

## HOUSE OF ASSEMBLY

Thursday 17 August 1978

The **SPEAKER (Hon. G. R. Langley)** took the Chair at 2 p.m. and read prayers.

## PETITION: MARIHUANA

Mr. **McRAE** presented a petition signed by 103 residents of South Australia, praying that the House would not pass legislation to legalise marihuana in this State.

Petition received.

## QUESTION TIME

## BUDGET RALLY

Mr. **GOLDSWORTHY**: Will the Premier say what public funds have so far been spent on promoting Saturday's political rally organised by the A.L.P. and the United Trades and Labor Council? Amid the flurry of A.L.P. activity to beat up reaction to the Federal Budget, a photostat letter on the Premier's official letterhead has been sent to Adelaide businesses, urging them and their employees to attend Saturday's political rally.

Obviously, this involves the expenditure of South Australian taxpayers' funds in a most improper way. We would like to know where the letter was prepared, at what cost, what was the cost of postage, and what other public funds were used to promote the rally organised by the A.L.P. and the United Trades and Labor Council.

The **Hon. D. A. DUNSTAN**: The letter was prepared in my office and sent out from it because I, as Premier of this State, believe that it is vital for the people of South Australia to make their views known publicly to the Federal Government. As far as I am aware, the Leader of the Opposition is now absent from this State, using his allowance to fly interstate to represent views on behalf of the Liberal Party in the State to the Federal Treasurer. I am perfectly prepared for him to do so. I think that is very proper, but I intend to do something of the same.

## TAX SHARING

Mr. **KENEALLY**: Will the Premier say whether the States will benefit in any way from the 1.5c in the dollar increase, or the 5 per cent increase in income tax? I understand that, last evening, in the Federal Senate, Senator Carrick stated to members that the 1.5c in the dollar increase was an excise, not an income tax, and, as such, the normal reimbursement to the States would not take place.

The **Hon. D. A. DUNSTAN**: We suspected that this might be the case, and that was confirmed by Senator Carrick's remarks. The Federal Government has been totally dishonest in relation to the agreement made with the States concerning the set proportion of income tax revenues which was to be paid to the States. The Medibank levy is an income tax but it was declared by the Commonwealth to be a levy, not part of income tax, and therefore the States share no part of it. The surcharge which has been imposed has been announced as a temporary surcharge, and, although it is an income tax and the agreement is that we get a set proportion of the income tax collected in a particular year, Senator Carrick has

announced that this is a special extra levy, and therefore, although the Commonwealth is collecting the money in income tax, no money will be paid to the States from it.

## BUILDING ASSAULT

Mr. **DEAN BROWN**: In relation to a union case heard in the Central District Criminal Court yesterday, will the Attorney-General explain why the Hughes and Truscott case took 18 months to come to trial in the Central District Criminal Court? On 18 February 1977 an incident occurred at Prospect in which five union members assaulted two non-union members. One of the non-union members eventually suffered a broken rib and was taken to Queen Elizabeth Hospital. The case was brought up then. I challenged the then Chief Secretary as to why the police had not interviewed the two Rankin brothers. The police had not interviewed either of the brothers within 48 hours of the incident. There has been speculation in the community since then as to when the case would come before the court.

Yesterday, Judge Burnett handed down his findings in the case. He found that the five unionists were guilty, and they were convicted of assault. Furthermore, Judge Burnett said, in handing down his judgment, that normally he would have sentenced the five people to gaol. However, two factors were involved: one was a technicality involving some dispute as to whether the ribs had been broken by punching or by kicking; the other involved the fact that a substantial time had elapsed since the offences, lending some degree of unreality to whatever sentences were imposed. His Honour went on to say that he would not speculate as to the reason for that delay.

I have spoken to lawyers on this matter and they point out that, traditionally, two excuses could be put forward. The first is that perhaps the Hall case, which involved an incident that had occurred the previous day, had some bearing on this case, and I understand that that argument is not valid. The second is that because five defendants were involved perhaps there was some problem in co-ordinating counsel for these multiple defendants. I have checked, and that also was not the case. Therefore, I believe that the Attorney-General should explain what has caused the delay. There is much speculation that the Attorney-General has deliberately—

The **SPEAKER**: Order!

Mr. **DEAN BROWN**: —delayed these proceedings.

The **SPEAKER**: Order! When the Speaker stands the honourable member must resume his seat. He knows that he was commenting. The honourable Attorney-General.

The **Hon. PETER DUNCAN**: The honourable member, as he has pointed out to the House, knows the details of these cases with some intimacy. Much of the speculation and stirring that has gone on in the community has been generated by people such as the honourable member. The honourable member has gone into detail, and I will take the opportunity to do likewise.

There was an industrial dispute on a building site in Prospect Road, Prospect, as the honourable member said, about 18 months ago. On the day before the incident that led to the most recent trial, the employer had taken it upon himself to drive a motor vehicle through a picket line; he had run over one person; he had hit another person with that motor vehicle with such force that the person had been flung from the bonnet of the car to the ground; and there were a number of injuries suffered by other people.

Obviously, this was a dispute with great heat in it and one that led, as has been indicated, to a series of charges of

assault. I point out that those charges were against not only the unionists involved but also the employer. The situation (and it is quite proper that it should have happened this way) was that the employees were charged with the matters, which the honourable member has referred to and which were heard before Judge Burnett, and the employer was charged with the incident that had occurred a day earlier. Because chronologically the incident involving the employer was the first, that matter quite properly was brought on and dealt with and disposed of in the courts before the second matter, which involved the employee charges, was brought before the court.

That is perfectly proper and correct. It is the way that matters such as these are always administered judicially. That led to a delay of several months before this matter could be brought on for trial. Once the first matter had been disposed of, the Crown Prosecutor proceeded to process the second matter in the normal way. It was put into the trial list and, when the necessary arrangements had been made to ensure that the five counsel involved (individually acting for the five defendants) were all available in a particular month, the matter was listed for that month.

There is nothing improper about that. It is the correct way that such matters are always dealt with, and all the correct and proper procedures were followed in this matter. It is only the fact that people such as the honourable member and Stewart Cockburn have been stirring this matter up that has caused any concern in the community at all. There is no reason or foundation for that concern, and it only shows again the irresponsibility of the honourable member and Stewart Cockburn in interfering with matters such as this that are taking proper procedure through the courts.

