HOUSE OF ASSEMBLY

Thursday, April 14, 1977

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

ASSENT TO BILLS

His Excellency the Governor's Deputy, by message, intimated his assent to the following Bills:

Local Government Act Amendment,

Supply (No. 1), 1977.

FIREARMS BILL

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

MINISTERIAL STATEMENT: WAGES AND PRICES FREEZE

The Hon. J. D. CORCORAN (Deputy Premier): I seek leave to make a statement.

Leave granted.

The Hon. J. D. CORCORAN: All honourable members will be aware of the great interest that has been sparked as a result of the agreement reached yesterday in Canberra between the six State Premiers and the Prime Minister in relation to a three-month wages and prices freeze. Whilst some details have yet to be worked out (and this is quite apparent from a statement made by Mr. Howard, the Minister for Business and Consumer Affairs, in Canberra this morning) as to exactly how this freeze will be implemented, the view is held in South Australia that no-one will be exempt from these provisions in relation to wages and prices. The first step that has been taken by the Government is in connection with its own services and its own employees. The following policy statement was issued this morning to all departments:

Following the conclusion of an agreement at Premiers' Conference for voluntary prices and incomes restraint, the Government has determined that no variation of either is to be made until further notice.

The reason for that is fairly obvious. The statement continues:

This applies to all matters not yet in effect, irrespective of whether decisions have been made and/or announced previously. Clarification on any of these matters may be sought from:

(*a*) the Under Treasurer in respect of taxes, charges for services and prices of any kind;

(*b*) the Chairman of the Public Service Board in respect of salaries, wages or incomes of any kind.

It is the present intention that the price/incomes pause should be effective for a minimum period of three months. Departments and authorities should inform the Under Treasurer in writing, as soon as possible, of problems which may occur in this period because of the constraints of existing statutory requirements (e.g. for fixation of water and sewer rates), policy decisions, etc.

I think that demonstrates adequately that the South Australian Government is prepared to play its part in what one could consider to be a unique situation. I think it is heartening indeed to see the Premiers of the six States and the Prime Minister agreeing on a common policy in an attempt to arrest the inflationary trend that has been hounding this country for so long. I hope that all South Australians will appreciate that this is a genuine attempt to do something about the situation, and that they will co-operate as fully as possible with the Government and other authorities.

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

Leave granted.

Dr. TONKIN: I thank the House for the opportunity to make a statement on this matter. The Opposition welcomes the agreement which has been reached between the Premiers and the Prime Minister on the need for a voluntary wage-price freeze, a scheme originally put forward by Mr. Hamer, the Premier of Victoria, and congratulates them on reaching this agreement, which the community has obviously welcomed. It has been described as "a historic decision", and it could well become so, provided there is general co-operation and commitment.

The three-month freeze must be agreed to by all parties, and used to promote and obtain both a nation-wide consensus and a detailed and comprehensive strategy for a longer-term solution. Obviously there are many details to be thrashed out, and problems to be resolved in all sections of the community, and this is very likely to take more than three months, as I believe the Deputy Premier has intimated. The Premier has already announced measures to encourage the voluntary co-operation of retailers and manufacturers, without exemption, and it is hoped trade unions will co-operate in the same way.

A measure of the need for such a plan is evidenced by the enthusiasm with which the proposal has been adopted by all Government leaders in the absence of any prior planning or consultation. It is our hope as an Opposition that the freeze will provide the necessary breathing space to allow for the development of a combined attack on unemployment and inflation in which everyone can join.

QUESTIONS

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

JUVENILE REHABILITATION CENTRES

In reply to Mr. WOTTON (April 5).

The Hon. R. G. PAYNE: During the period April 1, 1976, to April 1, 1977, 20 staff suffered personal injury at the three youth assessment and training centres. Of this number, 11 did not lose time from work, two lost one day only, five lost up to a week, and two lost over a week's time from work.

FOSTER CHILDREN

In reply to Mr. EVANS (April 6).

The Hon. R. G. PAYNE: The two boys concerned were placed under temporary care and control at the request of their father, who is currently in prison. The boys and their father were opposed to their being placed in a departmental home and it has proved extemely difficult to find foster parents capable or willing to cope with two teenage boys with behaviour problems. Advertisements were placed in the press seeking suitable foster parents. An application was received from a single man with long experience in looking after country boys who came to the city to study at a reputable local high school. This person

was interviewed and was informed that he would have to go through a formal approval process and that a police check would be made. The gentleman did not object to this investigation and did not mention that he was homosexual. Alternative arrangements were made for the boys to be placed with approved foster parents, but these arrangements broke down and immediate emergency accommodation had to be found. Since they were reluctant to go to a hostel or a departmental home, the only possibility at short notice was temporary placement with the single man, who agreed to provide emergency care for the boys. One boy was placed there on January 10, 1977, and the other on January 12, 1977. When it was learned that the single man was a homosexual, alternative placements were sought for the boys, and their father was advised of the circumstances. The boys were placed in another home on February 7, 1977, and February 10, 1977, respectively. Unfortunately, this placement was not successful and the boys were transferred to a departmental hostel on March 15, 1977.

WAGES AND PRICES FREEZE

Mr. GOLDSWORTHY: In view of the Government's support for a three-month suspension of wage and price increases, does the Minister of Labour and Industry now intend to oppose the application that is before the Industrial Commission for increases of up to $42·90 a week for shop assistants? Last month in the Industrial Commission, Commissioner Lean said that the Government vetted applications that came before the tribunal but that the Government did not seem to be worrying about this claim as it was not making any submission, and that he could only conclude that the Government was not unduly disturbed by the application. Indeed, one could conclude that the same applied to any application. The employers' representatives said at that time that wage increases would be disastrous for employment and would have to be passed on. What does the Government intend to do in these matters? Will it intervene in such applications?

The Hon. J. D. WRIGHT: First, two points should be made. That application was lodged with the commission long before this dream was thought of. It would be some months ago when that application was made.

Dr. Eastick: Did you describe it as a "dream"?

The Hon. J. D. WRIGHT: Yes, I did. It is some time ago; that is the first point I want to make.

Members interjecting:

The SPEAKER: Order! I must remind the House that the honourable Minister must be given the opportunity to reply to the question without supplementary questions being asked.

Mr. Gunn: He should be ashamed of himself.

The SPEAKER: Order! The honourable member for Eyre is out of order with that type of interjection.

The Hon. J. D. WRIGHT: If I am given the opportunity, I shall make my other points. Secondly, I believe that the South Australian Industrial Commission is one of the most competent commissions in Australia. I do not say that because I am in charge of it; I have always thought that that is so. It is competent; it has the confidence of the trade union movement and of employers; and as industrial relations experts it has no peer. That is my personal opinion. Thirdly, the Government has not made a practice of interfering in any award cases other than those that affect its employees, and there is no reason to change that policy. Fourthly, the Industrial Commission, which is under my jurisdiction, will receive a circular from me tomorrow advising it of the Government's policy. I think the decision remains with the Industrial Commission as to how it treats this or any other application.

Mr. NANKIVELL: In view of the statement the Minister has just made about the three-month prices and wages freeze in which he referred to it as a dream, when the Premier has given full support for the scheme (as outlined in the statement to the House by the Deputy Premier), does this mean that the Minister is supporting the union view as stated in today's *News* that the scheme will not work? Does it mean that the Minister is not supporting the Premier's views on this freeze?

The Hon. J. D. WRIGHT: I did not say that it was not a pleasant dream: it could well be a pleasant dream. I did not say that it was a bad dream. I just think that Mr. Hamer had a dream before he attended the conference, from what I have heard about it. If my Government makes a decision I stick by that decision.

Mr. Becker: You have to.

The Hon. J. D. WRIGHT: Of course I do; there is no question about that. Of course I will try to see that the freeze works. If members opposite had been listening to the radio last evening, as I was when driving home from here, and again this morning, they would have heard comments about the freeze from around Australia and would now be doubtful whether the freeze will work. It is a voluntary restraint: it is not compulsory.

Mr. Dean Brown: You don't think it's going to work?

The SPEAKER: Order! I direct the honourable Minister not to reply to that interjection. I warn the honourable member for Davenport that such interjections are out of order.

The Hon. J. D. WRIGHT: In New Zealand only last year the Government adopted a similar scheme, except that the scheme was compulsory, and it came out of that situation worse than when it went into it. If I can rely on that sort of information, which must be fairly well assessed, I have some right in saying that I have doubts about the scheme being successful. I can only hope that whatever action is taken in this country it will reduce inflation. The Commonwealth Government has made no effort to reduce inflation, yet before the election last year it made all sorts of promises about reducing inflation, unemployment and doing all sorts of things for the economy. It has failed miserably to do so, as everyone in Australia knows. All members opposite know that the Commonwealth Government has not managed the economy well. The Federal Government is now trying to blame the working people for the mess. The working people of this country in my view have been more than tolerant of the wage indexation system. I can prove conclusively to anyone who would sit down with me and examine the figures that the workers of this country have taken less than the consumer price index over the past 18 months. If that is not tolerance I do not know what is. I congratulate the workers of Australia for their tolerance. I hope workers will continue to be tolerant and support this Government's attitude in relation to this scheme, which I hope will work.

Mr. MILLHOUSE: I should like to address my question to the Minister of Mines and Energy because of his background in economics, but the Deputy Premier, because of his seniority in the pecking order, may feel that he should take the question. It is supplementary to a number of questions asked by members of the Liberal Party following the statement which the Deputy Premier made and the Leader of the Opposition seconded regarding the wage freeze. What, in the view of the Government, is the strength, if any (and by that I mean the prospect of success) of the voluntary wage freeze? Like everyone in the

community, I was surprised and delighted at a unanimous decision coming out of the Premiers' Conference. I hope, like most people in the community (perhaps not all), that a wage and price freeze will be a help in the fight against inflation, but I suspect that what happened was that a number of the Premiers, if not all of them, felt that they could safely support this, knowing that it could not possibly work, and then blame someone else for its not working. I also have no doubt that the Ministers here were caught unawares. The first they heard of it, I imagine, would have been—

The SPEAKER: Order! I think the honourable member is now not explaining but is rather debating the issue.

Mr. MILLHOUSE: Well, Sir, I have only one or two more points of explanation to make.

The SPEAKER: I trust that they are explanation.

Mr. MILLHOUSE: Yes, Sir, they are, and they are pertinent points of explanation. They probably first heard on the wireless that this Government was committed to it, and that is perfectly obvious (and this is a very important point) from what the Minister of Labour and Industry said this afternoon, because he is too honest to be a good dissembler. He used the word "dream", and I do not think the explanation of that word which he gave later was as correct as the one that immediately occurred to people. It is obvious that he does not think it will work.

The Hon. Hugh Hudson: He didn't say "nightmare".

Mr. MILLHOUSE: No, but the "dream" as he used it was something that was not going to work. It is only voluntary. For the life of me, I cannot see, in the light of the comments from Mr. Hawke, Mr. Dolan, and other trade union leaders, how it possibly could work. Therefore, I ask the Deputy Premier (I suppose he will insist on taking the answer) whether they have any real faith in this or whether it is not just another shadow play.

The Hon. J. D. CORCORAN: I do not think the question has economic connotations. I think it is more of a psychological question.

Mr. Millhouse: You would have to say that to justify your answering it, I suppose.

The Hon. J. D. CORCORAN: One could almost describe the honourable member as a silent little knocker.

Members interjecting:

The Hon. J. D. CORCORAN: I was thinking of one of those blue heelers, from Queensland. They are very silent when they nip, and they duck their heads quickly in case they get kicked. The honourable member was not quick enough, because he is going to get kicked.

Members interjecting:

The SPEAKER: Order!

The Hon. Hugh Hudson: Would you call these heelers curs?

