she said the benefit would be paid to those unable to get the job they sought.

It would seem to me, from the many complaints and approaches I have had both from parents and from school leavers, that either there has been a dramatic change in policy by the Federal Government and it now intends to pay school leavers for the period over the school holidays, or perhaps the Minister for Social Security may have been attempting to mislead the Federal Parliament. I would therefore like the Minister to tell me whether he is able to give me any advice, or whether he could seek a clear statement on this matter.

The Hon. R. G. PAYNE: I wish I could give the honourable member some advice, on which I could rely, on what is the intention of the Federal Government in this matter, but I am afraid that I cannot. I have endeavoured to find out, and I will certainly take up the honourable member's request to me that I get in touch with the honourable Senator to see whether a clear statement can be obtained. Until now, what we have is what I can describe only as a "catch 22" situation, because, if the press is correctly reporting these matters (and I have no reason to doubt that the press is doing that correctly), the Senator seems to be a little unsure in her own mind about what she actually intends. If we start from square 1 in this matter, it would be fair to say that, until recently anyway, Federal Liberal policy on this matter clearly stated that no student leaving a secondary school would qualify for unemployment benefits until the start of the 1977 school year in respective States (as I understand, that is now February 7 next year), provided they could demonstrate that they were genuinely unemployed and had taken reasonable steps to obtain work. Yet, we have the situation outlined by the member for Henley Beach that, when the question was raised in the Federal Parliament, the answer given by Senator Guilfoyle was such that it seemed that there had been a change of heart, and that school leavers would be considered to be eligible in certain circumstances. However, in the Eastern States this does not seem to be the understanding. In today's issue of the *Financial Review*, an article by Anthony Hill states:

The Social Security Action Group in Melbourne is today expected to take out a writ in the Victorian Supreme Court as a test case, challenging the refusal of the Director-General of Social Security to pay the unemployment benefit to a school leaver.

If the Senator has been correctly reported, a statement that she is making is apparently not being interpreted at the level where policy is decided (that is, in the department) and at the level where the help is needed by the school student concerned. The report continues:

On November 10, for example, the Minister repeated the terms of the April announcement, when she told the Shadow Minister for Social Welfare, Senator Grimes, that people leaving school generally would not be paid unemployment benefit until the commencement of the new school year.

The report states that on Monday she said:

. . . where the Director-General is satisfied that reasonable steps have been taken to obtain employment, unemployment benefit will be paid to those who are unable to find the employment that they seek.

The report states that yesterday (a change once again) she told Senator Cameron the following:

The Director-General would determine, on the facts before him, whether school leavers who sought employment through the Commonwealth Employment Service and in other ways were eligible for unemployment benefit.

I understand, according to Anthony Hill, that a letter is now being given to school leavers which states, in part:

. . . it is not being accepted that they are genuinely looking for work until the new school year commences.

One can only sympathise with the position in which school leavers find themselves this year. First, through no fault of their own, because of the state of the economy (which is in the hands of the Liberal Government in Canberra), insufficient work is available anyway. Then, to cap that off, in normal times and in a normal interpretation of the Act, I would venture to suggest that every ordinary person in South Australia (anyway, the taxpayers, who provide the money) would believe that in those circumstances a school leaver who has finished the school year and is not intending to go back to school but is looking for employment and cannot obtain it would be eligible. But apparently that is not the case: all sorts of qualifications such as those I have outlined to the House, none of which is capable of easy interpretation, are being added. I thank the honourable member for raising this matter so that I have been able to tell the House what a ridiculous situation applies. I hope that my approaches to the Senator may result in a simple, direct, concise (if that is possible)

answer to this question which will say that, at least, people will be paid the unemployment benefit—full stop. There is no need to add all those other odds and sods and bits and pieces. I am sure that the taxpayers who provide the money intend, in the circumstances I have outlined, that persons due for unemployment benefits should receive them.

WHEAT RUST

Mr. GUNN: Can the Minister of Works, representing the Minister of Agriculture, say whether the Agriculture and Fisheries Department has carried out any extra investigations into the reasons why there has been a greatly increased outbreak of wheat rust in South Australia? The Minister would be aware that over the past couple of years, unfortunately, wheat crops throughout South Australia have been affected by the fungus disease commonly referred to as rust. It has, in some cases, virtually wiped out whole crops, and this has had a detrimental effect not only on the quantity of grain available but also on the quality. It seems essential that the Agriculture and Fisheries Department, if it has not already carried out increased investigations into the reasons or developed new varieties of wheat which are not susceptible to this disease, should do something as soon as possible. The Minister would be aware that the wheat-growing industry is essential to the economic well-being of the people of this State, as the country as a whole depends largely on the export earnings received from wheat to purchase goods from overseas. I would be pleased if the Minister would refer this question to his colleague.

The Hon. J. D. CORCORAN: I shall be pleased to do that and get a report for the honourable member. It will probably not be available by tomorrow, so I will write to the honourable member and inform him of the answer.

SCHOOL PROPERTY AND EQUIPMENT

Mr. SLATER: Can the Minister of Education inform the House of the Education Department's policy relating to the use of school property and equipment by organisations associated with schools and by other bodies? Also, will he say whether the policy is likely to be extended to provide for greater community use of school property and facilities? I noted in many oversea countries, particularly the United Kingdom and Europe, that the use of school facilities by the local community is very extensive. The community has access to recreational facilities after school hours, and the control and capital investment is usually by local authorities in conjunction with central government. Will the use of school facilities in South Australia by the community be an increasing development in this State?

The Hon. D. J. HOPGOOD: The honourable member has really asked me about two matters. One is the use of school equipment, by which I assume he means removable items. The second is the use by the community of the school itself. First, organisations which are directly associated with the school can use school equipment with the permission of the school principal without paying any hire charge. Outside organisations (if I can use that term) who can demonstrate to the principal and the school council that they have sufficient expertise to be able to look after equipment properly can hire that equipment. It is recommended to schools that, in the case of audio-visual equipment and the like, they should obtain information from the educational technology centre as to what would be an appropriate hiring charge. Any moneys involved are paid into the school account. The use of school property in general has been developing for some years with the active encouragement of the Government and of the Education Department. Regulations govern minimum and maximum hiring fees for the use of school tennis courts, gymnasia, etc. The fees are waived in the case of religious organisations conducting services of worship, the Commonwealth, State and local governing authorities in relation to the use of schools as polling places at election times, and also for ethnic groups conducting language classes: this is the so-called $9 a head system, which would be well known to members.

In addition to all this, we are developing community schools both in the metropolitan area and in the country. The obvious examples are Burra in the country and Angle Park High School in the metropolitan area, where specific appointments of departmental personnel are made in order to facilitate the involvement of the local community with the school and the school with the local community. If the honourable member has any specific information he would like to give to me or to my officers about what he has seen overseas, I shall be grateful to receive it, because we are always open to suggestions and new ideas. What has already occurred in relation to community use of schools has been encouraging and we by no means regret having embarked on a policy of ensuring that the school is a part of the local community.