**Mr. Dean Brown:** That explanation is a lie.

**The SPEAKER:** Order! I call the honourable member for Davenport to order. If he continues, I will name him.

**The Hon. D. A. DUNSTAN:** I rise on a point of order, Mr. Speaker. The honourable member for Davenport was heard on this side of the House to use the word "liar". I ask that that word be withdrawn and apologised for immediately.

**The SPEAKER:** I ask the honourable member to withdraw.

**Mr. DEAN BROWN:** I withdraw the statement, Mr. Speaker.

#### NATIONAL WAGE CASE

**Mr. ABBOTT:** Will the Minister of Labour and Industry say whether he is aware of the attack made in the Federal Budget on the Arbitration Commission's handling of national wage increases? Further, does he agree with the comments of the Federal Treasurer (Mr. Howard) on how the Federal Government would respond if the commission handed down decisions that were inconsistent with the sorts of responsible economic objectives set by the Commonwealth Government? I refer to the report in today's *Australian* headed, "Unsubtle bid to control pay fixing", part of which is as follows:

Though its hands are tied under the Constitution the Fraser Government has made a dramatic attempt to achieve wage control by other means. The Government has told the commission that if it does not toe the line it will sack some of its own employees.

The Treasurer, Mr. Howard, hammered that line again yesterday when he addressed the National Press Club in Canberra. He denied this was an attempt to intimidate the commission. But in the next breath he added that it was a

"flat indication from the Government of how it will respond if the commission hands down decisions which are inconsistent with the sort of responsible economic objectives we have set ourselves."

**The Hon. J. D. WRIGHT:** I am not familiar with the report, although it is well known in the community, and has been for about 18 months, that there is great hostility between the Prime Minister and the Federal Arbitration Commission. The Federal Government has on numerous, if not all, occasions asked for a minimum wage increase, if any at all is to be granted. Great credit must go to the commission, and particularly its President, Sir John Moore, for the way in which wage indexation cases have been handled during the past three years. Sir John and the court have had a job to do to fit into the economic climate and, at the same time, try to restore real wages in the process of wage indexation. This process has not been satisfactory to all parties, and certainly it has been less satisfactory to the Prime Minister, who has taken every opportunity at his disposal to condemn the court's decisions.

I for one (and I think the great multitude of Australians also do) believe in the arbitration system. I do not see how we can go outside arbitration and protect all workers who need protection. I know that the Constitution at present ties the Federal Government's hands in relation to its interfering with the wage structure or tribunals of this country, but I dearly believe that it wishes that the Constitution did not do so. The Federal Government has approached the matter in a different way this time, and there is little question who will pay for the Budget: it will be the working people of Australia.

One has merely to study the impositions placed on the people of this country to see how irresponsible this Budget is and at whom it has been directed. It has been directed not at big business but at controlling wages through the Budget; there is little question about that. However, I do not think for a moment that that will frighten off the Arbitration Commission, as I believe Sir John Moore is a very responsible judge, as are the judges around him. They will consider these matters when determining wage justice in this country and, irrespective of the course on which the Prime Minister is trying to put the commission, I do not think it will follow. Rather, it will remain totally independent.

#### PARLIAMENTARY BUSINESS

**Mr. MILLHOUSE:** I direct my question to either the Premier, or the Minister of Works in his capacity as Leader of the House; that is, if I can get their joint attention.

**The SPEAKER:** Order!

**Mr. MILLHOUSE:** What has gone wrong with the Government's legislative programme for this session? Some time before the session began, the Deputy Premier made an announcement, which got some prominence in newspapers, that this would be a particularly busy session. He said that 80 Bills would be introduced and passed through Parliament, and that we would be working hard. Incidentally, I looked up my scrapbook in my office and found that the Deputy Premier made exactly the same announcement 12 months ago before the earlier session.

*The Hon. J. D. Corcoran interjecting:*

**The SPEAKER:** Order! The honourable Minister is out of order.

**Mr. MILLHOUSE:** Parliament sat on 13 July and, since then, has been proceeding at a most leisurely pace. Indeed, we have hardly sat at night. Last night Parliament

rose at 8.23 p.m., so I should hardly have thought it was worth bringing the staff back after dinner. Some evenings, we have not sat at all.

*A member interjecting:*

**Mr. MILLHOUSE:** If the honourable member likes to check the record, he will find that I have been here every day.

*Members interjecting:*

**The SPEAKER:** Order! The honourable member for Mitcham has the floor.

**Mr. MILLHOUSE:** I challenge any member to show that I have not been marked present every day. Be that as it may, we now find that neither the Loan Estimates nor the Budget is to be introduced until after our two-week, instead of one-week, break for the show. We only ever had one week before; now we are having a fortnight. Instead of getting on with the Loan Estimates, as we always have by this time in the session before, and having the Budget introduced before the show adjournment so theoretically anyway members could have a good look at it and be ready to debate it when we come back, we are not getting those two documents until after the show break. I do not know whether we are expected to debate them the next day or not. I know, and I drew attention to this matter during the Address in Reply debate, that there is much trouble with the drafting of Bills. Mr. Daugherty is now a judge, and Mr. Hackett-Jones has been appointed. I do not know whether any other draftsmen—

**The SPEAKER:** Order! The honourable member is commenting. I hope he will get back to his question.

**Mr. MILLHOUSE:** I was only reciting the facts.

**The SPEAKER:** The Chair will make that decision.

**Mr. MILLHOUSE:** I wonder whether the drafting services available to the Government and to this Parliament have been strengthened in any way, but I have detected this leisurely progress. Because we are not sitting, and the programme is not the same this session as it always has been in my long experience in this place, makes one wonder whether, in fact, as I have said several times, the Government has just run out of steam.

**The Hon. J. D. CORCORAN:** There are several points I want to make about the observations of the honourable member for Mitcham about the programme for this session. The first is that the programme has been facilitated because of his continued absence from the House.