The Hon. J. D. CORCORAN: Not really, and I am not going to say what they leave behind them, either. I think the honourable member should at least give the voluntary measures an opportunity to work. I do not think it is reasonable for him to say to me or to anyone else, in this Chamber or elsewhere, what the trade union movement is going to do about this question. The trade union movement, as it does on anything else, will make up its own mind and act in its own way on this matter. I have already said, as spokesman for the Government this afternoon, that I appeal to all South Australians to give this measure a go—and I do that again. I should have hoped that the honourable member would see fit this afternoon to join with the Leader of the Opposition and me and urge South Australians to do the same thing, but he could not resist having that little nibble and trying to drive a little wedge, not between the Opposition and the Government on this occasion but between the Ministers on the front bench. The Minister of Labour and Industry is a forthright and realistic man and he did not want to say this afternoon that this thing would have a golden path. That would have been unrealistic, and he is not unrealistic. The member for Mitcham should be prepared to have a little bit of patience. As I have said this afternoon, many points have not been worked out in detail. The honourable member suggests that the first that Government Ministers would have known of the matter would have been through radio or television. He is quite right. In the circumstances, how on earth could the Premier (or any other Premier apart probably from Mr. Hamer) consult immediately with his Ministers on this matter? He had to make a snap judgment on the spot. The Premier has the full support not only of his Ministry but that will help the honourable member overcome the little doubts he has on the matter.

INDUSTRY COSTS

Dr. TONKIN: Can the Deputy Premier say whether the Government will immediately take action to restore the competitive factor, which South Australian industry has now lost, by correcting anomalies which force up costs, and by making positive help available in the form of pay-roll tax, land tax and other concessions? I am sure I do not have to list to this House the details of companies in difficulties which have been ventilated in recent days. South Australia is now in the top three States so far as costs are concerned, and financial authorities agree that we have lost our competitiveness.

I have already stated before that more and more work categories have had their wage and salary structures brought more into line with Victoria and New South Wales. Higher workmen's compensation rates, less favourable conditions for pay-roll tax concessions, holiday loadings and long service leave are all factors which it is estimated add at least 37 per cent to fundamental award rates in this State. It is claimed South Australia's pay-roll tax provisions alone account for the loss of the equivalent of one job in 20. Obviously Government action to relieve these anomalies is urgently needed in South Australia, and such help could be given. In 1975-76, revenues from land tax were up by 54 per cent on the previous year, pay-roll tax by 18 per cent and stamp duties by 42 per cent. Industrial development is now industrial stagnation in South Australia under the present Government. The Government must take positive action so that South Australia can again begin to compete on both interstate and oversea markets.

The Hon. J. D. CORCORAN: I am, of course, not in a position to challenge the figures that the Leader has given in this case, because I do not have with me the sort of information that I would require to do that. However, I question some of the figures the Leader has used. He says, "It has been reported", for example: there is no basis in fact for that sort of statement when dealing with actual figures. The situation in South Australia concerning pay-roll tax is no different from that obtaining in any other State, apart from Queensland, where I think some minor variation was made by the Government which broke an agreement entered into at a Premiers' Conference some time ago. Average weekly earnings in this State are still low compared to the major States in Australia, and the Leader himself admits that.

No doubt the Leader is referring to recent statements, made particularly by Perry Engineering, which said that it would have to retrench men shortly. The Government is as concerned as the Leader about this; it certainly gives this

Government no pleasure. I do not want to be accused by the Leader of getting on the band waggon, but let me say that in discussions with leaders in the construction industry, it has been made perfectly clear to me that what is happening at the moment in this industry, which is intertwined with so many other industries, is that the effect is now being felt in South Australia for the first time of the policies of the Fraser Government in cutting public expenditure. What has happened in New South Wales and Victoria for the past six to nine months is now beginning to happen here. If the Leader does not believe me maybe he can talk to some of his colleagues, particularly one of his colleagues in another place who is in a position to know that this is, in fact, happening.

The South Australian Government does offer a series of incentives to business. The member for Davenport was critical of the fact that not many businesses had taken advantage of the exemption from pay-roll tax, etc., but only this morning I signed an approval for another firm in South Australia to take advantage of this situation. This Government has constantly under review things that it can do not only to attract new industries to this State but also to assist those industries in this State that get into trouble. Unfortunately, that is happening more frequently now than in the past because, as I have said, of the policies of the present Federal Government. These reveiws will continue, and we will do whatever we can to assist in any way. In fact, I think it was only the other day that the Leader was being critical of the Government for purchasing the factory of Wilkins Servis. He cannot have his cake and eat it too. If the Leader can come up with any concrete suggestions (and I know he cannot) that we may be able to examine and implement in order to prevent this sort of thing happening, we shall be happy to hear them, but he has not given us one yet.

GREENACRES LAND

Mr. SLATER: Can the Deputy Premier, respresenting the Minister of Lands in another place, say whether the Government owns a large allotment of vacant land on the corner of Mullers Road and Floriedale Road, Greenacres? If so, what is its intended use? The allotment in question adjoins a work depot, which is currently District 3, I think, of the Public Buildings Department. The area is quite large, and I have had requests from local residents wishing to know whether the Government owns the land and what it intends to do with it in the long term. I would appreciate it if the Minister could ascertain for me what is the intended use of this land.

The Hon. J. D. CORCORAN: I shall be happy to obtain the information from my colleague, and I will bring it down for him as soon as possible.

WATER SUPPLY

Mr. MAX BROWN: Can the Minister of Works say whether there has been any response from the Federal Government to the application for financial assistance towards the State's water filtration scheme, as I understand a case was put to that Government some time ago? I believe that it could be said that the responsibility of supplying finance required to undertake such a scheme rests heavily on the Federal Government. Like many other members, I have received numerous complaints about the quality of water provided to householders at present. I appreciate that everything possible is being done to improve the situation but, unless the Federal Government is willing to examine constructively the need for the scheme and the finance involved, it seems that householders throughout the State can expect a greater decline in the quality of water.

The Hon. J. D. CORCORAN: I am sure that the honourable member appreciates my concern and that of my department in this matter. For some years we have received many complaints about the quality of water in our northern cities and in points in between, so much so that it was recognised that the only proper way to tackle the problem was to filter the water. The honourable member would appreciate that that is an extremely expensive facility, and it is beyond the reach of the State Government not only to finance it but also to finance the present programme that has been undertaken in the metropolitan area that consists of seven filtration plants, the first of which should be operating at Hope Valley in probably the next two months or so. That project alone will cost about $19 000 000 and supply about 60 000 houses in northern and north-eastern suburbs. I have not yet had from the Federal Government any indication about the continuation of funding for the metropolitan water supply programme. There would seem to be little hope of gaining additional funds for the filtration of the water supply to the northern townships of this State. I shall be pleased to examine the state of play and, if necessary, again contact the Commonwealth Government to remind it of the request that has been made and ask it about its attitude towards funding. I will do so and let the honourable member know the result.

WATER HYACINTH

The Hon. G. R. BROOMHILL: Can the Minister for the Environment say whether any action has been taken by any State to use a South American insect to attack water hyacinth? I know that the Minister attended a recent seminar that dealt with this problem. All members of this Parliament would be aware of the menace to the Murray River that water hyacinth will create if it should enter this State. I know that a suggestion was made that a beetle might well, as a natural enemy, attack the water hyacinth, controlling it in some way. I refer the Minister to a report I have read recently that refers to another problem and ask him whether he will read the report and see whether there is any need for further consideration in relation to this problem.

Mr. Chapman: That's the second question coming up.

The Hon. G. R. BROOMHILL: Although the honourable member may not be interested in the problem, no doubt most other members of the community are. The report states:

While water hyacinth has long been designated as the world's worst weed, what is not widely recognised is that an even more insidious threat to Australian fresh water river systems could come from the floating fern called salvinia. Unfortunately, this water weed is also spreading at an alarming rate and it may soon rival water hyacinth as the most damaging aquatic weed in Australia.

I should appreciate any advice the Minister may be able to give me.

The Hon. D. W. SIMMONS: The honourable member knows that I opened a symposium on April 1, I think, on this matter. The symposium, conducted by the Water Research Foundation of Australia, attracted experts from all over the country who were dealing with this problem. It was a most interesting function to attend. I was present until 6.30 p.m., and probably the highlight of the proceedings

while I was there was an American film showing the spread of water hyacinth in the United States of America. I think the only word to describe it is "frightening". I believe that earlier in this decade an area in Louisiana doubled in two years from 170 000 hectares to twice that area. No doubt this weed is a tremendous scourge in many parts of the world. The film dealt with various means of biological control, one of which was the use of a weevil, neochetina, which comes from the Argentine. The film, lasting for about 30 minutes, showed steps that were taken to develop biological forms of control. This weevil was the main one, but two other acceptable insects or moths had been approved and sent to the U.S.A. where, after a long period of quarantine and trials to ensure that they were host specific, they were released.

The film showed some examples of the damage these insects had done to existing crops of water hyacinth. The matter is particularly interesting to South Australia, because there is at the moment a major infestation in the Gingham watercourse, which is part of the delta of the Gwydir, which flows out into the plain about 30 km east of Moree. In this area, one of the watercourses has been infested by water hyacinth, and urgent action has been taken, initiated, I think, by the Deputy Premier. This action was necessary, and South Australia took a leading part in mounting a campaign against the water hyacinth. The project has been funded by New South Wales, Victoria, South Australia and the Commonwealth Government. I think about $200 000 is being spent on the current year's programme. The programme is designed to contain the water hyacinth in that area and, hopefully, eventually to eradicate it. The insect or weevil, neochetina, was released in Australia in about June, 1975, I think, principally along the east coast of Australia. Apart from the Gingham infestation and a small one near Perth, the water hyacinth appears in the coastal rivers on the east coast as far north as Cairns. So far, I do not know how effective the insect has been in Australia, but high hopes are held for it and no doubt others will be released as they are found safe for use in the United States. I think it is important that this weed should be removed. In some quarters it is considered to have a value as animal feed or fertiliser.

Mr. Mathwin: Why not get leave to put it in *Hansard*?

The Hon. D. W. SIMMONS: It is a fairly important matter, and I am just about to finish. With the dependence of South Australia, especially Adelaide, on the Murray River, it is extremely important that this weed should not get into the Murray River. Apart from clogging it and destroying the native life in the watercourse, the river would also lose a great deal of extra water because of the transpiration rate from the plants. Outbreaks have occurred in South Australia. In 1939, one was discovered at Ramco, on the Murray River, and quite a campaign was necessary, lasting until 1945, before it was eradicated. The then Playford Government treated it very seriously and took energetic measures to get rid of the water hyacinth. As far as I can ascertain, there has been only one or two sporadic outbreaks since then, and the worst episode was in 1960, when it was discovered that a place at Eden Hills had been growing the plant and selling it to fish fanciers to put in their ponds. That has been stopped, and I do not know of any infestation in South Australia. The measures being taken in New South Wales, on the initiatives of the four States, will hopefully control the weed effectively.

TEACHER RATIOS

Mr. GROTH: Is the Minister of Education aware of the article in the journal of the South Australian Institute of Teachers of March 9 that states that South Australia is third after Tasmania and Victoria with regard to the student-teacher ratio in primary schools? If he is, can he say where South Australia stood 10 years ago compared with other States regarding student-teacher ratios in primary schools? The article states in part:

While South Australia led the field in the secondary area, its figures for the primary area were slightly less favourable, being 21/8. This placed South Australia third after Tasmania and Victoria, both on 21/5.

The Hon. D. J. HOPGOOD: I am an assiduous reader of the journal, and I assume that the article referred to was the one written by Mr. Connor. I read that article closely indeed because it was a response to a statement that I had made as a result of the kit put out by the Education Action Committee. The Karmel report placed South Australia sixth amongst the States in relation to staffing ratios in the primary area. That would compare with the third position we have at present. Members will appreciate from figures quoted by the honourable member that it is a marginal third indeed, and of course must be seen alongside the favourable position which Mr. Connor admits for our secondary schools. I also take the opportunity to point out to the House that it was for this very reason that the Education Department diverted so much of its additional teaching resources into the primary schools area for this year. There was very little increase at all in the teaching force in the secondary schools. The vast majority of additional teachers who were appointed for this year, additional staffing appointed despite the fact that enrolments had declined—

Mr. Nankivell: There are 477.