TEACHING APPOINTMENTS

Mr. RUSSACK: Can the Minister of Education explain the extenuating circumstances that have necessitated some secondary exit students being appointed to primary schools for the year 1977? Can the Minister give an assurance that such appointments will be of no longer duration than one year to those who accept them? I have been approached by some exit students who have told me that they have received a request in the following terms:

The purpose of this letter, which is being sent to all bonded and unbonded secondary exit students, is to ask you to indicate whether you would be prepared to accept an appointment in a primary school for the year 1977. In general, such appointment will involve teaching in the upper section of a primary school, either as a class teacher or working across several classes. For a number of students who accept these appointments, there will be the opportunity of working in a specialist area. You should note that primary and secondary teachers' salaries are identical.

I raise this matter because of the disappointment that has been expressed by some exit students who for years have studied and trained for the express purpose of obtaining a teaching post at a specific level of education. One person who spoke to me has gained a Bachelor of Science degree and a Diploma of Education, majoring in physics and maths. Of course, he may not be appointed to a primary school, but he has been asked whether or not he is willing to accept such a posting, and has indicated his willingness to do so.

Mr. Millhouse: Some have actually been appointed to primary schools.

Mr. RUSSACK: Yes. Is the Minister able to give an assurance that the appointment to a primary school will be for the limited period of 1977, as stated in the letter?

The Hon. D. J. HOPGOOD: The honourable member's final statement is specific, but he invited me earlier to explain the extenuating circumstances, and I am sure the

House would be disappointed if I did not make some reference to them. Some time ago I announced that it was an index of this Government's commitment to quality in education that, although enrolments at schools next year would be no greater than they were this year, we would be nonetheless employing a teaching force 470 or 480 greater than exists at present. Three specific matters inclined us towards the view that where possible we should endeavour to maximise input into the primary schools.

If one examines teacher-pupil ratios in the secondary and primary sectors, one will see that, if a deputy principal is counted as half a teacher because of the considerable administrative duties such a person has, the teacher-pupil ratio in the secondary sector is about 14 or 15 to one and in the primary sector it is 22 or 23 to one. One can surely justify on those grounds alone making greater efforts in the primary sector.

Secondly, the Institute of Teachers has had extensive negotiations with me about the extent to which it will be possible for the department to introduce what they call non-contact time for primary teachers. I do not like that term, but the principle behind it is perfectly reasonable, and it is that in the high schools teachers have some time out of the classroom during normal teaching hours to prepare lessons and to mark work. That usually does not obtain in the primary schools. It is the belief of the Institute of Teachers, as much as it is my belief, that there should be some opportunity for primary teachers to have time for preparation and marking, as exists in the secondary schools. On this ground as well it seemed only reasonable that we should again make the major impact, so far as recruiting is concerned, in the primary sector.

Thirdly, we are committed as a Government and as a department to the concept of a continuous intake into the junior primary schools (fifth birthday admission), and this is possible only where a sufficient teaching force is available to staff the holding classes which are necessary in such schools. For all these reasons, it would have been nice if we could have noted the output from the colleges and noted that that exactly mirrored the needs we had in terms of the priorities I have outlined. That, unfortunately, was not the case, and the only way therefore to ensure that the major effort was in the primary sector was actively to recruit people who had come through college on the understanding that they would be going to the secondary field. Appointments to schools are normally initially for a three-year period, and the people who have already had their appointments have been told this. On the other hand, they are shortly to be told that it will be open to them at the end of 1977 to apply for an appointment to another school, either primary or secondary, if they want to do it. I cannot at the moment give an absolute guarantee that they will obtain that appointment, but their college experience has been noted by the department, and obviously wherever possible we will move them back to the secondary sector if they want to go. Of course, there may be those who will find primary teaching congenial and will want to stay where they are appointed. We will do what we can. I cannot give a cast-iron guarantee that, when they make an application at the end of that 12-month period, they will get the appointment they want.

I want to dispel any doubts that, because we have used the form of a three-year appointment, any application they may make for transfer at the end of 12 months will be thrown into the wastepaper basket. Where possible, these people have been appointed to area schools. It is a matter of history that area schools are counted as being in the primary sector even though they include classes in some cases right up to year 12. This will give some flexibility. It will mean that a person who has, on paper at any rate, been given a primary appointment will be available within that school to teach secondary classes, and every endeavour will be made as far as possible to negotiate between the department and principals at the receiving schools to ensure that some of that primary teaching is available to these people.

BANKSIA PARK HIGH SCHOOL

Mrs. BYRNE: Will the Minister of Education obtain for me a report on whether work has begun on providing cooling facilities for some areas of the Banksia Park High School, the estimated cost being $100 000, and whether it will be completed in time for the commencement of the 1977 school year? I understand that the cooling facilities proposed are to be provided in what are considered to be the worst affected areas of the school, namely, the resource centre and the first-year and second-year blocks. Apparently, experience has shown that, whereas previous schools could be ventilated by natural means, the greater depth and compactness of space in the design of open-plan schools such as Banksia Park necessitate the provision of cooling during the hot weather.

The Hon. D. J. HOPGOOD: From memory, the contracts have been let, but I am not aware whether work has been commenced. I will obtain a report for the honourable member.

KANGAROO ISLAND WATER SUPPLY

Mr. CHAPMAN: Will the Minister of Works arrange, as a matter of urgency, for the installation of three spur water lines and stand-pipe outlets from the Middle River to Kingscote main supply on Kangaroo Island? The desired spur lines are to serve, first, the Seddon South area via Kangaroo Island research centre and Timber Creek; secondly, the MacGillivray area from the Kangaroo Island airport crossroads; and thirdly, the Emu Bay settlement and recreation area from the western end of the Wisanger extension.

The SPEAKER: Order! I draw the honourable member's attention to the time and point out that 3.15 p.m. is the deadline for the asking of questions.

Mr. CHAPMAN: Thank you, Mr. Speaker. The Minister will be aware of my continued requests for water supplies, particularly to American River, on Kangaroo Island, and I do not make this request today with any suggestion that the town's people's requests come second, or anything like that. It has been brought to my attention that, although these areas are not proclaimed drought areas this year, they are suffering seriously as a result of little winter run-off water and, indeed, are facing a drought situation, particularly in the rural communities. The February, 1975, bush fire on the island proved the importance of having at least some water points conveniently available to farmers when a situation such as that arises. Already, these people in the areas to which I have referred are carting water. I do not believe that this would be an extreme expense for the Government; I think it would be a reasonable step for it to take, while also considering the American River extension proposal I have put forward previously. If the Minister is unable to undertake to carry out this work forthwith, will he arrange for one of his departmental officers to go to the island to investigate these particular requests as a matter of urgency?

The Hon. J. D. CORCORAN: I realise that the honourable member has raised a question of great importance to his constituents, so there is a deal of urgency about it. I will have the department examine the matter as quickly as possible to see whether the request he has made is reasonable and, if it is, we will do everything possible to make the provisions the honourable member has requested.