**Mr. Millhouse:** It's good to get something for someone.

**The SPEAKER:** Order! The honourable member has had his opportunity. I call him to order.

**The Hon. J. D. CORCORAN:** For example, it would be perfectly true, as the honourable member has stated, that no-one could show that he has not attended any sitting day in the House. That is true. He whips in, gets his name marked off the roll, and he whips out. He was lucky to make it last night. I think he came back, and he was most disappointed when he got back to find the House in the state that it was.

**Mr. Millhouse:** I had been—

**The SPEAKER:** Order! The honourable member knows that he is continually interjecting. I warn the honourable member for Mitcham.

**The Hon. J. D. CORCORAN:** The honourable member said that we seem to be proceeding at a very leisurely pace. From when I was first elected, my experience in this House was the same as the honourable member's was—I happened to be in Opposition; he happened to be in the Government. I think in the last year of the Playford Government Parliament sat for 37 days! The session would commence about the end of June, then we would get up for a while, have a bit of a break after the Governor's

Speech—

**Mr. Millhouse:** You are going back in history now.

**The Hon. J. D. CORCORAN:** The honourable member was a member of that Government.

**Mr. Millhouse:** No fear I wasn't.

**The Hon. J. D. CORCORAN:** The honourable member was a back-bencher; Playford wouldn't have you as a Minister, of course.

**The SPEAKER:** Order! I have been very lenient with the honourable member but if he utters anything more, he will be named.

**The Hon. J. D. CORCORAN:** Sir Thomas Playford was a much better judge than Steele Hall was: he would not have him as a Minister. We never sat at night. Indeed, it would be about October before we contemplated sitting in the evening. Then it would be until 9.30 p.m., so that none of the staff or any of the drivers would have to be paid overtime. The honourable member can well remember that: he nods his head. I said that 80 Bills would be placed before the House this session, and that will happen. I make perfectly clear that there is no difficulty in drafting the legislation. We have a very competent Parliamentary Counsel and he has some very competent assistants.

Contrary to what the honourable member often says (and we know that he is an expert in every field of law and always has his little jag about the inadequacy of drafting, much to the amusement of the Parliamentary Counsel), he is normally wrong. He picks up a comma or a full stop, and believes that that is extremely important to the content of the Bill. Usually, it is corrected, without amendment, as a normal procedure.

The Loan Estimates and Budget are being introduced on 12 September because the Treasurer has decided that it would be much better for Parliament as a whole. Indeed, it was better to get the Federal Budget out of the way so that we could be sure of where we were going. Normally, we would do that after the Premiers' Conference but, with the present Federal Government and Prime Minister, we can never be certain from day to day of where we are going. We left that until as late as we possibly could, and they will be presented together on 12 September, and that, as the honourable member would understand, will make it possible for us to do the necessary work after the Federal Budget had been introduced, thus giving a week for members to study those measures before debating them. It will be a joint debate on both Bills, but Committee deliberations will be separate. The honourable member will see that that is a different approach, but I think that it will be a better approach and should be appreciated by members.

When I am drawing up the programme, I find it difficult to assess how much time we will need for a measure, because I like to give a fair indication on the programme of the work we are going to do. Last Tuesday, for example, I estimated that we would need at least two hours to debate the motion for the referral to a Select Committee into massage parlours, etc. Lo and behold, what happened? The honourable member was not here. The one expert in the House on brothels, the one who has had the most experience inside and out of them (he can tell whether there is soap in the showers) and who could probably have spent his full time on that issue, was not here. If he had been here and had spoken, he would have drawn the crabs (as I often say), and there would have been other speakers. My estimate in that case was sadly amiss.

On the same day, as he will recall, we had to deal with the Supply Bill. Normally, we expect every Opposition member to take his full 10 minutes, but I do not know whether the honourable member made it.

**Mr. Millhouse:** I assure you that I did.

**The Hon. J. D. CORCORAN:** He must have got 10 minutes in during the day. We should have needed a relatively late night on Tuesday, hence a reasonably easy night on Wednesday, with three Select Committees and the Barley Marketing Act Amendment Bill. Normally, when we have a Barley Marketing Act Amendment Bill, or anything to do with grain, we expect speeches to be made by country members. I was shocked last evening because the only Opposition speech was made by a member who made one of the best speeches I have heard this session by saying, "I support the Bill," and sitting down. My timing was again thrown out. Hence, the House rose at about 8.30 p.m. last evening.

**Mr. Millhouse:** But you don't—

**The SPEAKER:** Order! I name the honourable member for Mitcham for persistently and wilfully obstructing the business of the House.

**Mr. MILLHOUSE (Mitcham):** I have been very good. You, Sir, have been laughing your head off. I have been watching you in the Chair.

**The SPEAKER:** Order! That is not the case.

**Mr. MILLHOUSE:** I could see the red flush on your face, and that is normally a signal that you are laughing heartily, and every member of your Party was laughing heartily as the Deputy Premier spoke. It was torture for me—

*Members interjecting:*

**The SPEAKER:** Order! This is a most serious matter, and I hope that honourable members will refrain.

**Mr. MILLHOUSE:** It was torture for me to have to endure that. You, Mr. Speaker, would agree that I was being taunted by the Deputy Premier right through his answer to my question, and he has not finished yet. I had to remain silent. You will notice, Mr. Speaker, that I did remain silent until I am afraid I could not resist having a bit of a tilt at the Liberal Party, because it is so supine and has done nothing. I am afraid I was just agreeing with the Deputy Premier, but I apologise to you, Mr. Speaker, and to the House for doing this. I ask you to bear in mind the circumstances: I had been under great provocation from the Deputy Premier, I had resisted every temptation to interject, and I had resisted that temptation successfully.

**Mr. Mathwin:** Until a chance came to get at the Liberals.

**Mr. MILLHOUSE:** As my friend from Glenelg (I do not know whether or not he is going to be my friend) has said, I could not resist temptation when the Minister came in on the Liberals. I am sorry for that. I should have resisted it. I hope that, in all the circumstances, you, Mr. Speaker, and the House will be prepared to accept my apology.

**Mr. GOLDSWORTHY (Kavel):** I move:

That the explanation of the member for Mitcham be accepted.