The Hon. D. J. HOPGOOD: The honourable member knows the exact figure better than I, but it was certainly of that order. These resources were put largely into the primary area because of the concern we have in reducing teacher-pupil ratios in the primary area. I make the point that in these days, when schools are given greater freedom than they were in the past to make decisions, it does not always follow that an increased teacher-pupil ratio in a particular school will always result in a decrease in class sizes. That is a decision that the school must make. If one wants to expend teacher resources more lavishly in a school, there are three ways it can be done. Class sizes can be reduced, more time can be provided for teachers for preparation and marking, or course options that are available for the students can be diversified. It must be a decision of the school as a whole exactly how these resources should be expended. It is against that background that it is more realistic to talk in terms of teacher-pupil ratios than it is to talk about class sizes. A member of my family was in a class of 60 children last year, but they had three teachers, so when one talks in terms of the number of pupils to a teacher one gets a different viewpoint than if one simply talks in terms of the number of children in a particular room.

WOMEN'S SHELTERS

Mr. ALLISON: Will the Minister of Community Welfare say what exactly is the State's responsibility in ensuring that funds used in the administration of women's shelters are in fact properly used? The Premier, in an explanation

to the House last week, said that he had received complaints and had given them full replies. In the reply in the House, the Premier acknowledged that complaints had been received in relation to drunkenness among staff, dirty conditions, and poor food, but he also said in reply to a question regarding the purchase and use of a motor vehicle that the van was bought with Federal funds and was not a matter for the State Government. I understand that the State is required to contribute 25 per cent of capital costs and 10 per cent of running costs for the shelters and that, in order to obtain a Federal grant, the State must accept responsibility for administering those grants. How then is it possible for the State to try to absolve itself of all responsibility in this matter?

The Hon. R. G. PAYNE: I do not think the State is trying to absolve itself. As I understand it, and as was very clearly shown by the honourable member, the Premier answered in a way which showed where the responsibility lay. The only thing I can say is what I said in the House the other day: since January 1, 1977, my department has had the responsibility in this area. Requirements are associated with that responsibility which include the submission of accounts and receipts, and those requirements have to be met before the quarterly payments will be made.

Mr. BECKER: My question is supplementary to the one I asked last week about women's shelters and the one asked by the member for Mount Gambier this afternoon. Will the Minister say why he misled the House last Tuesday when he said that he was not aware of allegations in connection with the Naomi Women's Shelter when, in fact, a conference was held in his office on February 11, 1977, to discuss that matter? Last week, as reported on page 3139 of *Hansard*, I asked whether the Minister was aware of the allegations made by the Deputy Leader, and the Minister replied:

. . . the only answer I can give is that the only contact, to my knowledge, which my departmental officers have had with the shelter with respect to financial matters was in regard to a submission being made to the Federal Government for funds.

The Premier later made a statement in which he said:

The complaint the Deputy Leader outlined was made not to the Minister but to me. I had the matter investigated by my Women's Adviser, who was then in touch with officers of the Minister's department and the officer to whom the Minister has referred. After a full investigation, a full reply was sent to the complainant. There were some reasons to complain about the constitution of the shelter . . .

I have a copy of a letter that followed discussions with the Minister stating that complaints were made to the Minister earlier this year and discussed with him personally by a deputation that asked whether the situation could be investigated. The letter states:

I refer to the petition which was presented to me with regard to the South Australian Mutual Assistance Association, and the subsequent discussion I had with a deputation which saw me on February 11, 1977. I have since obtained a copy of the constitution which was used to incorporate the association under the Associations Incorporation Act. From the information you have given me, it does appear possible that Mrs. Willcox may have acted unconstitutionally. However, as the association is a community organisation, I suggest that the remedy open to you, if you wish to take it, is action in the court.

In suggesting that a remedy is available in the court, is it a complete abdication of the Minister's duty and responsibility to see that funds are properly administered within his department, and did he mislead the House?

The Hon. R. G. PAYNE: No, I did not mislead the House. I wish to God that some Opposition members would occasionally read *Hansard*, because something is obviously wrong with their hearing. I made a Ministerial statement to which I refer honourable members, and they have had access to it since it was made. For the benefit of the member for Hanson I will, with your permission, Mr. Speaker, re-read some of that statement.

Mr. Slater: Read it slowly.

The Hon. R. G. PAYNE: On the demonstration that the honourable member has given up to now, if one took him by the hand and pointed to the lines, he still would not understand them. I will go to these lengths, if that is what the honourable member wishes.

Mr. Gunn: Just answer the question.

The SPEAKER: Order! The honourable member for Eyre is out of order, and it is because of these interjections that questions are not being replied to at times.

The Hon. R. G. PAYNE: The member for Hanson has referred to the occasion when a question was asked by the Deputy Leader. I draw his attention to the Ministerial statement I made to the House, which in part states:

When the Deputy Leader asked his question yesterday he sought to establish the outcome of investigations officers of my department had made into some (I stress "some") of the allegations concerning Naomi Women's Shelter. My emphasis on the word "some" is deliberate, because there have been many allegations about matters concerning Naomi for a considerable time.

I am reading this as slowly as I can in order to get over to the member for Hanson that there is no diffusion on my part. I have received many allegations about Naomi Shelter; I have made no secret of that fact, and I referred to it in my statement.

Mr. Goldsworthy: That's not what you said the day before.

The Hon. R. G. PAYNE: I pointed out clearly that I had no knowledge of what could have been in the Deputy Leader's head, and that is the way in which the question was put to me. At that time I believed that I was at my charitable best, because I did not go beyond pointing out that it would be difficult to work out what was in the Deputy Leader's head at any time. My statement continues:

As I did yesterday, I stress again that they are allegations, unproven, unsubstantiated allegations, and in all that I have received there has not yet been one sworn statement. When the member for Hanson asked in a supplementary question whether I had been aware of the allegations made by the Deputy Leader of misconduct and misappropriation of funds at the shelter, I replied "No". I took the honourable gentleman literally (I am sure he realised that) and facetiously pointed out that I could not be expected to know what was in the Deputy Leader's head.

Those words are in the statement, and the honourable member could have read it. However, for his own political purposes he thinks he is on to something, but I assure the House that there is nothing in this matter, except that the management committee and some other interested people each wish to run the show. That is their business, and not that of the honourable member or me. It is a mutual operation and is properly incorporated, and it is up to them to run their own affairs, and up to women especially to run the affairs of women's shelters. I am not getting in the way of their carrying out their normal requirements.

Mr. Venning: It's the taxpayers' money.

The Hon. R. G. PAYNE: I pointed out the responsibility of my department in regard to taxpayers' money. A quarterly payment is due, but it will not be paid until certain requirements have been met. They are the normal requirements in these matters. I am not suggesting that they cannot be met: I am simply stating the requirements and, if and when the requirements are met, the payment will be made. I know about the marvellous letter that the

honourable member has read. The honourable member should know I have received several allegations about other shelters for children and about other aspects of community welfare, and about other departments for that matter, as has every other Minister and member in this House. What we are supposed to do, as representatives of the people who put us here, is to try to exercise a reasonable amount of judgment and common sense in matters such as this. We are not supposed to run around willy-nilly not knowing who we are or what we are doing, as the member for Hanson often does. We are required to be objective, to listen to so-called evidence and to investigate allegations where they are within the responsibility of the person concerned. I have no quarrel with the honourable member if he believes honestly what he is putting up to me. From my own position I doubt whether his motives are genuine.

Mr. GUNN: Does the Minister intend to conduct a public inquiry into the Naomi Women's Shelter in view of the statutory declarations that have been made that substantiate allegations in the House about the operation of Naomi Women's Shelter? The Minister stated in the press that no sworn statements had been made regarding the allegations, and implied that there was no need to take further action. He repeated that today. Statutory declarations have been made supporting the allegations and making further allegations that Mrs. Willcox was stealing food from the shelter. I have personally examined the statutory declarations and, in view of what they contain, will the Minister conduct a further inquiry into the allegations?

The Hon. R. G. PAYNE: I wish to heaven that members on the other side of the Chamber who have suddenly found a new interest in community welfare would continuously exhibit that interest for the people who live in their areas and need help. It is strange that most members opposite never raise their voice on a community welfare matter until they believe they have found something on which to hang their hat. They have nothing this time. Economically, members opposite are a disaster and their Party is in disgrace both Federally and in this State.

Members interjecting:

The SPEAKER: Order!

The Hon. R. G. PAYNE: I am sympathetic towards members opposite because they must do something, so they are trying to stir up trouble. I have not seen the statutory declarations referred to by the honourable member, but if he is suggesting that he will make them available I will do what any responsible person would do in the matter: I will examine them and consider what action should be taken.

CHILD AND PARENT CENTRE

Mrs. BYRNE: Can the Minister of Education say whether a tender has been let to establish a child and parent centre on the St. Agnes Primary School site, and whether any other relevant information is available? The Minister would be aware that this project has been approved, and that is welcome. Previous information on the subject was to the effect that it was expected that tenders to establish the centre would be called in February. It is expected that the centre will offer sessional pre-school facilities, expand existing play-groups and develop a home out-reach programme.

The Hon. D. J. HOPGOOD: I shall be pleased to get information for the honourable member.

EDUCATION FUNDING

Mr. LANGLEY: Can the Minister of Education bring down a report about payments this financial year to further education, secondary education, and primary education for buildings, equipment and salaries? During Education Week, I visited several schools in my district and remarks made by some people have prompted this question. My visits were worth while because I met teachers and committee representatives.

The Hon. D. J. HOPGOOD: I will certainly get the information requested by the honourable member, although there could be some difficulty with the dissection of capital costs as between primary and secondary schools, because that would include area schools, including the new area school at Karcultaby, which have both primary and secondary classes. The same would be true of the recurrent costs as between primary and secondary schools where again some schools have both types of class. Also, in special rural schools some secondary work is offered in what are otherwise primary schools. With those exceptions, the rest of the information would be readily available in the Loan allocation documents and the Budget that is made available to the House annually. However, I will try to get specific information for the honourable member. Regarding the division between the Education Department and the Further Education Department, there is no real problem there in obtaining the information. The expenditure in the schools area and the Education Department is vastly greater at this stage than occurs in the Further Education Department area.

ROAD GRANTS

Mr. VANDEPEER: Can the Minister of Transport say whether there has been a change in Government policy concerning district council contributions to road grants, especially those for roads described as necessary to encourage tourism? Recently, councils in my district heard a report supposedly stating that the rate of contribution by councils was to be changed considerably, but no additional information has been obtainable. This matter is important at this time, as councils are preparing budgets and would like a positive statement on the matter.

The Hon. G. T. VIRGO: I find it difficult to understand the honourable member's point, because what happens, in practice, at the commencement of each calendar year or prior to the end of each financial year is that the district engineer has discussions with every council in order to determine the priority that it applies to various roads. I am somewhat at a loss to understand why councils have not sought the information to which the honourable member has referred from the district engineer, who could have provided it then and there on the spot. I presume that the honourable member (and he may correct me if I am wrong) is referring to the new policy we are applying as from July 1 whereby we will no longer require a council to spend a sum of money in order to qualify for a grant. What is happening there is that, on examination, this procedure was found to be somewhat cumbersome. It was certainly taking away from local government what we believed was its right to decide where, how, when and why it would spend its own money. That is the very case we have persistently stated to the Commonwealth. So, obviously we could not do other than apply the same procedure to local government. The requirement to spend money in order to qualify for highways money has been removed, and all councils have been informed of this.

The honourable member says that councils in his district were informed and have heard nothing more since. I cannot think of anything they could have been told since, other than a repetition of what they had already been told.