At 3.14 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

BUILDERS LICENSING ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, lines 8 to 10 (clause 4)—Leave out all words in these lines and insert new definition as follows:

"'swimming pool' means a structure—

(*a*) designed for swimming or wading;

and

(*b*) of a kind declared by regulation to be a swimming pool for the purposes of this Act:"

No. 2. Page 2, lines 11 to 23 (clause 5)—Leave out the clause and insert new clause 5 as follows:

"5. Section 5 of the principal Act in amended by striking out subsection (4) and inserting in lieu thereof the following subsection:

(4) Subject to this Act, the Board shall consist of five members appointed by the Governor of whom—

(*a*) one shall be a legal practitioner of not less than five years' standing, who shall be the Chairman of the Board;

(*b*) one shall be a person with substantial knowledge of the building industry appointed by the Governor on the nomination of the Minister after consultation with the Master Builders Association of South Australia;

(*c*) one shall be a person with substantial knowledge of the building industry appointed by the Governor on the nomination of the Minister after consultation with the Housing Industry Association;

(*d*) two shall be persons who are in the opinion of the Minister appropriate persons to represent the interests of those on whose behalf building work is carried out and are nominated by the Minister for membership of the Board."

No. 3. Page 2, lines 30 and 31 (clause 6)—Leave out paragraph (*c*) and insert new paragraph (*c*) as follows:

"(*c*) by striking out from subsection (2) the passage 'a further period of twelve months' and inserting in lieu thereof the passage 'such further period (not exceeding three years) as is specified in, or endorsed upon, the licence'."

No. 4. Page 5, lines 4 to 12 (clause 12)—Leave out paragraphs (*a*) and (*b*) and insert new paragraphs (*a*) and (*b*) as follows:

"(*a*) the actual cost to be incurred—

(i) in acquiring specified goods to be supplied by the builder;

or

(ii) in carrying out specified work,

together with an additional amount not exceeding ten per centum, or such other percentage as may be prescribed, of that cost;

and

(*b*) other amounts, unliquidated at the time of the contract, of a kind stipulated by the regulations."

No. 5 Page 5, line 22 (clause 12)—After "labour" insert "(including related overhead expenses)".

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Consideration in Committee.

Amendment No. 1:

The Hon. PETER DUNCAN (Attorney-General) moved:

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

Motion carried.

Amendment No. 2:

The Hon. PETER DUNCAN moved:

That the Legislative Council's amendment No. 2 be agreed to.

Mr. EVANS: I have one matter I wish the Attorney-General to clear up for me. Under the principal Act as it now stands, the personnel on the board consists of one member who is a legal practitioner, one member representing the architects, one member representing the engineers, one member who is an accountant, and one member from the Building Institute. There is some concern within those professions, particularly the last three, that they will probably be excluded from direct representation on the board in future. They argue that, with their professional experience, they are the proper persons to be on the board, and not necessarily persons representing the consumer or directly associated with house building.

I do not accept that argument, although I understand their concern at their losing the opportunity of a voice that they believe they have had for some years. I am convinced (and I mentioned this to an officer in the Minister's department) of the need to have a statement from the Attorney-General now that the advisory committee will be continued, perhaps with fewer members than hitherto, and that the opportunity be given the professional people, such as architects and engineers, to be represented on the committee. I am sure that, if the Attorney-General can guarantee that the committee will be more functional than it has been in the past (having met only once in 1972 and once in 1975), and that it will operate with fewer members and with professionals on it, the industry as a whole, although not totally satisfied, will generally be satisfied with the amendment we are discussing.

The Hon. PETER DUNCAN: I am prepared to give an undertaking of the kind the honourable member seeks, and answer the points he has raised. First, I do not have the power under the Act to direct the advisory council to hold meetings or tell it what business it should undertake. However, I have given an assurance that I will look at the composition of the advisory council with a view possibly to reconstituting it. In doing that, if steps are taken to reconstitute the advisory council, I will endeavour to emphasise to its members that the Government would seek to have it exercise a more active role in the future than it has done in the past. I emphasise also that the business to be determined and the manner of conduct of that business is a question for the advisory council. The Government cannot directly take responsibility for the frequency of the meeting of that organisation because, as I say, I have no powers to direct the advisory council pursuant to the Act.

As to the second matter, in considering the reconstitution of the advisory council, I will look very closely at representing the interests of some of the three or four groups that were previously consulted before appointments were made to the Builders Licensing Board. In connection with that matter, I have had discussions with the two groups which are now to be consulted. I will not go into the details of those discussions in great depth, but both organisations have given me some indication that at least initially

in the consultations they would be prepared to consider recommending the appointment to the new board of persons already on the Builders Licensing Board in other capacities as the persons appointed after consultation with the two organisations concerned.

Mr. COUMBE: I am pleased to hear the undertaking given by the Attorney-General as far as he can go in this regard, because some of the amendments we are considering I approach with a degree of diffidence. I appreciate the move that has prompted this. At the same time, I have been aware of some of the activities of some highly professional and reputable organisations involved. I believe that their views should be considered and, provided that their views are considered in due course by the advisory committee, some of my reservations will be removed, but not completely.

Mr. EVANS: I accept the Attorney's comment that he cannot advise or suggest to the advisory committee when it should meet. However, I believe that he has the opportunity to make representations to the board and suggest to it that the advisory council be requested to be more functional than it has been in the past. That may have been the tenor of his comments, but I want to make sure that that is the case. I did not exclude union membership deliberately. It was a matter I did not mention, but I believe that there should be union representation on the advisory board.

In the second reading debate I said that no person on the board had any interest or activity in house building. I meant that the members may not have been solely house builders: they may have been commercial or industrial builders. I throw no reflection on the present members of the board. I believe they have carried out their duties properly as they have seen them and in the manner which they believed was the right way to progress. I believe that the amendment is satisfactory, but I strongly emphasise to the Minister that that advisory council must be functional if we are to get harmony within all the groups.

Motion carried.

Amendment No. 3:

The Hon. PETER DUNCAN moved:

That the Legislative Council's amendment No. 3 be agreed to.

Mr. EVANS: This is an amendment to an amendment made in this Chamber. I moved the amendment when there was some haste in preparing matters, but I would appreciate the Minister explaining the end result of the amendment before us. As I see it, the department can gradually implement the three-year licensing scheme at its own pace. It may not happen rapidly. I may be wrong in that assumption. Could the Minister explain how long he thinks it would take to have all licences operating on a three-year period instead of an annual period?

The Hon. PETER DUNCAN: I understand the concern that the honourable member is expressing. I will give him an undertaking that we will not take any longer than three years to implement this new policy. The reason for this amendment is to endeavour to cut to a minimum the administrative bulge that occurs at present in the licensing system. The problem now is that all licences fall due on a certain date, which I think is in April. The effect of that is that somewhere between 10 000 and 12 000 licence applications must be dealt with in the first few months of the year, and this creates administrative chaos. It is totally inefficient in administrative terms. For this reason, we are seeking to ensure that when we introduce the three-year licence we will be able to do it over a period, so that the licences will fall due from time to time and so that we will be able eventually to have a situation where licences will be falling due throughout the 12-month period. In other words, we will have one-third of the licences falling due within a 12-month period and spread over that period. I give the honourable member an undertaking that we will be doing it over a three-year period. We may be able to do it within a shorter period than that, but we will certainly do it within three years.

Motion carried.

Amendment No. 4:

The Hon. PETER DUNCAN moved:

That the Legislative Council's amendment No. 4 be agreed to.