I am moving this motion for two reasons. First, I believe it is making a farce of Parliament to suspend members for making interjections of the type that we have had today. I have experienced suspension from this House for fewer interjections than the number of interjections that the member for Mitcham has made today. When I realised I was to be suspended I was extremely annoyed, because nothing like that had happened before in my experience. Standing Order 169 provides that, where a member is deemed to be guilty of persistently and wilfully obstructing the business of the House, he can be named. That Standing Order makes no reference to the relative importance of debates or Question Time. I know that the opinion has been expressed here that in some circumstances Standing Orders are applied to some debates more stringently than they are applied to others. I recall that the Minister of Labour and Industry interjected 11 times—

**The Hon. J. D. WRIGHT:** I rise on a point of order, Mr. Speaker. Would the honourable member care to withdraw that?

**Mr. GOLDSWORTHY:** The *Hansard* record is perfectly clear: on the day on which I was suspended for the same crime, the Minister of Labour and Industry interjected 11 times, and one of those interjections included a swear word, but that is beside the point.

*The Hon J. D. Wright interjecting:*

**Mr. GOLDSWORTHY:** I am sorry. I confused the Minister of Labour and Industry with the Minister of Transport, and I apologise. It was the Minister of Transport. I apologise humbly to the Minister of Labour and Industry. I am stating facts. One of the Ministers—

*The Hon. J. D. Wright interjecting:*

**The SPEAKER:** Order! I call the honourable Minister of Labour and Industry to order.

**Mr. GOLDSWORTHY:** The Minister interjected 11 times. "Order" was called from the Chair early in the series of interjections; thereafter, he went on his merry way. The Standing Order to which I have referred makes no differentiation between the importance of debates. If this rule is to be applied it ought to be applied during all debates. If a motion for suspension is carried, it will be consistent with the motion that was carried to expel me, but it is making a complete farce of this Parliament. We have no particular love for the member for Mitcham, and that love has not been increased by the unkindly remarks that the honourable member made in his explanation. Nevertheless, if this Parliament is to be conducted with any degree of common sense, his explanation should be accepted.

**The Hon. D. A. DUNSTAN (Premier and Treasurer):** I oppose the motion. The situation in this House and the degree of interjection that has been allowed to occur in this House have got out of hand. It has been made obvious to members that the Speaker intended that that situation would no longer continue.

**Mr. Goldsworthy:** On one side.

**The Hon. D. A. DUNSTAN:** On the contrary.

**The SPEAKER:** Order! I call the honourable Deputy Leader of the Opposition to order. I called the Minister of Labour and Industry to order, and I call the Deputy Leader to order. The honourable Premier.

**The Hon. D. A. DUNSTAN:** The same warnings have been given to members on this side of the House. The Speaker has called members to order, and has made perfectly clear to them that he will call them to order once, if they interject again he will give them a warning, and if they disobey the warning they will be named. The honourable member was called to order, warned, given a further warning and told that the Speaker had extended more than the tolerance given to honourable members by his direction to them. The honourable member was warned specifically that, if he interjected again, he would be named. The honourable member disobeyed that direction of the Chair.

The honourable member has a long history in the House of proceeding to disregard the rulings of the Chair and of getting up and, whenever the Chair has called him to order, simply going on with whatever the Chair has already ruled as being out of order. He has shown constantly that he will continually press his situation in the House to the breaking point. He was given proper and due warning; he was told specifically what would happen. An apology now is as meaningless as his previous apologies, when he has made it perfectly clear that he has no intention of obeying the Chair.

**Mr. MILLHOUSE:** I rise on a point of order, Mr.

Speaker. What the Premier has said is a direct reflection on me. I have made an apology. I was being taunted, and now he refuses to accept that apology and reflects on my sincerity. If he wants to throw me out, and he obviously does, I do not mind, but I ask that he at least give me credit for being sincere. He said not one word about the fact that his Deputy had (and I now suspect deliberately) taunted me throughout the whole of his reply to my question.

**The SPEAKER:** Order! The honourable member has gone past his point of order, and I do not uphold the point of order.

**Mr. GUNN (Eyre):** I support the comments of the Deputy Leader. It would seem that the decision that you, Mr. Speaker, have taken is going to make it difficult in future for this Parliament to function in a reasonable fashion. Any of us who have been in the House for any length of time (and I have not been here very long) would be aware that the breach by the member for Mitcham that has got him into trouble today has been a minor matter compared with some of the activities that take place here nearly every time the House sits. What has been so amazing to me is that the two members who have been named during this session of Parliament have both come from this side of the House. In the eight years that I have been a member of the House, no-one has ever been named from the Government side or even received a second warning.

Unfortunately, it would seem that if a member comes from this side of the House he must be more careful when interjecting than a member of the Government must be. No Parliament can operate properly if the rulings you, Sir, have given on these two occasions continue in the future. That is why I support the motion. I have no love for the member for Mitcham, but I believe that members should receive a fair go. I do not believe that either the Deputy Leader last week or the member for Mitcham on this occasion has received a fair go. One could take the view that the decisions are somewhat biased against the Opposition.

**The SPEAKER:** Order! I hope that the honourable member will withdraw that remark.

**Mr. GUNN:** If you take that, Sir, as a reflection on the Chair, I shall be pleased to withdraw it, with respect to the Chair.

The House divided on the motion:

Ayes (17)—Mrs. Adamson, Messrs. Allison, Becker, Blacker, Dean Brown, Chapman, Evans, Goldsworthy (teller), Gunn, Mathwin, Millhouse, Nankivell, Rodda, Russack, Venning, Wilson, and Wotton.

Noes (27)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan, Dunstan (teller), Eastick, Groom, Groth, Harrison, Hemmings, Hoppood, Hudson, Keneally, Klunder, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Majority of 10 for the Noes.

Motion thus negatived.

**The SPEAKER:** I ask the honourable member for Mitcham to withdraw from the Chamber.

**Mr. MILLHOUSE:** I do so with very great regret. Please give me a chance just to pack my belongings. I am sure you will all miss me greatly. Good afternoon.

*The member for Mitcham having left the Chamber:*

**The Hon. D. A. DUNSTAN** moved:

That the member for Mitcham be suspended from the service of the House.

The House divided on the motion:

Ayes (27)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury,

Duncan, Dunstan (teller), Eastick, Groom, Groth, Harrison, Hemmings, Hoppood, Hudson, Keneally, Klunder, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (16)—Mrs. Adamson, Messrs. Allison, Becker, Blacker, Dean Brown, Chapman, Evans, Goldsworthy (teller), Gunn, Mathwin, Nankivell, Rodda, Russack, Venning, Wilson, and Wotton.