WELFARE HOUSING

Mr. ABBOTT: Can the Minister for Planning give the House any information on the Federal Government's new welfare housing finance plan? Recent reports on this matter have indicated that the proposed arrangements could have a significant effect on rents and interest rates in this State. For these reasons, I ask the Minister for any information he may be able to give on this matter.

The Hon. HUGH HUDSON: At present, I do not have any further official information from the Commonwealth Minister for Environment, Housing and Community Development (Mr. Newman) beyond the initial document that has been provided. There is to be a Housing Ministers' conference in Melbourne at the end of this month, and I understand that further documentation is being provided by the Commonwealth prior to that conference. No doubt we will hear more about the Commonwealth's views. I expect that most probably no decisions will be taken at the conference at the end of this month and that some lengthy negotiations will develop over the new housing agreement. Certainly, if there were any immediate solution to this problem it could be presumably only on the Commonwealth's terms, and the initial terms it has suggested are unattractive virtually to all of the States because of the impact they would have on rents and the impact that would exist on interest rates for home buyers.

Furthermore, every State would be involved, in its public housing and through its Home Builders Account loans, in a continuous assessment of the means of the borrower or of the tenant. Every year, every person who got any kind of assistance at a lower interest rate or who was a public housing tenant would have to have his means assessed. Clearly, this would create a bureaucratic nightmare that surely must be avoided if possible. Furthermore, the effect on interest rates and on rentals would be most serious for significant portions of the community, not least of which would be the younger generation. One of the most disturbing things about the whole present situation of employment is that it is the younger generation that must take the kick. The younger generation is suffering because of the over-supply in certain professional areas of trained and qualified people. The younger generation is having to meet higher building costs and higher interest rates. If a further burden is to be put on the younger generation as a result of this new Commonwealth-State housing agreement, it would be one of the most grossly inequitable acts ever committed by a Government in the course of our history.

I want to assure honourable members that, on behalf of this State, I shall certainly be negotiating hard with the Commonwealth, if necessary over a long period of time. I am not willing to be a sucker in going along with some new scheme which could result only in serious penalties for many people in this State, and particularly for newly married couples, or older married couples buying their first house. This, when the present employment situation in South Australia is so difficult for these people, would be absolutely intolerable.

At 3.11 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

NARCOTIC AND PSYCHOTROPIC DRUGS ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Deputy Premier) obtained leave and introduced a Bill for an Act to amend the Narcotic and Psychotropic Drugs Act, 1934-1976. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

It is introduced in pursuance of undertakings given by the Government in relation to the recently established Royal Commission into the Non-medical Use of Drugs. This commission is considering matters of the highest public importance and it is obviously essential that it should have the widest possible range of information available to it. A substantial area of inquiry would be closed to the commission if witnesses who may have experimented with, or indeed, who may be addicted to, drugs were deterred from giving evidence and making submissions to the commission by the threat of prosecution.

The Bill therefore provides that where a witness gives evidence or makes submissions that tend to incriminate him of offences against the Narcotic and Psychotropic Drugs Act, no prosecution shall be launched in respect of the offences so disclosed except upon the authorisation of the Attorney-General. This authorisation will not be given except in cases where it is clear that the evidence was given, not to advance the inquiries of the commission, but merely to escape criminal liability.

Mr. WOTTON secured the adjournment of the debate.

FIREARMS BILL

The Hon. R. G. PAYNE (Minister of Community Welfare) obtained leave and introduced a Bill for an Act to control the possession and sale of firearms, to repeal the Firearms Act, 1958-1975, and the Pistol Licence Act, 1929-1975, and for other purposes. Read a first time.

The Hon. R. G. PAYNE: I move:

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

It is designed to introduce stricter controls upon the possession and use of firearms. The rapid increase in the number of serious offences involving the use of firearms, and the proliferation of extremely dangerous weapons, make stricter control necessary to safeguard the community. The use of firearms in the commission of criminal offences is increasing to an alarming degree. The majority of armed robberies are committed with the aid of some type of firearm. In a two-year period the number of armed robberies in South Australia more than doubled. There were 36 armed holdups during the year ended February 29, 1976. The following figures show the rate of increase in this type of crime:

	1973	1974	1975
Armed robberies	16	22	30
Firearms used	10	10	20
Pistols used	6	12	10

It would seem that the most frequently used weapon is a firearm other than a pistol. This probably stems from the fact that they are more readily available. Apart from robberies, offences against the person are recorded as follows:

	1973	1974	1975
Murder/attempted murder/ suicide	6	14	12

No pistols were used in these offences. The greater accessibility of firearms other than pistols is no doubt a contributing factor. Most of these offences occur as a result of matrimonial troubles or romantic jealousy. The following figures illustrate the extent of the use of firearms in threatening or intimidating victims:

	1973	1974	1975
Assaults where firearms used	57	50	57
Firearms used	46	45	47
Pistols used	11	5	10

Of the firearms used, the main weapons were ·22 calibre rifles. Shotguns ranked next and in a few instances, air rifles and guns were used. Included amongst the pistols were two rifles which had been cut down to pistol size.

Firearms are used to a major extent in the commission of offences against property. This is evidenced by damage to road signs, private gate signs, damage to property both Government and private. It is difficult to place an estimate on the total cost of damage caused by indiscriminate shooters. One of the problems is that there is no restriction on the type of firearm a person may buy. Immature children may possess any firearm ranging from an airgun to a heavy calibre weapon. Destruction of property by irresponsible shooters does not stop at inanimate objects. Many reports are received where valuable stock has been either deliberately or accidentally shot. One of the greatest problems with this type of offence is that the detection rate is low. A strengthening of the law to prevent firearms coming into irresponsible hands is a necessary precautionary measure.

This Bill seeks to introduce appropriate controls on the possession and use of firearms by instituting a licensing system. The Bill recognises that the institution of such a system involves the conferral of a fair amount of bureaucratic power. It therefore attempts to ensure that members of the public who desire to possess and use firearms are given every consideration and that no-one will be arbitrarily refused a firearms licence. The Bill provides that the Commissioner of Police is to be the Registrar of Firearms who will issue the new licences. It also povides that there shall be a consultative committee. Where the Registrar proposes some action that may adversely affect an applicant for a licence, or the holder of a licence, the proposal must be referred to, and endorsed by, the consultative committee. Moreover, there is to be a further appeal to a magistrate sitting in chambers. The Government believes that the Bill accordingly provides for a reasonable balance between the public interest and the rights of the individual.

Clauses 1, 2 and 3 are formal. Clause 4 repeals the existing Firearms Act and the Pistol Licence Act and enacts appropriate transitional provisions. Clause 5 sets out the definitions necessary for the purposes of the new Act. Clause 6 provides that the Commissioner of Police is to be the Registrar of Firearms and confers a power of delegation in respect of his statutory powers and responsibilities.

Clauses 7 to 10 establish the Firearms Consultative Committee. The committee is to consist of a legal practitioner of at least seven years standing, a nominee of the Commissioner of Police, and one other person with wide knowledge of the use and control of firearms. Clause 11 is a provision of major importance. It provides that no person shall have a firearm in his possession unless he holds a licence of the appropriate category. There are a number of exceptions to this provision. For example the provision does not apply to use of a firearm at a shooting gallery or on the grounds of a recognised rifle, pistol or gun club. Clause 12 deals with the granting of licences. Where due application is made for a licence the Registrar is obliged to grant the licence unless the consultative committee concurs in his opinion that there are good grounds for refusing a licence to the applicant.

Clauses 13 and 14 are corresponding provisions covering the granting of dealers' licences. Clause 15 requires a dealer to keep prescribed records and to submit prescribed returns relating to transactions involving firearms. Clause 16 requires the vendor of a firearm to satisfy himself that a purchaser is duly authorised to be in possession of the firearm subject to the sale. Clause 17 provides that licences are to be granted for terms of up to three years.

Clause 18 empowers the Registrar to cancel a licence where the licensee has committed some act that shows that he is not a fit and proper person to hold a licence or where he contravenes a provision of the new Act. The Registrar can only exercise this power with the concurrence of the consultative committee. Clause 19 makes it an offence for a licensee to contravene a condition of his licence. Clause 20 requires a licensee to keep the Registrar informed of changes in his address. Clause 21 empowers a person aggrieved by a decision of the Registrar to refuse or cancel a licence, or to impose conditions in respect of a licence, to appeal to a magistrate sitting in chambers.

Clauses 22 to 24 provide for the registration of firearms and the exceptions to the obligation to register. Clauses 25 and 26 require the owner of a registered firearm to furnish certain information to the Registrar. This information is necessary to enable the Registrar to trace firearms quickly and easily. Clause 27 requires the Registrar to maintain a register of licences, and a register of firearms. Clause 28 makes it an offence for a person to make a false application to the Registrar. Clause 29 makes it an offence for a person to have in his possession a dangerous firearm or a silencer. Clause 30 empowers members of the Police Force to ascertain the name and address of persons who are found with firearms in their possession. Clause 31 enacts a power to require production of licences and firearms.

Clause 32 empowers a member of the Police Force to seize firearms in certain circumstances. Clause 33 makes it an offence to obstruct officers acting in the enforcement of the new Act. Clauses 34 and 35 provide for the forfeiture and disposal of firearms. Clause 36 is an evidentiary provision. Clause 37 sets out the penalties for contravention of the new Act. Clause 38 provides for the summary disposal of offences and for the time within which proceedings may be instituted. Clause 39 empowers the Governor to make regulations for the purposes of the new Act.

Mr. EVANS secured the adjournment of the debate.

INDUSTRIAL CODE AMENDMENT BILL

The Hon. J. D. WRIGHT (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to amend the Industrial Code, 1967-1972. Read a first time.

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

That this Bill be now read a second time.

The hours of trading of retail stores has continued to be the subject of public discussion since the referendum of 1970, in which more electors voted against extended trading hours than for such an extension. The provisions of the Industrial Code relating to shop trading hours have remained unaltered since 1970, and it is timely that they be reconsidered in the light of current conditions and attitudes. In some areas the existing legislation has become increasingly hard to enforce, and there are some indications of a change in public opinion on the matter. Over the past year, I have undertaken a comprehensive investigation of the position throughout Australia and this Bill is the result of that investigation. It represents the Government's view as to how this difficult and complex matter should be tackled.

There are many interests to be considered when contemplating changes in the existing legislation. While many members of the public clearly would appreciate being able to buy any goods at any time of their choosing, it is not quite so clear whether they would appreciate the effects of a complete lack of restriction which could include increased prices and the disappearance of the local store or delicatessen with an even greater concentration of shopping services in large centres only readily accessible by private transport.

The interests of those who work in the shops is also of great importance. Any major extension of trading hours could involve a loss of private leisure time which is not readily compensated for, even by increased penalty rates. Shopkeepers themselves also have the right to operate a commercially viable business without having to work unreasonable hours. Many different approaches may be taken to the question of regulation of closing hours. One option would be for the Legislature simply to abandon all regulation and let the market forces take their course.

Dr. Tonkin: What's wrong with that?

The Hon. J. D. WRIGHT: If the Leader listens he will find out. The Government believes this is not an acceptable or desirable option, and in fact would border on irresponsibility, as changes could then be foisted on to the public and the employees and employers in the industry without regard to the consequences or side-effects, or to the increased prices that would undoubtedly result. It would mean that the public and industry alike would be at the mercy of any trader who was prepared to be aggressive in his marketing policies based on his own calculation of his immediate commercial gain and who remained open as long as possible.

Mr. Dean Brown: Did that happen in Victoria?

The Hon. J. D. WRIGHT: Yes, it did happen in Victoria and we will prove it if necessary. In order not to lose competitive advantage the rest would be forced to follow, whatever the immediate cost. The result would be chaotic and in the end would neither assist the consumer nor the industry. While there is this conflict of interests one group can be played off against another to the disadvantage of all. With these conflicting interests in mind the Government has decided that changes in shopping hours should not be an arbitrary act of the Government but should be as a result of the widest possible public discussion before a tribunal which allows access to interested parties and which can consider their submissions and make decisions based on the evidence presented.