Dr. EASTICK: Last week it was stated that there was no consideration for architectural fees, engineering fees or other incidentals. I see that, in the discussions which subsequently took place, it became quite apparent that there were a number of overhead expenses which form part of a reasonable cost against any job of this nature. I thank the Minister for having accepted that there was a need for a second look at this matter. The result will be completely to the advantage of the consuming public. At the same time, the amendment will make certain that those people who provide the service will not be disadvantaged in any way.

Motion carried.

Amendment No. 5:

The Hon. PETER DUNCAN moved:

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

Motion carried.

ELECTORAL ACT AMENDMENT BILL (No. 4)

A message was received from the Legislative Council agreeing to a conference, to be held in the Legislative Council conference room at 9.15 a.m. on Thursday, December 9.

The Hon. PETER DUNCAN (Attorney-General) moved:

That Standing Orders be so far suspended as to enable the conference on the Bill to be held during the adjournment of the House and that the managers report the result thereof forthwith at the next sitting of the House.

Motion carried.

REGIONAL CULTURAL CENTRES BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, line 3 (clause 5)—After "of whom" insert "not less than three shall be local residents of whom".

No. 2. Page 2, line 4 (clause 5)—Leave out "council" and insert "councils".

No. 3. Page 2 (clause 5)—After line 24 insert new subclause (7) as follows:

(7) In this section—

"local resident" in relation to a trust means a person who, in the opinion of the Minister, has his usual place of residence within the community that will be served by the centre in relation to which that trust is established.

No. 4. Page 3, line 11 (clause 8)—Leave out "and fine arts" and insert "arts, visual arts and crafts".

Consideration in Committee.

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

That the Legislative Council's amendments be agreed to. The amendments provide for a certain number of members of the trust to be residents in the area to be served by any regional cultural centre. That was the intention of the Government. There is nothing to take exception to in the amendments, and the Government is quite prepared to accept them.

Motion carried.

POULTRY PROCESSING ACT AMENDMENT BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

COMMUNITY WELFARE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

TRADE MEASUREMENTS ACT AMENDMENT BILL

In Committee.

(Continued from December 7. Page 2834.)

Clauses 3 to 10 passed.

Clause 11—"False declaration as to masses, etc."

Mr. COUMBE: I support the clause and its intent, but I seek clarification. Has the Minister consulted with the Standards Association of Australia, a reputable body represented in North Adelaide? I ask that because of the uniformity that is so necessary. Any of us who have worked professionally under the aegis and auspices of the Standards Association know the importance of that. Will the Minister clarify the definition of "mass"? Certainly, octane rating is obvious, dealing with petrol, whether super grade or otherwise. The "nature, quality, purity, class, grade," and so on could lead to some area of misconception.

The Hon. PETER DUNCAN (Minister of Prices and Consumer Affairs): I cannot say from my own knowledge whether the Standards Association of Australia has been consulted directly. I shall find the answer for the honourable member, so that information can be given in another place. Mr. Servin is closely associated with that body, and I imagine that he has had consultations on this matter.

The definition to which the honourable member has referred is intended to be fairly wide to endeavour to encompass unforeseen situations that may well arise. The alternative that the Government had in this matter was to provide a definition of this sort in an endeavour to catch all situations that may arise, or to provide a regulation-making power for the definition. Because this is what might be determined a criminal sanction, in effect, the honourable member will realise that it is most undesirable to have criminal definitions in regulations. It has been the practice of this Government to provide those definitions within the principal Act and, where they are found wanting, to bring the matter back to Parliament for further consideration.

Those were the two choices open to the Government, and we sought to put into the Act a fairly wide definition to cover the situation. Occasions may arise that will not come within this definition, in which case we shall be coming back to the Parliament. The intention is to have a fairly wide definition. The alternative was to have a regulation-making power, and we thought that was undesirable.

Clause passed.

Clauses 12 to 14 passed.

Clause 15—"Regulations."

Mr. COUMBE: This is an important clause, although it may not appear so at first glance. As I understand it, it is to introduce periodically and systematically metric conversion into goods as well as proclaimed areas of the State or trades. This is a desirable practice, and I agree with the concept of the Bill, but it is most important that it be done properly, because certain trades have progressed partially or on a planned scale towards metrication but are not at the moment completely converted. I therefore ask the Minister whether, in preparing this clause, he or his officers have worked in conjunction with the Metric Conversion Board and whether the clause meets the board's requirements.

The Hon. PETER DUNCAN: The short answer is "Yes". The Commissioner for Standards as the Warden will become, is Chairman of the South Australian section of the Metric Conversion Board. He is also on the National Metric Conversion Council. The difficulty that has arisen is that the metrication programme has advanced to a stage where zones exist and are already covered by regulations. Doubt could arise about the legality of that situation, and this amendment seeks to tighten it up to ensure that everything being done is done properly and correctly.

Mr. WARDLE: Some of these changes have been made for well over a year now, and this provision makes them legal. Can the Minister say when the balance of the State will be covered by metric conversion, bearing in mind that 67 per cent of the State is already covered?

The Hon. PETER DUNCAN: I will obtain that information and let the honourable member know by letter. I should imagine that he would be happier with a letter rather than waiting for the next session.

Clause passed.

Title passed.

Bill read a third time and passed.

EMU WINE COMPANIES (TRANSFER OF INCORPORATION) BILL

Second reading.

The Hon. PETER DUNCAN (Attorney-General): I move:

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

This short Bill is intended to facilitate a change of domicile of certain companies incorporated in the United Kingdom, being companies that have been "taken over" by Thomas Hardy and Sons Proprietary Limited, a wine-making company established, and well known in this State. Early this year, Thomas Hardy and Sons Proprietary Limited was successful in acquiring the interests of a group of companies incorporated in the United Kingdom that, for convenience, may be referred to as the "Emu group", comprising Emu Wine Holdings Limited and its subsidiaries, the Emu Wine Company Limited, P. J. Howes

Limited, and Stephen Smith and Company Limited. Thomas Hardy and Sons now wishes to move the "legal residence" of these companies to this State with which they have a long-standing and close connection.

In this State this transfer of domicile can be achieved only by the enactment of a special Act of the Parliament of the United Kingdom, supported by a law of this State that will permit such a transfer. This proposed measure represents such a law. Members will no doubt recall a not dissimilar exercise that was undertaken in this Parliament in the matter of the enactment of the D. & J. Fowler (Transfer of Incorporation) Act, 1970. The Preamble is commended to member's attention, since it sets out in some detail the background against which this measure is proposed. Clauses 1 and 2 are formal. Clause 3 sets out the steps necessary to be complied with for the companies to divest themselves of their United Kingdom incorporation and become incorporated in this State. It is suggested that this clause is self-explanatory. Since this measure is a hybrid Bill within the terms of the relevant joint standing orders, it has been before a Select Committee of the Legislative Council.

Mr. EVANS (Fisher): I support the Bill. The product of this company will affect many people in the future of this State.

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

ARCHITECTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from December 7. Page 2835.)

Mr. ALLISON (Mount Gambier): This Bill is an obvious compromise, in that it has the tentative approval of all the parties concerned, and it now enables amendments made last year in the Architects Act Amendment Bill, 1939-75, to be proclaimed. That Bill contained some extremely important implications both for architects in general and for the public. It was not proclaimed last year because of a strong protest from people in occupations such as builders, designers, naval architects, golf course architects and others whose livelihood seemed to be endangered by the Bill that was passed last year. This Bill retains the *status quo* for people in those occupations. One assumes that the Government is still investigating the problem of assessing their qualifications and the possible need to protect the public. In the meantime, this Bill will allow the Act that was passed last year to be proclaimed. I therefore support the Bill.