Majority of 11 for the Ayes.

Motion thus carried.

**The SPEAKER:** The honourable member for Mitcham is so suspended. The Minister of Works can now continue with his answer.

**The Hon. J. D. CORCORAN:** I see little point in continuing the answer.

## SEX

**Mr. SLATER:** Will the Chief Secretary ask the Minister of Tourism, Recreation and Sport whether there is any statistical evidence that sex before a sporting event can impair performance? There has been controversy about this matter in sporting circles for some time, and many younger sports people in the community could be looking for Ministerial guidance. I have noted that one of my colleagues who goes home for an evening meal when the House is sitting invariably is either the winner or runner-up in the billiards or snooker tournaments.

**The Hon. D. W. SIMMONS:** Perhaps the honourable member should have been placed on the committee to which he referred yesterday, because of his keen interest in this matter. I shall be pleased to refer his question to my colleague. I am not sure whether that is the right type of Minister needed for an opinion on this matter, but I shall get the most expert advice I can.

## IRON TRIANGLE

**Mr. GUNN:** Because of the great importance the Premier has placed on the recommendations of the working party set up to find new employment at Whyalla following the closure of the shipyards, which recommended the establishment of a railways rolling stock industry at Whyalla, will the Premier now release the report so that the public can make a proper assessment of the proposals? Further, will he immediately request the working party to take the necessary action to put into effect the recommendations contained in the February 1977 third interim report of the Uranium Enrichment Committee that suggested that South Australia would benefit from the establishment of a uranium enrichment processing plant in the Spencer Gulf area, in particular bringing great benefit to the unemployed at Whyalla, who may be able to find employment with the establishment of such a plant? The setting up of such a plant would require large amounts of fabrication, which would also benefit the iron triangle, hence my question.

**The Hon. D. A. DUNSTAN:** I am interested to see that the Opposition is desperately rushing to divert attention from the latest depredations of the Prime Minister upon South Australia. I am perfectly prepared to release the report of the working party concerning the proposals for a rolling stock industry in Whyalla. It was strongly supported by the working party and by members of Parliament in the area, and put forward seriously by the BHP Company, and I am prepared to release the report. There is nothing in it that is in any way wrong. However, the present Federal Government has taken an attitude

towards railways in this country that means that it does not believe that any contracts should be let for rolling stock in Australia. It will not encourage the States to let contracts for rolling stock, and will not itself let any contracts for rolling stock. On that basis, it would not support the establishment of a rolling stock industry in Whyalla. The Commonwealth is winding down the railways assets in Australia. Why the honourable member, whose area depends in not inconsiderable measure upon some railway servicing, should be taking this attitude, I am blessed if I can understand. Obviously, he is trying to support the Federal Government.

The uranium enrichment study is not part of the Whyalla working party's report, and is not in that report. I have said previously what was being done about the uranium enrichment study. The committee is revising it and, when a revision has been presented to the Government that covers the points the Government has asked the committee to cover, I anticipate that I will have a report in publishable form.

### FUEL COSTS

**Mr. WHITTEN:** Can the Minister of Transport say what effect the impost of 3½c a litre on fuel that was announced in the recent Federal Liberal Budget will have on public transport in South Australia? There is no doubt that the cost will be extremely heavy. How will the extra charge to the State be financed? Is the Minister aware of any relief that may be forthcoming from the Federal Liberal Government?

**The Hon. G. T. VIRGO:** Preliminary estimates at this stage indicate that Mr. Fraser or Mr. Howard, with the announcement on Tuesday night, added \$900 000 a year to the costs of running the metropolitan bus services. That is a very serious dent in the budgetary position, about which the Premier has spoken a number of times, telling the House how tight is the position. The Premier has not yet talked to me, nor I to him, about the matter, but I do not imagine that he was laughing much when Treasury officials told him of that impost.

Unfortunately, the excise duty payable to the Commonwealth by State Governments is a tax from which we can get no relief whatever. I have taken to the Australian Transport Advisory Council a request, which has received the unanimous support of all the States, that the Commonwealth Government should not levy against State instrumentalities an excise on fuel used in running public transport systems. However, like most of the requests that we take to the Federal Minister, it was rejected. Despite the fact that this State is providing considerable benefits to the Commonwealth (honourable members need take no other area as an example than Telecom, which has literally thousands of motor cars, lorries and trucks on our roads but does not pay a cent in registration fees), we as a State must pay this excise duty that the Commonwealth imposes on us.

This increase will just make the situation much harder, and I regret to say that it must bring nearer the day when the State Government will not be able to hold the line any longer on fares but will have to increase them. I fear that the impost announced by Mr. Howard on Tuesday night could well be the straw that breaks the camel's back.

### CORELLAS

**Mr. RODDA:** My question to the Minister for the Environment concerns the devastation and destruction

caused to crops in the South-East by the much vaunted long-billed corella. For many seasons, these birds have bred in many thousands and are preying on crops. A recent *Advertiser* report showed that they have extremely long bills, and they go through crops like a miniature backhoe, causing unbelievable devastation.

Also, in this region of the State and in the sister State of Victoria, the sunflower has become part and parcel of domestic living and is grown in large areas. This species has fed up on this new type of diet and has literally bred like rattlesnakes (there is no other description for it). These birds exist in hundreds of thousands, and are causing much trouble. The shadow Minister for the Environment has been deluged with complaints about them, and I would be grateful if the Minister could tell this House what he intends to do about this scourge which is making deep inroads to an important industry in the South-East.

**Mr. Chapman:** We might get you to take some of our feral cats.

**The Hon. J. D. CORCORAN:** I heard the member for Alexandra say something. I do not know whether, if we transported the feral cats from Kangaroo Island to Bordertown, that would have any effect. However, I think we had better treat the two problems separately. The honourable member talked about the size of the bill on this corella. It must be about as large as the Federal Budget that was just brought down. Be that as it may, I, too, treat the matter seriously. The only population of long-billed corellas in the world exists in the South-East of South Australia and in Victoria. Indeed, I understand that there are extensive breeding grounds on a property named Nareen in Victoria, and I wonder whether the honourable member has been in touch with the Prime Minister to find out whether he is willing to do anything about the breeding ground.