The position in Queensland, where the Industrial Commission has jurisdiction to determine shopping hours, has commended itself to the Government. One of the major provisions of the Bill deals with this. The Full Commission of the South Australian Industrial Commission is, by this Bill, given the power to amend, revoke or modify the closing hours of any shop or group or class of shops. In exercising its jurisdiction the commission is to have regard to the interests of consumers and of shopkeepers and shop assistants affected by any order. Discretion is given to the commission on the factors it may take into account in arriving at its decision, provided it considers the interests of those three groups. By allowing the matter to be fully explored in this way before an impartial tribunal, where the arguments of the various interest and pressure groups can be properly assessed, the general welfare of the community will be properly protected. This will mean that the matter can be looked at comprehensively and dispassionately.

The Bill provides that any application to alter the trading hours of non-exempted shops in any shopping district can be initiated by a wide range of groups having an interest in the matter from the points of view of consumers, employees and shopkeepers alike. The commission will have power to receive submissions from whomever it chooses in determining an issue. By this means, access to the tribunal and informality and openness of proceedings is guaranteed. The other major change concerns exempted shops. First, the definition of "shop" has been amended to exclude stalls, tents and other temporary premises where there are usually no employees and the business is conducted intermittently. Secondly, the Act at present permits exempted shops to sell exempted goods at any time. Community attitudes and marketing practices have changed to such an extent in recent years that it is now impossible to ensure that exempted shops do not sell non-exempted goods after normal closing times. Exempt shops such as newsagents, delicatessens, chemists, souvenir shops, art shops and plant nurseries generally stock non-exempted goods and, unless an inspector is present, many of them sell non-exempt goods whenever they are open.

The past few years has seen an increase in the number of those specialist exempted shops taking advantage of the freedom the Code allows them to open outside the normal trading hours. It has become apparent that there is an overall public demand for the availability of particular goods after normal hours and a willingness on the part of shopkeepers and their employees to meet this demand. To give some flexibility, the Bill provides that a shop will be exempted if its stock of goods is 90 per cent or more of exempted goods. If a shopkeeper wants to have unrestricted trading hours, he can ensure that his shop is exempted by controlling the type of goods he stocks.

Mr. Millhouse: That's going to be hard to check on.

The Hon. J. D. WRIGHT: If the honourable member listens he will find that it will not be. In making this provision, the Government has been careful to ensure that those shops, which are known as convenience stores (a large combined delicatessen and grocery shop) and which are exempted shops under the existing Act, should be allowed to continue trading. On the other hand, the Government believes that the general question of the trading hours of supermarkets should be the subject of a commission hearing.

Therefore, the Bill provides that any shop in which foodstuffs are sold and which was not permitted to trade without restriction previously can trade without restriction under the new provision only if it has a floor area no greater than 186 square metres (or in the old terms 2 000 square feet). This floor area was, by agreement, adopted as the dividing line between small grocery stores and supermarkets after discussions in 1973 with all relevant

associations of storekeepers. It is not therefore an arbitrary figure but one which has been reached as a result of negotiation and agreement between the Government and the storekeepers' representatives. The Bill also provides that, in future, exempted goods will be prescribed by regulation rather than it being necessary to amend the Act each time an alteration becomes necessary. Parliament, of course, has the right to disallow any regulation. By expanding the list of exempted goods, consolidating it, and making it the subject of regulatory rather than statutory provision a greater flexibility will be introduced into this area. There will also be a greater acceptability of existing restrictions, and the need for prosecution which accompanies open flouting of the law will be reduced. To assist honourable members, I seek leave to insert in *Hansard* without my reading it a list of the goods the Government proposes to be exempted by regulation. I advise members to look at it very closely.

Leave granted.

LIST OF EXEMPTED GOODS PROPOSED TO BE PRESCRIBED

Adhesive tape
Antiseptics
*Antiques (collectable articles which have increased in value because of age)
Aquariums and accessories for aquariums
Artifacts (products of native culture)
Batteries, dry cell
*Bleach
Books
*Bottle openers
Candles
*Can openers
Cards
*Caravans
Cigarettes, cigars, tobacco and smokers requisites
*Cleaning agents
*Clothes pegs
*Contraceptives
Cocoa
Coffee (including coffee beans)
*Cooking aids and ingredients
Cosmetic and toilet bags
Cosmetics and toilet requisites
*Detergents
*Disinfectants
*Distilled water
Drawings
*Drinking straws
Drinks, non-alcoholic (including cordials, cordial extracts and drink mixes)
Drugs
*Dyes
Electric light globes
Envelopes
Erasers
Etchings
Fertilisers
Films for cameras
First-aid requisites
Fish food
Fishing bait
Fishing gear
Flash bulbs for cameras
Flowers
*Foil
*Foodstuffs (except uncooked non-frozen meat other than bacon, poultry, rabbits and sausages)
*Fungicides
*Fuse wire
Gloves, rubber, plastic and leather
*Handcrafts (leather goods, toys, cushions, jewellery, lampshades, wood turnings, weavings, home knitteds, crochet work and the like, excluding items of clothing)
Hot water bags
Household oil
Ice
*Ice cream cups
Infants' comforters, pilchers, toilet and feeding requisites
Ink
Insect repellants
*Ironing aids
Journals
Lunch wraps
Magazines
Matches
Medical and surgical instruments and appliances, including veterinary instruments and appliances
Medicines including veterinary medicines
*Motor vehicles
*Mouse traps
Newspapers
Paintings (including reproductions)
Panty hose
Paper
*Paper cups
*Paper plates
*Paper serviettes
*Paper towels
*Patty pans
Pens and pencils (including refills)
Pesticides
*Pet accessories
Pet foods
Plants, living
*Plastic bags
*Plastic film
Pocket knives
*Polishes
*Posters
*Pots, flower and shrub
Pottery, hand made
*Pre-wash soaking agents
Rulers
*Scouring pads
Sculpture
Seeds
*Shoe laces
Souvenirs (mementoes of a time, place or occasion identified by inscription, stamping or marking)
Sponges
*Starch
Stockings
Sunglasses
*Swimming pools (demountable)
*Swimming pool accessories and chemicals
Tea
Toilet paper
Toilet tissues
*Trailers
*Water softening agents
*Weedicides
Wreaths
Writing pads

*and.....indicate new items and words which do not appear in the existing fourth schedule.

The changes to the present list are indicated in it. This Bill will ensure an orderly change in shopping hours in response to a properly tested demand balanced by considerations of the welfare of those within the industry. As such, it represents a fair and reasonable way to deal with a matter of some controversy. I seek leave to have the details of the clauses inserted in *Hansard* without my reading them.

Leave granted.

EXPLANATION OF CLAUSES

The principal object of this measure is to make a significant change in the procedure for the determination of "closing times" for shops and to some extent to rationalise the administration of the law relating to closing times. Clauses 1 and 2 are formal. Clause 3 makes an amendment to section 3 of the principal Act, the Industrial Code, 1967, as amended, consequential upon the insertion of an additional section. Clause 4 amends section 5 of the principal Act, which is the interpretation section, by—

(*a*) inserting a definition of "Designated Officer" which will be substituted for an out of date reference to the "Secretary for Labour and Industry";

(*b*) replacing the definitions of "exempted goods" and "exempted shop" to accord with the new definitions proposed in the Bill;

(*c*) inserting a definition of the "Industrial Commission" being the full commission of the Industrial Commission of South Australia constituted in the manner provided for by section 24 (2) of the Industrial Conciliation and Arbitration Act, 1972, as amended;

and

(*d*) slightly modifying the definition of "shop" so as to exclude tents, vehicles, platforms, ships, boats and certain stalls.

Clause 5 repeals and re-enacts section 165a of the principal Act and is commended to honourable members' particular attention. It rationalises the administration of the provisions of the principal Act dealing with exempt shops, by leaving it entirely up to the shopkeeper to determine whether he will trade as an exempt shop. So long as he stocks 90 per centum or more of exempt goods he will, except in one case, be trading as an exempt shop. The exemption is contained in subclause (2) that, in effect, will exclude comparatively large food shops which have not previously been exempted shops, as to which see the third schedule to the present principal Act. Clauses 6, 7 and 8 all provide for the substitution of references to a designated officer in lieu of references to the Secretary for Labour and Industry. Clause 9 repeals section 203 of the principal Act, which provided for the making of regulations, with a view to a similar provision being inserted by clause 15. Clause 10 makes an amendment having the same effect as those referred to in clauses 6, 7 and 8. Clause 11 amends section 220 of the principal Act by recasting subsection (3) to slightly expand the class of shops that will, by virtue of the Statute, not be subject to regulation of closing. In substance, these are shops contained in recreation and sporting centres such as golf clubs and squash and bowling centres.

Clause 12 amends section 221 of the principal Act and is crucial to the measure. This clause inserts a new subsection (1a) in that section and gives the Industrial Commission the power to amend, vary or revoke the provisions of the principal Act which fix shopping hours generally, and its application to a shop or shops of a class or kind. In short, the determination of extended shopping hours will, should this measure be agreed to, be entirely a matter for the Industrial Commission. Clause 13 amends section 222 of the principal Act by providing a three-tiered system of penalties for breaches of the closing hours provisions, the penalties increasing in the case of second, third and subsequent offences. This clause is, it is suggested, self-explanatory. Clause 14 amends section 223 of the Act and is again quite significant. If this amendment is agreed to it will be no longer necessary for inspectors to undertake the time-consuming task of endeavouring to determine whether an "exempted shop" is selling "non-exempted goods". In substance if the shop keeps the total level of retail value of its goods within the bounds of the Statute it may sell any goods at any time.

Clause 15 inserts new sections 228, 229 and 230 and for convenience these sections will be dealt with *seriatim*. New section 228 sets out at subsection (1) the matter that the commission must take into account upon an application beoing made to it and at subsection (2) limits the classes of persons and bodies who may make such an application. New section 229 provides for the making of rules setting out the practice and procedure of the commission. New section 230 provides for an appropriate regulation-making power and at proposed subsection (3) provides a transitional provision. Clause 16 repeals the third and fourth schedules to the principal Act, since the matter in the fourth schedule will be covered by regulation (see definition of exempted goods in clause 4) and the matter in the third schedule is no longer required.

Dr. TONKIN secured the adjournment of the debate.

LEGAL SERVICES COMMISSION BILL

The Hon. J. D. CORCORAN (Deputy Premier) obtained leave and introduced a Bill for an Act to set up a Legal Services Commission. Read a first time.

The Hon. J. D. CORCORAN: 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

The principal object of this Bill is to establish a commission in this State which will be responsible for the provision of all legal assistance. Since August, 1974, when the Australian Legal Aid Office was established in South Australia by the Whitlam Government there have been two major organisations providing legal assistance in the State, the A.L.A.O. and the Law Society of South Australia. Because of constitutional difficulties, the services of the A.L.A.O. have been restricted to the providing of legal assistance in matters arising under Commonwealth legislation, primarily matrimonial matters, and to matters affecting persons for whom the Commonwealth Government considers it has a special responsibility, such as ex-service men and pensioners. The Law Society provides assistance in other fields. In addition, the Aboriginal Legal Rights Movement, funded by the Commonwealth Government, provides legal assistance to Aborigines. This has led to some confusion by persons seeking legal assistance and indicated to the Government the desirability of having one organisation providing legal assistance.

In March, 1976, the Commonwealth Attorney-General of the present Liberal Government, the Hon. R. J. Ellicott, Q.C., indicated that it was the Commonwealth Government's intention to phase out the Australian Legal Aid Office. This situation placed the South Australian Government in a position in which it had to reach some arrangement with the Commonwealth Government for a continuation of the

services provided by the A.L.A.O. in this State. For the years 1971 to 1976 the State Government's commitment to legal assistance by way of grants to the Law Society has been $49 300, $75 000, $175 000, $50 000, $250 000 and $542 350 respectively. In the current financial year the amount set aside has increased to $650 000. Without financial assistance from the Commonwealth Government the financial burden of continuing the present services would be more than the State Government could bear. Accordingly, negotiations have commenced with the Commonwealth Government regarding the joint funding of the proposed Legal Services Commission and other matters affecting the Australian Legal Aid Office. At this stage they are proceeding satisfactorily, but the Government does not intend to bring the Legal Services Commission Act into operation until satisfactory arrangements have been concluded.