Mr. EVANS (Fisher): I support the Bill. When the Bill was before Parliament last year it caused much concern. I praise those people who are not architects but who design houses and do not perhaps charge quite as high a fee as do those in the professional architectural field. The houses that these people design and supervise are, at times, excellent. They should be protected. I am pleased that the Government has taken the opportunity to offer them the protection that they desire. The previous Bill was unclear regarding its interpretation and whether it would cover naval architects, landscape architects and others. It was therefore necessary to introduce this Bill. I am told that it is intended to go further than the provisions of this Bill later and that some of the occupations referred to in the Bill may face difficulty if the Government takes the next step. I make no other comment than that some of the people who now operate could soon be put in a difficult situation. If that occurs, I shall be the first to stand up and fight for their right to continue in this practice. I support the Bill.

Mr. COUMBE (Torrens): In supporting the Bill I wish to make a few brief comments. I do so with the background that I have engaged several of the classes of people referred to in the Bill in the past. In fact, I have practised in some of these fields myself. In some I practised with a licence and in others without a licence. In the fields in which I practised without a licence, a licence was not required at the time. The fees I charged were always moderate and reasonable. From time to time I have engaged people in the various classes referred to in the Bill and have been associated closely with them. Landscape architects are involved in this measure. I am involved now in assisting to set up a special course and in a special funding arrangement for a landscape course to start in South Australia, the first section of which I believe will begin next year. It involves a rather unusual funding arrangement, and I hope that it will get off the ground. My own family is slightly involved in this field. Paragraph (*e*) of new section 28 (3) provides:

a person who is exempted from this section holds himself out, or is held out, as being qualified or willing to undertake architectural work or as being an "architectural draftsman", "architectural technician" or "building designer".

It is fairly broad, and it means that people who hang out a shingle and advertise themselves under these headings will be exempt from the section. Some of these practitioners do a good job. Recently I have had carried out in my house some alterations by a good architectural draftsman who lives in my area. I believe that the member for Light can vouch for the same person, too. I noted in the Minister's second reading explanation that consulting engineers are referred to. In new subsection (3) of section 28 consulting engineers are not specified in paragraph (*e*), although they may be caught under paragraph (*a*). An engineer is usually a graduate who takes a higher degree. He is normally a fellow of the Institute of Engineers, and more often than not is a member of the Association of Consulting Engineers, so we are talking about a highly qualified person.

I cannot see where he is exempted. I point out that I have on occasions engaged consulting engineers, who are highly professional people, to do design work and at that time my company performed the work set out under the specifications drawn by those consulting engineers. The consulting engineer would design the foundation, steel work, the cladding and so on. There is no need for an architect and, therefore, those people should be exempted from the Architects Act. The Minister classified them and grouped them with the other architectural qualifications that are found in paragraph (*e*). I ask whether this matter is covered in new subsection (3) (*a*), which provides:

An unqualified person designs, or superintends the erection of, a building;

That provision appeared in the 1975 legislation. I would like that matter clarified. The main purpose for my making the comments I have made is to gain an assurance that those persons who are not specifically referred to in the Bill are exempted and are not penalised by the passing of the Bill.

The Hon. R. G. PAYNE (Minister of Community Welfare): I thank members for their contributions and

general support. The member for Mount Gambier said that strong protests were put forward by building designers and others. They were really very proper protests (which is not perhaps suggested by the word "strong") that first reached me as the Minister handling the previous Bill in this House at the time it was passed. I immediately made representations to the Minister in another place who has the direct responsibility for this matter, and arranged for a meeting with those groups so that it could be discussed. There was no intention by the Government purposely to deprive people of their livelihood. It was one of those occasions when architects and certain other groups had been contacted freely during the preparation of the earlier amending Bill but for one reason or another, because there are a multitude of groups in this area, a couple of those groups were overlooked. It was an oversight, and there was no other reason.

Regarding that point raised by the member for Torrens, my understanding is that there is no intention to create a further class of persons he has called "consulting engineers" for whom we would then have to bring back another Bill, having delayed this one and the first one. The matter seems to me to be quite clear, and, if it is not already covered, it can be covered by new subsection (5) in clause 3. I think the honourable member takes the point I make. I know the Bill we have before us has in every way been looked at and approved by the Architects Board.

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

NARCOTIC AND PSYCHOTROPIC DRUGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 11. Page 2119.)

Dr. TONKIN (Leader of the Opposition): I have been looking forward to this legislation with great interest, although I would not describe it as being in any way the ultimate solution to all our problems in the drug field. The Bill comes about largely as a result of a meeting of State Ministers of Health and a common concern shared by everyone in the community that drug trafficking, in particular, is an offence that must be punished by far more severe measures than is the case at present. The report of that conference was made some months ago and, when it was first suggested that a Bill should be introduced in this Parliament, it was said that the difficulties would be too great and that it was would not be possible to do this until next year. As it would not be possible to do this until next year. As that was something I could not accept, at that stage I gave notice to introduce a Bill to make the same amendments. Then we found that, once notice of my Bill had been given, it was possible after all to introduce the legislation now before us.

I am willing to accept that administrative and drafting problems may have prevented the Bill or may have seemed to present a barrier to its presentation, but the fact remains that it is now before us and that those difficulties have been overcome. I simply make the point that we cannot afford at any time to take the drug problem in anything less than the most serious way. The mere fact that this legislation could have been deferred (indeed, the Minister was prepared to defer it until next session, possibly next July) shows me, anyway, that he is not fully in touch with the difficulties that apply. We must tackle this problem with a great sense of urgency. I have already spoken of my concern about the effects that the appointment of a Royal Commission may have, and I intend to canvass those views again briefly. To me, people who traffic in drugs for their own financial reward, who have no regard for the effect those drugs have, particularly on the young, and who have no concern that people's lives may be broken, and that people may die (and do die), are guilty of murder and should be treated as if that were the case.

The situation applying to drug users is slightly different, because there it is a matter of sales technique. Pushers manage to persuade the young to become dependent on a drug, and then make it part of the sales pitch that they will not get their own supplies of the drug unless they actively sell to at least two other people. This is the most foul and vicious form of pyramid selling there is, because drug dependants cannot help themselves: they become dependent, and they must have their daily supply of the drug or else they will not exist. It literally becomes a matter of life or death. This is a dependence that is played on by the trafficker more or less to force the people he has on his list to do exactly what he wants them to do. It is a modern-day version of the Svengali technique, and it is vicious and cruel. Those people who peddle and sell drugs, because they are themselves users and because they have been forced into the situation, do so because they have to live. They need held and treatment more than punishment; but those callous and unprincipled people, those criminals who sell for financial gain, are the ones the Bill is out to get.