I understand that the Australian Government is committed to the preservation of this species and that its population numbers about 100 000 at present. However, the honourable member tells me that that sort of population is found in the corner of one paddock in his district, and says that the population is more like 100 000 000. I think there could be a slight exaggeration on both sides in this respect.

Certainly, I have taken the matter seriously and have officers going into the area to find out whether anything can be done. Evidently, the sunflower seed is very attractive to these birds. I think the description given in the newspaper was that the birds were tossing the seeds in the air, giving them a couple of smacks on the way down, and leaving them on the ground. However, I do not know, as I have not seen them, like the honourable member has. The honourable member said that the birds worked like an efficient back hoe. Perhaps we could put them to some other use!

The department is examining the matter and I expect to receive a report soon. However, I must warn the honourable member that this is the only area in the world in which the bird exists and we are committed to its protection. There may be some way in which we could help farmers in their plight. As I have said, I am awaiting a report and, as soon as I receive it, I will let the honourable member know what it contains.

### FEDERAL BUDGET

**Mr. HEMMINGS:** Will the Premier say whether it is correct that low-income earners and the socially disadvantaged are pleased with the Budget brought down

by the Liberal Federal Treasurer (Mr. Howard)? In Wednesday's *Advertiser*, the Leader of the Opposition was reported as stating that he was pleased that low-income earners and the socially disadvantaged would be the people affected least by the Budget changes. I also draw to the Premier's attention the headline "Shares rocket to a four-year peak" in today's *Australian*.

**The Hon. D. A. DUNSTAN:** The Leader's statement that low-income earners and the socially disadvantaged would be happy with the Budget indicates his lack of knowledge of and communication with low-income earners and socially disadvantaged people, because there is absolutely no way in which they could be happy with this Budget.

Let us, for instance, consider immediately those people who receive social service benefits pensions. Their real incomes are being specifically reduced by the provision that their consumer price index adjustment will be made only once a year. For part of the year, those people will, in any inflationary situation, have in real income less than the amount that was fixed for them. So, they will be getting a specific reduction. A number of pensionable people in Australia will now be taxed.

In fact, the Returned Services League specifically has bitterly protested about that matter today. Nevertheless, those people who can be regarded as being socially disadvantaged are to be taxed for the first time by a Government that proclaims its concern for returned servicemen. The average family is to lose significantly as a result of the provisions in the Budget relating to excise and the additional taxation features.

Every family on less than \$238 a week is disadvantaged by the taxation measures. How precisely they can be considered to be happy as a result, I do not know. I can only say that in my district, where there are numbers of socially disadvantaged people, there is gloom amongst those people, but on Mr. Tonkin's side of Kensington Road, where people tend to be rather more affluent when they cross the pale of that particular road, there seem to be a few more smiles around amongst the shareholders.

#### ART GALLERY ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.  
(Continued from 3 August. Page 318.)

**Mr. ALLISON (Mount Gambier):** As the Premier told us when explaining the Bill, its object is to ensure that the Art Gallery Board is, in fact, empowered to lend works of art and other things under its care and control to any person, body, or corporation. The Premier said that the board has expressed some doubt as to whether the present provisions permit the board to lend works to private or commercial galleries. It may lend to any institution, or, with Ministerial consent, to any person.

The new legislation, therefore, widens the power of the board and under the terms of the Bill before us it may now lend to any person or body of persons, and by virtue of the Acts Interpretation Act, 1950-1975, "person" includes any body corporate. Ministerial power is also strengthened. This is quite commendable in times when we seem to be weakening Ministerial powers in other directions by passing control to regulatory bodies. However, as I have said, Ministerial power is strengthened by subsection 1 (a), which requires the board to observe any policy or direction given by the Minister relating to the board's power to lend works of art. Personal observations on checking the difference, for example, between South

Australia and Victoria, lead me to think that good may come of this Bill.

South Australia has only one public gallery outside Adelaide, and that is at Naracoorte. Victoria has 13 regional public art galleries where people can enjoy looking at the works of art stored by the Victorian art gallery. One would hope, therefore, that with the doubts removed from the mind of members of the South Australian Art Gallery Board, they would then exercise fairly wide discretionary powers, as also would the Minister, in ensuring that the South Australian loan collections be spread across the community as widely as possible.

I believe, too, that if more and more of our South Australian works of art from the Art Gallery are set up as permanent or semi-permanent loan collections where they can be sent to various institutions, organisations and groups across the State, perhaps this will enable some of the burden of storage to be lessened. We have had some complaints from the Art Gallery that the vaults are filling and that storage conditions are increasingly difficult. Perhaps if we get the works of art out and among the people, they will not deteriorate as much as they would under adverse storage conditions. Therefore, I support this Bill.

Bill read a second time and taken through Committee without amendment.

#### ELECTRICAL WORKERS AND CONTRACTORS LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 3 August. Page 321.)

**Mr. DEAN BROWN (Davenport):** I support the Bill, the purpose of which is simply to substitute the name of the Minister of Mines and Energy for that of the Minister of Works because the Electricity Trust of South Australia is now under the control of the first-mentioned Minister, not the Minister of Works. The Bill also contains one other minor amendment.

Bill read a second time and taken through Committee without amendment.

#### URBAN LAND (PRICE CONTROL) ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 3 August. Page 322.)

**Mr. EVANS (Fisher):** The Liberal Party opposes the Bill, and I am sure that other Opposition members would have the same view if they examined the provisions of the Bill. The bill sets out to give the Government power to declare any areas of the State as being under price control where the Government thinks fit.

Price control on land in declared areas of this State for blocks under one-fifth hectare was introduced in 1973, supposedly to solve the problem of the exploitation of land for profit. That control was to have expired in 1976, but in that year Parliament agreed, at the Government's request, to extend the terminating date for the provisions of the Act until December 1978. Last April, the Minister announced that the operations of the Act would be suspended. Now he has brought to this House a request, by way of this Bill, that Parliament give his or any future Government the power to control allotment prices anywhere in the State, not specified areas as in the existing

Act. As if that was not bad enough, he also wishes to have those areas declared by proclamation, not regulation, thereby denying Parliament the opportunity properly to scrutinise major charges that could be made by proclamation.