All States, of course, are affected by the Commonwealth Government's indication to phase out the Australian Legal Aid Office. Although Western Australia has passed an Act establishing a Legal Aid Commission it has not yet come into operation. An ordinance to set up a Legal Aid Commission in the Australian Capital Territory is well on the way. It is with these factors in mind that the Government introduces the Legal Services Commission Bill. Before dealing in detail with the provisions of the Bill, I would like to place on record the appreciation of this Government, and I am sure of previous Governments, of the services rendered by the Law Society of South Australia and of legal practitioners throughout the State in providing legal assistance to persons unable to meet the costs of engaging solicitors privately. The Law Society of this State was the first in the Commonwealth to enter the field of legal aid. It started in the early 1930's. Even when other Law Societies entered the field, the Law Society of South Australia provided the most comprehensive scheme.

In the early days limited legal assistance was provided by legal practitioners free of charge. In later years the services were extended and the profession received a small fee for their services. It is only in recent years that members of the legal profession have received 80c in the $1 for their services. In October, 1975, when the payment of 80c in the $1 was in doubt a majority of the profession, at one of the most memorable meetings I am sure the Law Society has ever held, agreed to continue to provide legal assistance even if the payment of 80c in the $1 could not be maintained. The Bill envisages that legal services will be provided by both the salaried staff of the Legal Services Commission and by the private practitioners on referral from the commission. I hope and anticipate that in the latter area the society and its members will continue to play an important role in the provision of legal assistance. It is also proposed that the Poor Persons Legal Assistance Act will be repealed. All moneys for legal assistance are to be channelled through the commission.

I shall now deal with the clauses of the Bill in detail. Clause 1 is formal. Clause 2 provides for the commencement of the Act. The operation of certain provisions may be suspended if necessary. Clause 3 sets out the arrangement of the Act. Clause 4 repeals the Poor Persons Legal Assistance Act and amends the Legal Practitioners Act. Orders for assistance made under the repealed Act shall continue to be dealt with under that Act. Assistance granted under the amended Legal Practitioners Act will be dealt with as if it were assistance granted under this new Act. After the commencement of this Act the Law Society of South Australia will have no further involvement in the granting of legal assistance. Clause 5 provides the necessary definitions, all of which are self-explanatory. Part II sets up the Legal Services Commission. Clause 6 constitutes the commission as a body corporate with all the usual powers. For the sake of clarity it is expressly provided that the commission is not an instrumentality of the Crown. The commission will consist of 10 members. Clause 7 provides the usual terms and conditions of office for appointed members of the commission. Clause 8 deals with the conduct of the commission's business.

Clause 9 provides that the members of the commission are entitled to allowances and expenses determined by the Governor. Clause 10 sets out some of the functions of the commission. Clause 11 sets out certain principles which the commission must adhere to in carrying out its functions under this Act. Clause 12 provides that the commission may establish committees for various purposes. Clause 13 gives the commission the power to delegate any of its powers or functions under this Act. Part III deals with the officers of the commission. Clause 14 provides for the appointment of a Director of Legal Services. The first appointment to this office will be made by the Governor, but thereafter all appointments will be made by the commission. Clause 15 provides that the commission may employ its own legal practitioners for the purpose of providing legal assistance. In addition, the commission may employ such other persons as it considers necessary or desirable. Subclause (4) provides that any person previously employed by the Law Society of South Australia or by the Australian Legal Aid Office who comes over to the commission upon the commencement of this Act will not suffer any reduction in salary and will not lose any of his accrued leave rights. Part IV deals with the provision of legal assistance. Clause 16 provides that legal assistance will be provided both by the commission (by way of its own legal practitioners) and by "private" legal practitioners engaged by the commission.

Clause 17 sets out the manner in which persons may apply for legal assistance. The Director deals with all initial applications and an applicant is given certain rights of appeal to the commission against any decision made by the Director. Clause 18 provides that an assisted person shall make such payments towards legal costs as the Director may stipulate when he first grants assistance. An assisted person may appeal against the total amount finally payable by him on account of legal costs and the commission can reduce the amount if it thinks fit. The commission may of course recover any amount due by an assisted person as a debt in any court of competent jurisdiction. Clause 19 deals with the payment by the commission to private legal practitioners engaged by the commission of their legal costs in relation to legal assistance. The Director makes the initial determination of the amounts to be paid to any legal practitioner and such practitioner may appeal to the commission against that determination. Once the amounts payable to legal practitioners have been determined, the commission must pay out at least twice a year such proportion of those legal costs as it thinks fit. Clause 20 sets out certain provisions relating to costs generally.

Clause 21 provides that applicants for legal assistance who make false or misleading statements in their applications or who withhold any relevant information with intent to deceive or mislead the commission are guilty of an offence which carries a maximum penalty of $500. If the commission has made any payment for legal assistance of a person convicted of an offence against this section the commission may recover that amount from the convicted person. Clause 22 obliges legal practitioners to disclose to the commission any relevant information relating to the provision of legal assistance. Otherwise the relationship

between a legal practitioner and an assisted person is unaffected by this Act. Part V sets out various financial provisions.

Clause 23 provides that the commission shall establish and administer a fund to be called the "Legal Services Fund". This fund will consist of moneys paid in by the Law Society from the Statutory Interest Account and all moneys paid to the commission by the State and Commonwealth Governments for the purpose of enabling it to provide legal assistance. The commission may invest any surplus moneys in such manner as it thinks fit but must first have the approval of the Attorney-General so to do. Clause 24 enables the commission to borrow money with the approval of the Treasurer who will give the usual guarantee. Clause 25 provides that the Auditor-General shall audit the accounts of the commission. Clause 26 provides that the provisions of the Legal Practitioners Act relating to legal practitioners' trust accounts and the combined trust account apply to the commission as if it were a legal practitioner. Part VI contains various miscellaneous provisions. Clause 27 provides that any agreements entered into by the State and Commonwealth Governments in relation to legal assistance are binding upon the commission.

Clause 28 provides that the Attorney-General may reduce or waive certain "Government" fees and may direct that copies of certain documents are to be supplied free of cost. Clause 29 provides that proceedings for offences against this Act are to be dealt with summarily. Clause 30 provides that the commission must present a report to the Attorney-General in relation to each financial year and that the Attorney-General will lay that report before each House of Parliament. Clause 31 empowers the Governor to make such regulations as are necessary or expedient for the purposes of this Act. Part I of the schedule repeals the Poor Persons Legal Assistance Act. Part II of the schedule amends the Legal Practitioners Act. All these amendments are designed to strike out any reference to legal assistance. The amendment to section 24z provides that the Law Society must pay certain moneys out of the statutory interest account into the Legal Services Fund. Amendments consequential upon the repeal of the Poor Persons Legal Assistance Act are also made to the Local and District Criminal Courts Act Amendment Act, 1972, and the Statutes Amendment (Capital Punishment Abolition) Act, 1976.

Mr. NANKIVELL secured the adjournment of the debate.

VERTEBRATE PESTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from April 12. Page 3326.)

Mr. NANKIVELL (Mallee): I support this Bill, which merely transfers the power of control of the Vertebrate Pests Act from the Director-General of Lands to the Director of Agriculture and Fisheries. This is a very popular action in view of the fact we are now talking about pest control officers who have the capacity to inspect the area for weeds and for vertebrate pests, and to bring the matter under the control of one department and one Director, is a move which I think will be supported by local government; it certainly has our support.

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

LAND COMMISSION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from April 12. Page 3310.)

Mr. EVANS (Fisher): I support the Bill through the second reading stage and will attempt to get some greater explanation from the Minister in the Committee stage. I am appreciative of the help the Minister has attempted to pass on in relation to this matter. The Bill seems to be only a minor measure, but it may have certain ramifications in fields that are unseen at this stage. For that reason, I will question the Minister in the Committee stage. Before dealing with the actual Bill, I want to bring to the Minister's notice the sort of action that the Land Commisison takes under its provisions and powers of acquisition and the sort of mental traumas and difficulties it places on individuals. I refer the Minister to the cases of two people in particular, and to the case of a third person who lives on the western side of the property and whose name and section number I do not have. The first case to which I refer is that of Mr. and Mrs. R. G. Leske, hundred of Noarlunga, part section 521, Happy Valley, Certificate of Title Vol. No. 3816, Folio 126, and the property fronts Chandlers Hill Road, Happy Valley. The other persons also reside in the hundred of Noarlunga on an adjoining property, part section 521, Certificate of Title Vol. No. 2768, Folio 106, Mr. and Mrs. B. J. Long, and the property fronts Chandlers Hill Road. The Land Commission has developed above these properties an excellent subdivision, and that is not being criticised. However, in doing so it has increased the rate and flow of water that comes off the land, and it becomes rapid following heavy downpours. More water is thus displaced through the properties of these two persons and of another person situated immediately west.

The Land Commission took action first in October, 1976, and gave notice that it wanted easements. The Longs own a large allotment of ·61 hectares, and the commission wanted to complete a drain through the property and take an easement of slightly more than five metres. The Longs asked that a dog-leg in the proposed easement be taken out so that it would be straight through the property, but the commission refused. The commission then stated that it wanted the easement with nil compensation, but it had offered the Leskes next door $250 compensation. The Leskes are happy to have an open stone drain through their property, but the Longs are not happy about it. I suppose one cannot blame them because the drain would deny them the proper use of the rear of their property. They obtained a property valuation report, which was made available to the Land Commission and which suggested that compensation should be $500 with the acquiring authority paying all the costs of valuation and other expenses, on the basis that the easement or drain to be developed would be a piped drain, so that the Longs could use the rear of their property.

I suggest to the Minister that what is happening to these people is unreasonable. Their problem is minimal compared to the overall development but, when we give extra power to the Land Commission or greater opportunity to acquire to its conditions, we must ask the Minister to emphasise to the commission that it must consider the disadvantages forced on individuals who have lived in the area for a considerable time and have developed a property. They did not want the subdivision next door, but accept it as it is good and the fact that others may wish to live in this area. However, their property is disadvantaged with

piles of silt and rubbish washed down and they have been told that the council will cut an open drain with a grader for the flood waters. If the Minister or other Government members were in the same situation, they would not accept the proposition.

The Longs are making a reasonable request as are the Leskes in asking for greater compensation, because in the case of the Leskes it will be an open drain, and it will be a closed drain for the Longs. These people live in my district, and some people may consider this matter trivial. I mention their case to point out the problems that can be forced on John Citizen who has little money behind him because he is an average worker, especially when Big Brother moves in and uses every power in the book to suppress the financial benefits to individuals. I say again that, when there is a benefit to the majority of society through a statutory authority's action or by that of a Government department, it would be better if more than normal compensation were paid by the majority to the minority that is disadvantaged. This is such a case.

The Bill is short and sweet, and its main purpose by clause 2 is to insert "five" in lieu of "three" in subsection (8) of section 12 of the Act. This amendment has been asked for by the Land Commission because, at present, if the commission serves a notice on an individual to acquire his property, that person is given three months to prove to the commission that he has a planning unit. "Planning unit" and "commercial development" are defined in the Act. If, within three months, an individual can prove to the commission that it is a planning unit, the commission cannot continue with the acquisition. There is an onus on the proprietor of the land to undertake substantial development of the planning unit within two years.