I am concerned that, with the upsurge in deaths that can be traced back to drug dependence and abuse in our community now, we are entering the stage of the whole picture of drug abuse that has been seen in other countries over the past four, five or six years. I repeat what I said not long ago that, for some reason or another, we seem to think that in this country we are something special and that bad things will not happen to us. That is a head-in-the-sand attitude which, if we are not careful, will leave us so far behind in combating the drug scene that it will not matter. I have no worries about the severity of the penalties set down in the Bill: 25 years imprisonment, as a maximum, and a $100 000 fine are reasonable penalties, bearing in mind the nature of this offence.

I think that $100 000 is really, in terms of today's drug values, a reasonable fine. One is tempted to recall the occupational expenses of those ladies of the street around Soho who budgeted specifically for their regular fines when they were picked up in the streets; as a matter of course, the fine was taken as an occupational hazard and a working expense. For the average drug peddler on any scale at all, the fines currently existing are peanuts: they mean nothing and have no apparent effect whatever. This sum is far more in keeping with the millions of dollars that can go through a drug trafficker's hands today. More particularly, I think some drug traffickers will think hard indeed about the prospect of a substantial term of imprisonment. That is far more important.

Mr. Allison: They would hate to be put out of business.

Dr. TONKIN: It is one way of putting them out of business effectively for a good long time. What is more to the point is that it will keep them out of business until society as a whole can get the hard drug situation cleaned up. I think that is also an important factor to recognise.

I am bound to say that I have some concern about the differentiation of penalties in clause 5, bearing in mind

whether or not hashish or Indian hemp is the substance of the offence. The subject of marihuana and its possible decriminalisation or legalisation could occupy this House for a considerable time. I do not intend to ventilate that subject today. There is no doubt in my mind that hashish itself, which is the resinous extract of marihuana, cannabis, is just as dangerous, just as potent and just as likely to cause death as any other so-called hard drug that there is. It has associated with it all the problems of dependence.

As far as Indian hemp is concerned, the so-called pot, marihuana, I am not at all sure that we are doing the right thing in embarking on a different set of penalties, because in this regard we are almost tacitly coming to the position of saying that marihuana is not as dangerous when used in this form as are other drugs of dependence. I am not able to say what the position is with regard to marihuana. I doubt whether it is wise or reasonable to adopt a two-tier penalty system, particularly at this stage, when we have already announced a Royal Commission which will presumably look into these matters, and I hope it will look into them very carefully.

Mr. Allison: It has been pre-empted.

Dr. TONKIN: Yes, it has a pre-empting ring about it. I think that is what could happen, because I can see the situation arising where a Royal Commission could say, "This situation is already recognised in legislation." The Royal Commission should be governed by what it can find in the way of scientific evidence rather than by what already exists in the law. It seems to me that, if the decriminalisation of the use of marihuana is to be written into legislation, it will need much more knowledge and research than we have available to us at present. There are moves afoot in the community to decriminalise the use of marihuana. These were exemplified at the Australian Labor Party conference recently, but I do not intend to speak about this in a political light. Either one agrees that that is the proper course of action to take or one does not.

Mr. Millhouse: Do you?

Dr. TONKIN: I do not at the present time. I think that the people who do not approve at this stage are either those who on available evidence do not believe it is safe, or those who do not know enough about the situation and do not think that we should act until we do know and are certain. I believe that the larger body of opinion is that we do not know enough. In those circumstances, I again express my reserve on this differentiation which is written into the legislation.

There are perhaps two things that save this legislation. The second is that this legislation is urgently needed and should be passed through this Parliament before this week ends. We cannot wait until Parliament reconvenes. The more important reason is that this legislation does not decriminalise the use of marihuana. Imprisonment for 10 years or a $4 000 fine is still not to be sneezed at or taken lightly. I support the legislation as it stands. We must not lose sight of the fact that the use of marihuana may prove in the long term to be absolutely the worst thing that could happen to society if adopted on a decriminalised basis.

I now wish to refer briefly to the appointment of the Royal Commission. I say again and with all the feeling I have that I hope that Royal Commission gets moving soon. I hope that, because a Royal Commission exists, we do not tend to believe that everything is being done that needs to be done. The Royal Commission could end up by being a reason for doing nothing over a period during which the drug trafficker, and particularly the criminal organisations which are so active in this field, can be stopped. If we let them become established and set down their lines of distribution, if we let them cover their tracks and go underground by giving them six or 12 months grace while nothing is done because the report of the Royal Commission has not come out, we all stand indicted. Society cannot stand the misery which drug dependence and drug trafficking brings.

In supporting the legislation, I repeat my call to the Government to get that Royal Commission working and to make provision for its recommendations to be implemented or considered piece by piece as it brings out its findings. The drug problem, particularly as it affects young people (and they are having a bad enough time of it as it is), must be solved urgently if there is to be any real future for the young people of this State and of this country. I do not have to point out to members that the future of this country depends on its young people.

The Hon. R. G. PAYNE (Minister of Community Welfare): I thank the Leader generally for his comments, but not for all of them. One or two of them were gratuitous and probably were not any worse than those which are usually traded across the House on matters such as this. I am glad he has recovered. I hope it was not on his own diagnosis that he dealt with his ill-health.

Dr. Tonkin: I was so poorly that I had to call in medical advice.

The Hon. R. G. PAYNE: I am glad to hear that the Leader did not try to diagnose his own condition. The Leader went on a little about the differentiation of penalty. I remind the Leader and the House that this matter was also a decision of the conference of Ministers. At that conference, which included the Commonwealth Minister, the only Minister who did not support what we have before us in the Bill with regard to the differentiation in penalty in relation to Indian hemp and the hard drugs was the Minister from Queensland. Although, the Leader is entitled to his opinion on these matters, and we may give it some credence because he is qualified medically, I point out that several other people have also looked at the matter and have formed a different conclusion. The recommendation adopted by the Ministers came from the national committee, which has on it qualified people, as I am sure the Leader would agree.

The only other point I make is that the Leader was asking that something be done in the interim period while the Commission will sit. Probably the best way that we can ensure that there is some action is to give our support to the further passage of this Bill. I have pleasure in asking the House to support it.

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

ADJOURNMENT

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

That the House do now adjourn.

Mr. RUSSACK (Gouger): This afternoon, when considering the report from the conference on the workmen's compensation legislation, the Premier referred to a comparison of the conditions of employees on sick leave and on normal working hours. I am more than a little concerned, because in some spheres Government employees

do not enjoy the same conditions as do employees in the private sector. Ironically, the private sector and its conditions are controlled by legislation of this Parliament.

I am pleased that the Minister of Education has given an undertaking that the long service leave conditions of Education Department employees will be considered. This matter has been aired in the House during the present session. At the moment, a minimum period of 10 years applies in the Education Department, and a minimum period of seven years applies in the private sector before an employee is entitled to pro rata long service leave. I am glad that consideration is to be given to bringing these conditions into line.

I turn now to an inequity and a discrimination regarding conditions of public servants as compared with employees in the private sector. The Premier said this afternoon that a person on sick leave should have the same conditions as those applying while he is working. I know of a case, the details of which I would be prepared to give to the Minister, if required. It happened recently, and concerns a nursing sister employed at a Government hospital. On her way home from sport to prepare to go on duty, she met with a car accident. At the time, she was on night duty, which attracted a higher rate of pay than did her normal duty. After the accident, she was hospitalised for a week, and her rate of pay was reduced from the night duty rate to the ordinary rate. That is the very thing the Government is criticising in the private sector, but it happens in the Public Service.