One must ask why the Minister has sought such vast powers, which could be used ruthlessly by any Government that had a hatred of private ownership of land as a hedge against inflation and/or to protect public enterprise (that is, the South Australian Land Commission), while at the same time hounding private citizens' individual enterprise.

Is one of the reasons more specifically that the Government has now realised the serious difficulty the South Australian Land Commission faces? By being instructed by the Government not to sell its allotments unless the purchaser builds within four years, the commission is in serious difficulty.

The Minister is now in the position of having to recognise the need for the commission immediately to recoup more of its \$90 000 000 worth of assets. That I believe is the case, and the Minister wants to have this power to proclaim specific areas under price control so that, in effect, he can hold the Sword of Damocles over the heads of private citizens who may buy Land Commission allotments when he allows the commission to lift the four-year condition.

Also, there is no doubt, because of his philosophy, that he would rejoice in the knowledge that he has the power to shake the sword at private developers in any suburbs his Government suggested he should and, if the developers did not dance to his tune, he would drop the chopper of price control.

Most national companies since 1973 have been moving their development funds to other States, and now, five years later, few national or even local companies hold broad acres in South Australia, nor can their managers recommend new developments here. With the threat of proclaiming areas as under price control at any time as envisaged in this legislation, it would be permanently impossible for managers to recommend projects here with confidence for the future while elsewhere in Australia they could operate without damaging interference to their fundamental business operations. There is no doubt that price control can have that damaging effect upon individual operations, if people are not sure what the future holds.

Already many South Australian developers have used their funds (which should have been spent in our State) over the border while our State body has \$90 000 000 tied up in assets worth, at 10 per cent interest, \$9 000 000 a year. The result of implementing the provisions of this Bill would be equal to nationalising land development for long-term ownership, as the only owner of vacant allotments for longer than four years would be the South Australian Government Land Commission. Then, if the Government, through the commission, wishes to direct people where to live, it can just announce that no more new allotments may be developed until present stocks are sold; in other words, freedom of choice would be destroyed.

The Land Commission has succeeded as a land bank but, as a marketing developer, it has failed miserably. The clear evidence that the Land Commission has failed to understand the market place is shown by the reluctance of young people to buy the commission's miserably small allotments of one-eighteenth of a hectare in very limited areas of Adelaide. The commission now has its money tied up in massive developments it cannot sell, restricting its opportunities to develop those areas where people are

keen to live if the allotments had a greater size range.

The suspension of the provisions of the present Act in April this year clearly indicates that there is no need to have the Act continue, let alone make it more objectionable. The commission holds at least 4 000 allotments that are, or could be, placed on the market and, with the small number held privately, the object of price control is achieved by market saturation, supporting the very argument the Liberal Party has used for years—that market forces can be controlled by supply. The price of land in this State is not escalating even at the inflationary rate. Therefore, there is no present need for legislation to control land prices.

The Land Commission has the major control of land here for residential allotments under one-fifth of a hectare. The Premier promised in 1973 that the Land Commission would keep its land prices under \$6 000. We said at that time that it could not achieve that object. Today, Land Commission allotments in some cases are priced as high as \$10 000. There is no doubt that the Government agency has had to follow, as much as possible, inflationary trends. The Opposition opposes the Bill.

**The Hon. HUGH HUDSON (Minister for Planning):** The attitude of the member for Fisher toward the Land Commission and his downright prejudice in respect of any of its activities are well known. He allows that prejudice to overcome his better judgment.

Land price control was introduced in the first place in circumstances in which the price of land was escalating at a rate well in excess of the rate of inflation. That was a disastrous situation for people who were concerned with the purchase of houses.

Great speculative profits were being made at the expense of individual house buyers. As far as I can judge, the member for Fisher's position is that the rights of developers to make those speculative profits must be protected. True, provided the development process proceeds at a sufficient rate in all circumstances, allotment prices could be kept down to the minimum level necessary to bring forth a further supply, if there were an adequate supply.

Our previous history has demonstrated, and the history of Sydney and Melbourne has demonstrated, that an adequate supply is not always forthcoming as a consequence of the private development process. All that is intended by this Bill is that we should have the reserved right to control land prices in circumstances in which, for any reason, the supply of allotments is inadequate.

I should be pleased to accept an amendment, if the honourable member wished to move it, that provided that if land price control was introduced into the metropolitan area or any part of it, it must apply in the whole metropolitan area. I cannot see anything wrong with that. The purpose of having declared areas is to be able, for example, in Port Augusta (should the Redcliff project go ahead) to control land prices there, because there is a grave danger that the cost of building, which is higher in country areas, together with an inflated land price would make the whole question of settling additional people in that area difficult.

True, the Bill refers to the possibility of land price control being applied only in a particular area. That simply recognises that we may have a shortage of supply in certain areas. Does the member for Fisher really suggest that, if the go-ahead were announced for the Redcliff project within the next six months, we would not run into difficulties in the Port Augusta area and there would not be an adequate supply of land in all circumstances? He



knows that that is not true. To suggest, as he did, that the Land Commission could be favoured by the use of land price control, is just a load of absolute hogwash.

How can one protect in any way the position of the Land Commission by means of land price control? One can protect it and its financeability by letting speculators go (and the bigger the private speculator the bigger the margin he tries to get), thus making the Land Commission more competitive with him and making it easier for the commission to make a profit.

The honourable member's mind is so bogged down in hostility to the commission that he supports the right of people to become millionaires by happening to hold land in the right places in an expanding city. He does not mind that we have created millionaires of Sir Ellerton Becker and his wife in Adelaide. He does not mind that we have created other millionaires; for example, the Sheidow family down south, simply because they happened to hold land for primary production that later became urban land. He does not mind that the cost of all that must be borne by the private house owner who ultimately moves into that area.

It is the individual who has to bear the cost of land speculation, while the speculators get rich and some individual landowners become millionaires. The honourable member is willing to allow that to happen again in our community just because he has this doctrinaire attitude to land price control and a doctrinaire attitude antagonistic towards the Land Commission.