I am sorry, that is not quite accurate. The owner has 12 months after the three months in which to negotiate, then the two-year provision prevails. In fact, the person has three years in which to undertake substantial development of the area or, if he has not yet developed it, the commission under the present provisions can acquire the property at the valuation prevailing for the property at the original time of serving of notice. The Minister wants a five-year period instead of a three-year period. I am told that the reason for the request is that, in one case that has occurred, there was an appeal and a court case as a result of the commission's attempt to acquire a property. If that case had continued for the full period of two years, the provisions would not have prevailed and the commission would not have been able to buy the property under the original acquisition order. By delaying the process of acquisition for long enough, the company could have avoided the property's being acquired.

The thinking of the Government and the Minister is that, by making the period five years, it is not likely (unless it is a massive project) that a proprietor will fight the matter for that time. One would be lucky to drag it out for that time, and also the only people likely to gain would be the legal "eagles" working on the court case. I can understand the Minister's point of view. I can see that perhaps some people have attempted to make use of the provision to slow down or avoid the opportunity by the commission to acquire. As I have told the Minister, I am not fully convinced that that is the right action, and I hope that in his summing up he will give a wider explanation of the situation than he gave in his second reading explanation. I have asked people who are considered to be major developers about their attitude to this measure, and they do not seem overly concerned about this provision; however, smaller developers are not quite so convinced. I have told those people that, if they cannot get back to me this afternoon, they can make representations to members in another House. Certainly, the Minister could give a wider explanation in reply about the problem that he believes exists. I do not believe that this matter is so serious that the Act needs to be amended, because, after all, no-one has really forced the issue but someone got fairly close to doing so and avoiding the provisions of the Act. I should like the Minister to say whether or not we are encompassing or reducing the rights of individuals who may already have had notices served on them by the Land Commission, because clause 2 (*b*) suggests that if a notice had been served on a person a week or six months ago it would place that person in a retrospective situation. I should like the Minister to justify the need for that retrospectivity. With those few words, I support the second reading.

The Hon. HUGH HUDSON (Minister for Planning): Regarding the constituency matter raised by the honourable member, I will have it investigated and ensure that some kind of reply is made available to him. The land concerned is zoned residential and even if the Land Commission was not the owner of that land it would be developed by someone else and the problem of water run-off would be encountered anyway. Therefore, water run-off is associated with the development of that land and is no doubt a problem that the commission must tackle in its arrangements with the local council. It is not a consequence of the fact that it is the Land Commission rather than another developer developing the land. The honourable member should be clearer on that point, but I will certainly have the matter investigated.

Regarding the Bill, the provisions of the Land Commission Act with which we are dealing now were inserted in the Act during a conference that took place between the two Houses when the Act was first passed. Inevitably some things happen during conferences without a full understanding of the consequences. The provision that we are inserting by this measure does not affect people's rights if they can prove that a planning unit existed or if they can prove substantial commencement within two years. In either of those circumstances, especially once substantial commencement has been proved within two years, the Land Commission cannot acquire the land and this provision of the Bill has no force. The provision would be enforceable only if the commission could acquire the land and the owner had therefore been unable to prove substantial commencement of the development within the two-year period. That is the circumstance with which we are dealing.

The situation that became obvious was that if a dispute arose about whether substantial commencement had occurred the case must be determined by a court. Inevitably, if an appeal is made against the court decision by either party, legal processes, which can commence only after the two-year period had run its term, would almost certainly take the case beyond the three-year period. It seems to me that it would be wrong to enable a company, just by using a legal process, to delay acquisition and force the commission to pay prices that prevailed at a later date.

Mr. Evans: It would leave out this retrospectivity, though.

The Hon. HUGH HUDSON: I suggest that retrospectivity is limited. Only one planning unit case is now before the Supreme Court, and that was taken out only a few weeks ago. That case concerns some land south of Adelaide in relation to which a notice of acquisition was served only a couple of months ago. All that is happening regarding that land is that no change has occurred to the planning unit provision so the owner of that land, if he

can demonstrate that he has a planning unit, would have two years within which to undertake substantial commencement of the development. If he can prove substantial commencement within two years, the commission could not acquire the land. This measure does not alter that situation at all. In the case of—

Mr. Mathwin: You've got them under the thumb anyway, haven't you?

The Hon. HUGH HUDSON: Will the honourable member listen to what I am saying? If the owner of the land can commence substantially the development that he claims he had in mind, and therefore substantiate why he had a planning unit, in two years and prove that he has done so, the Land Commission cannot acquire the land, and we are not altering that. What we are altering by this measure is the position if a legal argument develops. If that legal argument were to continue for longer than another year, the landowner concerned will not be able to force the commission to pay a price for the land that operated at a later date.

Mr. Evans: You're allowing him not to delay the court decision knowing he will lose that decision, but to win by avoiding the provision?

The Hon. HUGH HUDSON: That is what the measure is aiming to do. If the existing provision is a temptation for a landowner to say, "If I can prove that I have a planning unit (if I can get over that hurdle) then, whether or not I have substantial commencement, I shall be able to get better prices by legal tactics that will delay the whole thing." We believe that that is not proper and that that is not what the provision was intended to do in the first place and therefore we should extend the three-year provision to five years so that that potential does not exist and no-one is attracted by it. In those circumstances, we believe that a developer, if he has undertaken substantial commencement, will certainly resist acquisition. If the Land Commission's legal advice is that he has got it, the matter would be resolved straight away. However, if it goes to the courts and the developer wins his case, fine; there is no acquisition.

Dr. Eastick: Has there been a clear definition yet of "substantial"?

The Hon. HUGH HUDSON: There is a definition in the Act, covering a substantial commencement of either a commercial building or commercial housing development. For example, "commercial housing development" is defined as follows:

In relation to land means the development of the land by the erection thereupon of dwellinghouses, flats or home units intended for sale, but does not include any such development where the nature or extent of the development does not conform with criteria established by regulation.

In the case that was decided by Justice Mitchell, there had been no commencement at all in the sense of anything happening on the ground, because the developer was unable to get approval of the local council even to begin. Although the developer claimed that there had been substantial commencement, the court held that there had not been substantial commencement. So, the initial decision of the court is that, if there is nothing on the ground (not even footings), there has not been substantial commencement. The legal interpretation has got that far, but it comes along only as a result of court cases. My rough and ready interpretation of the section would be that the developer would have had to go as far as getting approval to undertake the development and at least to have done something to the land before standing a real chance of proving substantial comencement.

Dr. Eastick: They wouldn't accept the Judge Gillespie decision that "substantial" means more than 50 per cent.

The Hon. HUGH HUDSON: The advice I have on this matter from Crown Law is that, although one might want to argue that, that is not necessarily sustainable in relation to this legislation.

Dr. Eastick: It varies from the Local Government Act in that regard?

The Hon. HUGH HUDSON: Quite possibly, but that matter has not been tested, because the issue of 50 per cent did not come up in the case determined by Justice Mitchell. I am unable to give more information than that. All I really want to say is that there is no change in rights in relation to a developer's ability to prove whether or not he had a planning unit. If he has proved that he has a planning unit and is able to undertake substantial commencement within the two-year period, there is no change. The only matter altered by the Bill is that, if a developer knows that he has not got substantial commencement, there is no inducement any longer by this change to fight any legal case. So, by legal processes you go beyond the three-year period. That is all we are seeking to stop, and that would seem to be legitimate.

Dr. Eastick: Would you make available the Crown Law advice on this matter?

The Hon. HUGH HUDSON: I do not think so. I think it would say that it was not in the business of providing advice, which might then be used by developers. After all, as is often apparent, the advice that a private citizen may get from his own lawyer could well be different from the advice the Crown Law gives to the Government or to the Land Commission. That is why we get disputes in cases that go before the courts. The legal profession would be upset at the Government's going above the rights of normal lawyers in trying to say, "This is Crown Law opinion; if your lawyer says something different, you had better know that the Crown Law has a different view." The Law Society would take a dim view of that, and I suspect that the Crown Solicitor would say that it was improper for his advice to be used in that kind of way. If further clarification is required, it can be provided in Committee.

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

ADJOURNMENT

The Hon. HUGH HUDSON (Minister of Mines and Energy) moved:

That the House do now adjourn.

Mr. MAX BROWN (Whyalla): In the few minutes I have at my disposal, I will raise a matter which, I believe, is serious as far as the country is concerned and which is certainly affecting my district probably more than any other district, and I refer to the massive unemployment figures now released by the Fraser Government. I was interested in the remarks made on a television news service last evening in which the Federal Minister for Employment and Industrial Relations admitted that the unemployment figure of about 300 000 now shown was, in his opinion, correct. He also admitted that the figure was higher than the figure given in March, 1976. Current unemployment figures in the city of Whyalla are higher than elsewhere in the State, and I do not believe that one needs to be a Philadelphia lawyer to ascertain why.

I point out that the Federal Government's failure to look realistically at the shipbuilding industry in this country is related to unemployment. At the beginning of this year alone, instead of the Whyalla shipyard taking in about 50 apprentices, it took in fewer than 10. Once a youth of 16 years or 17 years of age misses out on the opportunity of being an apprentice, he literally misses out for all time; his opportunity is finished. Yesterday, the Opposition wanted the picket line at the Torrens Island power station removed so that men could scab on their workmates. The Opposition uses the old cry, "These people should have the right to work." I wonder whether this cry could be used, for example, when employers retrench in industry or when they stand down employees. When a boy wants an apprenticeship and cannot get one, I wonder whether he has a right to work.

I turn now to what unemployment means in a community such as Whyalla. It is my honest opinion that, when young boys, especially, are not able to find employment they are finally placed in the situation in which their willingness to work begins to wane. I question whether, after 12 months, they do not become an undesirable element in our society, stemming from the fact that they cannot work. In the city I represent, I believe that more vandalism and more near crime is prevalent now than was ever the case previously. Recently, about $10 000 worth of damage was done to the Eyre High School, and an armed hold-up occurred at the drive-in theatre at Whyalla, and I think perhaps we are reaping the reward of unemployment. Perhaps I am wrong, but it seems—

Mr. Gunn: It will be the first time if you are not.

Mr. MAX BROWN: The member for Eyre can interject if he likes. I am sure he would have something stupid to say. The facts are there, and I believe we are suffering a serious aftermath of the high unemployment figures that have been shown. Only two days ago, Mr. Fraser was reported as having said that he was lucky to have been born rich.

Mr. Slater: He was lucky to have been born at all.

Mr. MAX BROWN: I agree with that. Nevertheless, that, coming from the Leader of the Commonwealth Government, makes me wonder whether the boys I have spoken about, those who are unemployed, would not have been more fortunate to be born rich, too. If the Federal Government continues its policies of massive unemployment, I believe it is possible that vandalism and crime will increase. There is no doubt in my mind that the Federal Government is being economically advised that unemployment will remedy its economic ills; in other words, the Federal Government is being advised (and is carrying out this advice) to starve the people or to keep them idle until they are forced into accepting a lower wage structure and perhaps worse conditions of employment. There is no doubt in my mind that the next step the Liberal Government will take federally is to cry out, when it comes to the next Federal election, that we must have law and order. The Federal Government at this time should honestly and sincerely look at the question of its policy in relation to unemployment.

Turning now to the industry of shipbuilding in Whyalla, I know people can say that costs are too high and that the men do not work hard enough, and similar things that we always hear, but I was interested in an article in the *Sunday Mail* on March 6, 1977, written by Bill King, who has a weekly column. The article, under the heading "Illusory savings" states:

The Federal Government decided we should buy two ships from the Japanese for $20 000 000 rather than build them in Newcastle for $40 000 000. So about 10 000 workers in Newcastle could be thrown out of work, and because there is little hope of their getting jobs it seems they will end up on the dole.

Now at the minimum payment of $40 a week each, the annual bill will be just over $20 000 000 for the Federal Government, which, added to the cost of the Japanese ships, brings their cost up to the cost of the Newcastle-built ships. If we look at it in the proper manner, if 10 000 people were out of work in Newcastle and were unemployed for two years, the cost would be double. On top of that, we have 10 000 people in our community who are not properly and usefully employed. I plead with Mr. Fraser and his cohorts to look seriously at the matter of unemployment and to see whether something can be done to solve the existing problems.