Mr. Slater: Wouldn't she be entitled to workmen's compensation if she was on her way home from work?

Mr. RUSSACK: She was going home to get ready to go on duty. The accident was on a Saturday afternoon. She had been playing tennis, and she was to go on night duty, which meant that she would be receiving the penalty rate.

Mr. Wells: That is our argument for workmen's compensation.

Mr. RUSSACK: I say that, if it is right for the private sector, it should be right for the Government to put its own house in order. I am fairly certain that this position still prevails, and I believe it should be given consideration. The person involved was receiving the night duty rate of pay and, when she had the misfortune to be involved in an accident, she was hospitalised for a week. She should have retained that rate of pay, and not been reduced to the normal rate.

Mr. Max Brown: You are not suggesting the employers won't do that?

Mr. RUSSACK: That is what the legislation wants, and that is what is happening now. Employees are receiving more when they are on sick leave than is the person who is working. The person who is working considers this an injustice.

Mr. Wells: More on sick leave? Are you confusing that with compensation?

Mr. Max Brown: I think you are.

Mr. Wells: Get your facts straight, mate.

Mr. RUSSACK: The next point I wish to bring forward relates to Government hospitals, and if the Minister wishes me to do so I shall be prepared to name the hospital. If a qualified sister works overtime for, say, two hours, she is obliged to take that time off from the next day's working hours. Having worked an extra two hours, she receives no overtime rate. In the private sector, a person who works overtime receives the penalty rate.

Mr. Abbott: They need a strong union.

Mr. RUSSACK: This is going on in the Public Service. If the Government lays down criteria for the private sector, it should accept those criteria for its own employees.

The Hon. R. G. Payne: It is not the Government: it is the award.

Mr. RUSSACK: It is up to the Government to see that it is altered. The Government makes sure the private sector alters it.

Mr. Wells: Should the Government dictate to the courts that determine the award? Is that what you want?

Mr. RUSSACK: If the Government is the employer, it should see that these rights are adjusted with legislation that comes through this Chamber. The last matter I raise I would have raised at Question Time today and, because I do not know whether I will have an opportunity tomorrow to ask it, I bring it to the Minister of Transport's attention now. The matter concerns an intersection on Highway No. 1 about three kilometres north of Port Wakefield where that highway and the Port Wakefield to Kulpara road merges. Not many serious accidents have occurred in this locality but, in the interests of preventing a serious accident, I raise the matter now. It was only yesterday that a company representative who frequently travels this road told me that he had had one or two very close shaves at the intersection. My own personal experience confirms his fear.

Highway No. 1 does not form a right-angled intersection with the other roads, but it leads into the Port Wakefield to Kulpara road, and the drivers of vehicles travelling along Highway No. 1 believe that they have the right of way, with the result that many of them do not give way to vehicles on their right. I would suggest that the intersection be inspected and that a "give way" sign be placed on one or other of the main arterial roads. I am sure this action would prevent serious accidents occurring, because a potential traffic hazard exists at the intersection from merging traffic. One of the roads should be made a minor road and a "give way" sign placed on it to prevent what could be a major accident from occurring.

Mr. WELLS (Florey): I should have liked to say something about the Workmen's Compensation Act Amendment Bill, too, but I must admit that the previous speaker completely confused me. He was confused himself, since he could not differentiate between sick leave and workmen's compensation. However, I will not enlarge on that; I could not follow his arguments. I believe that he was sincere in what he said. Many State and Federal employees do not receive overtime as such in cash but receive time off in lieu of overtime: it happens with our own *Hansard* staff. I wish to say something about the Workmen's Compensation Act Amendment Bill, and to express my disgust at the actions of the member for Davenport, who again violated what has been a principle in this House for as long as I have been a member and for decades before I became a member. I am referring to the fact that members are elected from this House to meet with members from the other House in a managers' conference. It has always been the tradition of this and the other House for members so elected to attend a managers' conference charged with the responsibility of supporting the viewpoint arrived at in their own Chamber.

Mr. Dean Brown: I did that.

Mr. WELLS: My information is that the honourable member did not speak at all.

Mr. Dean Brown: Neither did the member for Playford: are you levelling the same criticism at him?

The SPEAKER: Order!

Mr. WELLS: If the honourable member would let me finish cutting his throat I would appreciate it. This is not the first time that something of this nature involving the honourable member has occurred. I clearly remember my objecting previously to the honourable member's activities when he was a member of a Select Committee and when he, to my horror, supported the viewpoint of the Opposition on the matter under discussion. I said as much in the House. Regarding the Workmen's Compensation Act Amendment Bill, the honourable member came into this House after being a manager at a conference on that Bill and attacked viciously the Minister of Labour and Industry. That action would get him nowhere, because the ability of the Minister of Labour and Industry is such that it is obvious to everyone that the Minister could chew up the honourable member and spit him out on this issue. The honourable member makes no impact whatsoever.

The Bill is now apparently doomed because of the activities of members in another place. Perhaps it could be said that that is their own prerogative, but they are trying to say that the Minister could not be moved at all on clause 7 of the Bill, whereas the Minister clearly stated, so I am told (and he should have stated, if he did not, but I am sure he did), that the clause was not negotiable. It is Government policy, and the Government has a mandate to legislate along these lines and in particular to legislate around the provisions of clause 7 of the Bill. The Minister was therefore bound to say that the clause was not negotiable. That does not mean that the conference was aborted. Members in another place, being the tools of insurance companies, were pleased to abort the conference at that time but I now believe, after walking about the corridors of this place and talking to certain people, that they are not so pleased now that the Bill will be thrown out of the window.

If that is the case, what is the position of the workers in this State? Workers will continue to operate under the old provisions of the Workmen's Compensation Act that were designed to give them the benefits of a good wage whilst they were away from work with an injury that occurred during the service of an employer. That is precisely what should happen. Strong objection arose when, after a time, it was noticed that some workers who were on compensation were, because of the ramifications of the Act, receiving more money while they were home on compensation than their fellow workers on the shop floor received. It applies only to a small percentage of workers. It has been stated (and I believe that this is one of the most insulting things that can be said against a worker in this State) that many malingerers do not wish to go to work, because they receive more money for remaining at home, or, even if they do not receive more money for staying at home, they receive a sum comparable to that which they would receive if they were at work. Such a statement is an insult to the workers of South Australia and it is an indictment of medical officers of this State, because, after all, it is the duty of medical officers, after due examination of a patient, to determine how long a man shall remain home from work and the date on which he shall resume work.

If it is claimed that malingerers pull the wool over the eyes of some members of the medical fraternity to the degree that the workers are given excess time away from work on compensation payments, it indicates one of two things. First, it indicates that the medical officer is incompetent and should not, in fact, be in a position to make such a decision. The second alternative is that he is in cahoots with a worker and is, in fact, permitting the man deliberately to stay home on compensation although he may be (as the medical officer is aware) fit to return to work. No other decision can be arrived at. A doctor is a man who says either that a person is fit to go to work or that he must remain home for another one day, three days or three months because of the injury that person has incurred. Surely it can be recognised that certainly the vast majority of doctors in this State are highly efficient and competent people who would not, under any circumstances, permit a man to remain home from work if he were not unfit.