Mr. ALLISON (Mount Gambier): I am not satisfied that adequate inquiries have been made into the administration of women's shelters in South Australia, and I have copies of statutory declarations which have been made available. In the first one, the signatory states:

The matter stated in the report annexed hereto and marked with a letter B relating to Naomi Women's Shelter are true and correct to the best of my knowledge and belief.

It is signed and declared statutorily. The declaration states:

At a meeting of the Bowden-Brompton Community Group which I attended as a member, the 10 per cent loading on Naomi's food bill was discussed. It was stated that Annette Wilcox gave permission to the women in charge of their food co-operative to add an extra 5 per cent loading, which added to the normal 5 per cent loading, made the above mentioned 10 per cent extra. Thinking this fact was generally known by all the staff at Naomi I didn't mention it until a later date when I was shocked to realise I was the only one within Naomi who knew the fact, apart from Mrs. Wilcox. The Chairperson Delores Gill was unaware that this was happening. When I informed her she immediately phoned the Bowden-Brompton Group to verify my statement.

At the next staff meeting Delores asked Annette about this extra 5 per cent loading and she, Annette, stated that she could do as she pleases. During further discussion when it was suggested that she, Annette, was acting undemocratically and in fact she was behaving more like a dictator she very adamantly informed the five staff members present that she was in fact a dictator and that she intended remaining one, that the constitution allowed her to be one, at which time I left to take a woman and her children to their new home, the meeting was still in progress when I left.

In my position as housekeeper at Naomi I was responsible for shopping for food to feed approximately 35 people, very rarely was I given permission to use the shelter van for shopping, I used my own car. On numerous occasions I also used my own car for transporting women and children to the hospital, Housing Trust, community welfare and to search for homes and transport them and their goods to their new homes. On one of the rare occasions when I was permitted to use the van, I was asked to transport one of Annette's daughters and the daughter's friend to whereever they wanted to go, I had first to collect the girls from Annette's home at Croydon and then take the friend to Magill which direction was changed to the city.

The van was totally unsuitable for the tranport of women, there is only seating for two in the front which meant that people, particularly children had to sit in the back on the floor, the back latch was broken making it dangerous for children in the back.

The van was continuously used by Annette and was kept at her home up until the time that Ann Carmichael came to work in the shelter, which was just before Christmas, 1976. Ann then had the continuous use of the van, as it was stated that she had no transport and she lived at Elizabeth. I also declare that on many occasions both Annette and later Ann Carmichael took food from the shelter for their own use. When on one occasion I asked Ann what the food was doing in a half crate in the office, I was told that Annette had told her that she could have it, it was not stale or excess food but food which had been bought that day.

A second statutory declaration, also signed and witnessed, refers to the Naomi shelter. It states:

Delores Gill of 23 Melrose Avenue, Clearview, S.A. 5085 is the foundation Chairman of the Australian Mutual Assistance Association. She claims that Annette Wilcox the Secretary of the above organisation was deceitful in that she kept from Mrs. Gill as Chairman and/or Trustee, the following matters:

1. The legal activities involved in the setting up of the Constitution in that the final registration was not made known to her if it were at any time registered.
2. The progress of any such proposed registration was not made known to her.
3. A copy of the Constitution as finally drafted was not given to Mrs. Gill on:
   (*a*) a voluntary basis; and
   (*b*) was refused to her by Mark Harrison when requested.

A. Wilcox is accused of preventing Mrs. Gill from carrying out her duties as Chairman and of preventing her from exercising her duties as outlined in the Constitution by not providing her with a copy of the Constitution. On several occasions Mrs. Gill instructed A. Wilcox to call a meeting of the association in accordance with rule 10 and those instructions were not carried out.

No general or special general meetings of the Association have been held. A meeting of the Trustees has been held on only one occasion. This one meeting called to discuss the finance of the organisation and the unapproved action of the Secretary in opening a cheque account in the Secretary's own private name along with an employee Ms. Wendy Durbridge. This account was opened at the Commonwealth Bank, Prospect branch, with moneys collected from the shelter.

The action of the Secretary in failing to bank this money in the association's approved bank account is contrary to the rules of the association and the Secretary violated the provisions of the Constitution rule 110. Those acts were not authorised and the Chairman and other trustees were not informed and at no time had approval been given.

It is further noted that Mrs. Gill called one previously mentioned Trustee's meeting when this matter was brought to Mrs. Gill's attention by Ms. Wendy Durbridge (who having previously acted under A. Wilcox's instructions) was now distressed to find that the new bank account action had not been approved by the Chairman. It is further claimed that a donation was made to the shelter of $300 by cheque and that this cheque was listed in the cheque book record of the illegal account with the intention to pay to that account but both cheque and cheque book were still located in the association's office. To prevent this illegal transaction taking place Ms. W. Durbridge took the cheque (with the Chairman's knowledge) and went to the bank operating the illegal account and closed that account and withdrew all moneys in that account.

Ms. Durbridge counted all moneys along with the cheque in the presence of Mrs. Gill and she placed it all in an envelope and sealed it and took the envelope to Ms. J. McPhee, a lawyer, to hold for 24 hours. It was on the basis of this information that Mrs. Gill called the Trustee meeting.

It is further claimed that had this responsible action not been taken by Ms. Durbridge and approved by Mrs. Gill that Annette Wilcox would have paid the said cheque into the illegal account. Ms. Durbridge was an employee of the shelter employed for office work. A. Wilcox is accused of acting against the well-being of the association in that she acted without authority and misdirected funds away from the association's approved account. Funds received prior to this should be investigated.

The Trustee meeting was held on December 1, 1976, and D. Gill as Chairman opened the meeting in the presence of A. Wilcox, J. Horsham, R. Bonasia (Krolj). Mrs. Gill brought the matter of moneys and illegal opening of the bank account to the attention of the Trustees at which A. Wilcox claimed that W. Durbridge talked A. Wilcox into opening the account and said "I know it was stupid but Wendy talked me into it."

There is a summary and I do not believe I will have time to read the whole of the statutory declaration, which will be made available to the Minister. In summary Annette Willcox is accused of:

1. Running the organisation without reference to the trustees or Chairman of the association.
2. Failing to call meetings of the organisation.
3. Failing to carry out the provisions of the rules.
4. Of preventing the carrying out of the rules by the Chairman.
5. Of being a dictator and not referring to others.
6. Of hiring staff without approval.
7. Of attempting to dismiss a staff member prior to the Trustee meeting so as the prevent the full story of the opening of the illegal account coming out in the open and also to shift blame.
8. Of using Government money for food in a dishonest way by applying an additional per cent loading on food costs with the aim to increase her influence in centres.
9. Of misappropriating Government grant money by purchasing a vehicle supposedly for the transport of children and mothers at the shelter and that this van has not been used for the general use of the centre but has been used for A. Wilcox's own use and a request for its use by Jane Angus (employee) to transport children to a camp was refused. The van purchased was quite unsuitable for general use and was obviously purchased for A. Wilcox's own well being.
10. Possible general use of the office for pre-selection work:
    re: phones, letters, and staff time, in her effort to be selected for a Parliamentary seat.
11. Did not pay into the organisation's official account all moneys paid into the centre. Mrs. Gill did not attend the meeting with Mr. Harrison when Mr. Harrison informed her that he would not give her a copy of the Constitution or discuss the matter with her, therefore, no further meeting of the organisation has been held in Mrs. Gill's presence. Mrs. Gill strongly protested the actions of Mr. Harrison.
12. It is pointed out that the salaries of all employees were set by A. Wilcox and as no meeting either general, special general or Trustee meeting was held prior to the Trustee meeting mentioned—it is a fact that funds and salaries were not approved. Also, A. Wilcox has at all times set her own salary, and this figure has not been referred to the Chairman, or any meeting of the organisation for approval.
13. Negotiations for property for the home and the demands on Government organisations results in Government departments approving facilities to a one person organisation without reference to any board or group of people.

Conclusion: A full and proper investigation should be held into the actions of A. Wilcox. That A. Wilcox be dismissed from her self-appointed position and be declared a person unfit to handle Government funds.

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

Mrs. BYRNE (Tea Tree Gully): In an expanding community such as the Tea Tree Gully area there is always an increasing requirement for community facilities. The Government recognises this and will continue to do so. The following progressive figures will show how the population in the area has increased. The population as at June 30, 1961, was 5 887; in 1965, it was 16 450; in 1966, it was 21 315; in 1968, it was 26 400; in 1969, it was 28 600; in 1970, it was 32 100; in 1971, it was 36 708; in 1972, it was 43 400; in 1973, it was 48 200; in 1974, it was 50 600; and the latest census taken on June 30, 1976, showed a population of 56 060. That was nine months ago and since then the population of this local government area would have increased still further. The break-up of the age distribution of the young children, according to the census figures of last year, reveals the following:

Age	Population
0-1	1 172
1-2	1 309
2-3	1 333
3-4	1 438
4-5	1 400
	6 652

To cope with this situation pre-schools (now known as parent-child centres) as well as play groups are operating in some of the school buildings. Play groups and privately operated kindergartens are in other buildings, and kindergartens are being operated under the jurisdiction of the Kindergarten Union in its own free-standing buildings, as well as in leased premises. There is also a mobile resource unit.

Nevertheless, the pre-school education needs are only partially satisfied and, with the continued population increase caused principally by the opening up of new subdivisions, as well as individual house building, this need will continue to grow. Therefore, I am delighted that two new centres have been approved, a child-parent centre at the St. Agnes Primary School and another at Modbury North, the proposed site for the centre at Modbury North being between Alexander Avenue and Corroboree Road. The St. Agnes centre will offer sessional pre-school, and will expand the existing play groups and will develop a home out-reach programme. St. Agnes is a rapidly growing north-eastern outer suburb, the population of which will increase. Alongside the St. Agnes Primary School, land under the jurisdiction of the South Australian Land Commission is currently being subdivided and the area is at present inadequately serviced with early childhood facilities.

I pay a tribute to the active committees formed in these areas. There was a public meeting held in the St. Agnes area for that purpose on February 21, 1975, and in the Modbury area meetings were held some time during 1974. The aim of these meetings was to provide such facilities in these areas. I attended these inaugural meetings. Similar committees have since been formed in other areas. A public meeting was held in the Banksia Park area on November 15 last year and a committee was formed. Again, I was, courteously invited to attend, and did so. The committee is endeavouring to obtain a site for the erection of a centre. At present a privately operated kindergarten exists in the Banksia Park area, and it is well run.

I pay a tribute to the founder and her staff, but because of the continued population increase the area now requires more facilities. In addition, in some respects the catchment area would be different. On about March 17 this year another public meeting was held in the Fairview Park area and a committee formed. Again, I attended. Material had already been gathered to show the need for pre-school services. The Public Works Committee report of February, 1975, stated that at the Fairview Park Primary school an area had been set aside for the later provision of a pre-school should it be required. There is a kindergarten operating in the Fairview Park area under the jurisdiction of the Kindergarten Union, but it is separated in part from the other side of Fairview Park by a golf course and serves a different part of the district.

Public meetings were held last year in the Modbury South area. I understand that as a result a submission was made to the Childhood Services Council. A parent-child centre, based on the Modbury South Primary School, is needed as soon as possible to cater for the needs of this area. At present some pre-school children are being housed temporarily in another way. I pay tribute to the officers of the Kindergarten Union and the Education Department who have attended public meetings called over the years to form kindergarten and pre-school committees in the Tea Tree Gully district. Their advice and assistance has been helpful, and has been appreciated by my constituents and myself. The emphasis today is on multi-purpose centres that are integrated and have diversified services. Of course, the needs of each community can be different. In summing up (and I am only generalising, as needs vary in different suburbs), for the reasons I have given there is a need to establish more centres and this need will continue. I draw my remarks to the attention of the Minister of Education.

Motion carried.

At 4.25 p.m. the House adjourned until Tuesday, April 19, at 2 p.m.