But still this slur of "malingerer" is applied to the workers of this State. On the other hand, if there is a doctor who is prepared to say that a man is unfit for the purpose of giving the man additional workman's compensation periods, he should not be registered in this State as a medical officer. The whole situation revolves around the fact that it is feared that the Bill that was put before the management committee today will incur the wrath of the insurance companies which will be called upon to pay out on injuries sustained by workmen whilst at work, and in those circumstances the people from another place joined by people in this House—

The SPEAKER: Order! The honourable member's time has expired. The honourable member for Davenport.

Mr. DEAN BROWN (Davenport): The accusations of members opposite against me and my behaviour in this House become more laughable every day. Now, apparently simply because I failed to speak in a seven-minute deadlocked conference between the two Houses of Parliament, I am being accused of breaking the traditions and not supporting the major point of view in this House. I ask members how I could have spoken against or not supported the views when I did not speak at all. Frankly, there were three other members of this Chamber who, equally, at that conference did not speak.

Mr. Whitten: You weren't even accused of that.

Mr. DEAN BROWN: Yes, I was: The member for Florey has just accused me of it and the member for Mitcham did so, too, this afternoon. Their position is laughable and can be seen only as a weak attempt to make political mileage out of a situation that is embarrassing to the Government. I now turn to a matter of vital importance to this State. The matter of using State funds for Party-political purposes has been brought to my attention. The matter is serious, because the Premier has issued instructions to a staff member in the Premier's Department to carry out responsibilities aimed at no other purpose than deliberately to embarrass the Federal Fraser Government. Dr. Barry Hughes is currently working as an Executive Assistant (Economics) in the Premier's Department. He started work on November 18, 1976, and is employed under a two-year contract. He receives an annual salary of $24 433. Dr. Hughes, as a member of the staff of Flinders University, has established a high reputation as a commentator on economic matters. The Premier claimed that Dr. Hughes was being employed to give economic advice on State matters to the Premier. Honourable members may well recall how the Premier pointed out that Dr. Hughes's view would be a further view to that already supplied by the economic intelligence unit and by the Treasury Department. It was, of course, to be on State matters. Last Monday, the Premier instructed Dr. Hughes to write a book to criticise the economic policies of the Fraser Government.

Mr. Whitten: Did you say "criticise" or "analyse"?

Mr. DEAN BROWN: The Premier has used State Government funds to enable a book to be written to support the Australian Labor Party in its attack on the economic policies of the Federal Government. The use of public funds in such a manner is a gross misuse of our taxes. It is a disgrace for the Premier to use employees of the Premier's Department as political hatchet men. When Dr. Hughes was appointed, I guessed that he was being hired on public funds to act as an economic adviser to the Australian Labor Party for the two-year lead-up to the next Federal election. That guess has now been confirmed with this direction from the Premier to Dr. Hughes to write a political, economic book. No doubt, the Premier will deny this claim. He always does deny such claims in an attempt to squirm out of what is a politically embarrassing situation.

The Hon. D. J. Hopgood: Why are you reading? Is that another wastepaper basket job?

Mr. DEAN BROWN: I know the facts to be correct and I know that Dr. Hughes has been given an instruction by the Premier to write that book while being employed on State Government funds. That is an absolute disgrace.

Yesterday I attempted to make a statement in this House in answer to an invitation from the Deputy Premier to comment upon his current advertising campaign throughout the State to save water. I have now prepared a letter to be sent to the Minister, and I will read it to the House because I think it is most appropriate. I do so because the Minister deliberately attempted, through taking points of order, to stop me from making a personal explanation to the House yesterday. The letter is addressed to the Hon. J. D. Corcoran, M.P., Minister of Works and states:

Dear Mr. Minister,

During a personal explanation in Parliament on November 25, 1976, you specifically requested the following of me:

> I would appreciate the honourable member's listening to the scatters (or whatever they are called) and giving me his advice on how I can improve my performance, if that is necessary, or his opinion of them.

Mr. Minister, at great self-sacrifice, I have managed to bear the experience of listening to several radio spots. A large number of people have also expressed their views on the campaign. I have four specific comments to make concerning the campaign.

Far too much money has been spent on the campaign. It was not necessary to produce a pamphlet for each household, broadcast so many radio spots, or to pay for so many advertisements, especially coloured ones, in newspapers. The $50 000 has been largely wasted. Secondly, the intrusion of the Minister's voice into the radio spots has lessened their impact, as the spots with the Minister's voice sound too much like a political campaign. Thirdly, at least one of the advertisements involves the sounds of drips of water. There appears to have been widespread confusion amongst listeners as to whether the Minister is speaking or the sound is that of a tap dripping. Frankly, there were just too many drips on the commercial.

Finally, and most importantly, many people have commented that the whole tone of the advertisements is one of self-justification. After a close examination of the facts it becomes obvious the Government is trying to justify large water accounts because South Australia has the most expensive water (cost per litre) of any State in Australia. The use of Government funds in an attempt to hide the high cost of water is a misuse of those funds and a shameful reflection upon the Government.

I trust these comments will be helpful if your Government ever again considers a similar programme.

Yours sincerely,

(Signed) Dean Brown, Member for Davenport.

It was important to bring that out, but the most important point is that the Government is trying to hide the fact that water rates, or water accounts, in the current financial year will increase and that people will receive a smaller quota of water even though the total account has increased. I mentioned in that letter that South Australia pays the highest amount in cost a kilolitre of any State in Australia.

Mr. Slater: You want to check that.

Mr. DEAN BROWN: I checked each of the States last week. In South Australia the cost is 16c a kilolitre. The highest in any other State is the cost in Victoria, which is marginally below 14c a kilolitre. A comparison cannot be made with Queensland because of the method of calculating, but in all other States the cost a kilolitre is well below that in South Australia. The nearest State in cost is Victoria where the cost is marginally below 14c a kilolitre. That is the real reason why the Government has embarked on this advertising campaign. In an attempt at self-justification, it is trying to cover up the fact that water is so expensive in this State; it is trying to fool the people that the real reason they are paying so much for water is that they use too much of it.

Mr. Slater: I'll tell you why; we're subsidising the country areas.

Mr. DEAN BROWN: It is interesting to hear that interjection because the honourable member has said he will tell us why the accounts are so high. He has admitted that we do have high accounts and that we have expensive water in this State. He is admitting the point I am making.

Mr. Slater: I'm saying there's a subsidy—

Mr. DEAN BROWN: Now he is trying to squirm out of it.

The Hon. D. J. Hopgood: A typical high school debate!

Mr. DEAN BROWN: The honourable member did admit it. The point on this issue has been made previously by the Opposition. Government funds have been wasted, the Government knows they have been wasted, and it is time something was done about it. It is a shame that public funds should be used for political purposes simply to promote the Minister of Works, just as in the same way the Attorney-General is spending $30 000 to promote himself in certain advertisements on consumer protection, and the Premier has already spent over $12 000 promoting the Australian Labor Party in preparation for the next State election. Over $100 000 of public money has been spent to promote Labor Party Ministers, the Premier or the Party as a whole. That is a shameful use of public funds.

Motion carried.

At 5.2 p.m. the House adjourned until Thursday, December 9, at 2 p.m.