The notion that we should aim for stability of land prices must be judged in terms of land prices *vis-a-vis* other prices. Since 1973 there has been in Australia an inflation of general prices of more than 60 per cent. The object of land price control and of establishing the Land Commission was to prevent land prices rising more rapidly than the general price level, and since 1973 they have risen less rapidly than the general price level. Plenty of Land Commission blocks are available at prices below \$8 000.

It is also not true, as the honourable member has tried to suggest, that the Land Commission is producing many minimum size blocks. The percentage of minimum size blocks is low, and the degree of variability in the size of allotments is high. The member for Fisher should get his facts correct on that matter. The Government has no intention of introducing price control over land in any circumstances in which supply is adequate and where price control is not necessary. I give that unqualified assurance on that matter.

The only circumstances in which land price control would be used would be where we ran into supply difficulties, for one reason or another, and land price control then would be confined to the specific areas where that difficulty was being experienced. I make clear to honourable members that, in the case of a prospective development of a petro-chemical plant at Redcliff, we would have a serious potential difficulty in the Port Augusta area. We have serious problems in the whole area of Stirling North because of flooding.

We would have to have a rapid development of additional areas of allotment to the west of Port Augusta inevitably, and it would be doubtful whether or not there would be an adequate supply, particularly during the construction phase of the petro-chemical plant. Honourable members may care to recall that the big impact on employment occurs during the construction phase; the longer term is somewhat lower than during the construction phase.

It is irresponsible for the member for Fisher to oppose this Bill, which is designed simply to give the Government power to exert a degree of control over land prices

whenever that needs to be exerted and only in those circumstances. We do not want to spend money administratively on land price control, if it is unnecessary, and one of the specific reasons for abolishing land price control was the saving in administrative costs.

There are seven positions fewer required in the Housing Urban and Regional Affairs Department as a consequence of the abolition of land price control, and the budget costs for this year are probably \$80 000 to \$90 000 less. The only circumstances in which such price control would be reintroduced would be where it was absolutely necessary.

I hope that the member for Fisher is not able to persuade his colleagues in the Opposition that they also should take action designed to protect the land speculator. It is not justified, and when great profits have been made by land speculation in years gone by in this State, prior to the establishment of the Land Commission and the introduction of land price control, those profits have been made at the expense of the individual home owner, the ordinary people whom Opposition members claim they represent and who have to pay the costs of great speculative profits on land.

While land price control is not necessary at present, and may not be necessary for some years, nevertheless the reserve power should be there. It is simply not good enough to say that when we have trouble we can reintroduce legislation, because by the time the legislation is reintroduced the baby is out of the bath water, and honourable members insist that the legislation cannot be made retrospective. We must have the reserve power in order to protect the rights of ordinary citizens in our community against any tendency for a shortage of land to develop in the future and for great speculative profits being made at their individual expense. I commend the Bill to members, and I hope that intemperate and prejudiced remarks of the member for Fisher will not persuade other members to oppose the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Interpretation".

**Mr. EVANS:** I move:

Page 1—

Line 13—Leave out "proclamation" and insert "regulation".

Line 23—Leave out "proclamation" and insert "regulation".

Page 2, lines 1 and 2—Leave out subsection (3).

If, as the Minister says, there is a risk of speculation by developers the Opposition would not wish to deny any Government the opportunity of stopping that exploitation of the industry. I think I made the point clear earlier that at the moment developers in the private sector are not entering into the market in South Australia; most of the land is owned by the Land Commission.

If the Minister wants to have the power to control a situation in any part of the State, the Opposition is prepared to give him that opportunity by regulation. If the Government of the day chose to make regulations in lieu of proclamations then immediately the regulations were gazetted they would become operative and Parliament, at its first ensuing meeting, would be able to debate and, if necessary, disallow those regulations. When the Minister previously wanted price control, it was agreed to eventually, with the provision of a time limit inserted by members in another place. By that method the Government was able to control the price of land. The present proposal will eliminate all areas from the Act, and no price control will be operating, because both the Minister and the Opposition agree that there is no need for price control at the moment.

At any time in future, the Minister could implement

regulations to control a specific area. We do not say that there will not be a need for price control in future, but we do not wish any Government to have in its hands the power, by proclamation, to declare a situation which Parliament cannot reject. If it is done by way of regulation, the Government of the day can specify that a certain area comprising allotments under one-fifth of a hectare shall be subject to price control. I do not believe that such a proposition would be rejected by a responsible Parliament. We are leaving within the hands of the Government the opportunity to bring in price control at any time in future in a specific area, giving Parliament the opportunity to debate the proposition at its first meeting after the regulation is proposed.

**The Hon. Hugh Hudson:** Are you saying that if these amendments go in you will support the Bill?

**Mr. EVANS:** If the amendments go in, the Opposition supports the Bill, because it eliminates any areas that are defined within the Bill. No areas would have price control if this change were to be made to the legislation at present. A future Government could introduce price control by regulation if it wished, and Parliament would have the opportunity to debate the matter.

**Mrs. ADAMSON:** I support the amendments, for the reasons outlined. Parliament, not the Government, should have the power to determine whether or not there should be price control in a certain area. The Minister gave an unqualified assurance in relation to price control of land, but even he would admit that the necessity for price control must and can be nothing more than a subjective judgment. It seems to members on this side that that judgment is best made by Parliament, and not by the Minister.

To give the Minister power to do this by proclamation puts an unwarranted power in his hands. He speaks of protecting the rights of ordinary citizens, and for this reason the Opposition believes that the rights of the ordinary citizen should be protected by putting this power in the hands of Parliament, with all the checks and balances that are guaranteed by the Parliamentary process.

The Minister has referred to the possible need for land price control in the iron triangle. It could well be that any Government, for any reason, might wish to control the price of land in any area of the State, including the metropolitan area. It might choose to do so for its own purposes. The Minister has accused the Opposition of having a doctrinaire attitude to the Land Commission. The Opposition might well accuse the Minister of having such an attitude to private developers. It seems to me that this matter is far better left in the hands of Parliament rather than those of the Minister.

**Dr. EASTICK:** I support the amendments moved by the member for Fisher. It is not the first time that Opposition members have indicated their opposition to providing for a proclamation in legislation, automatically taking away from Parliament's scrutiny the various decisions made by Executive Government which cannot be altered until the Act is amended. Regulations can be debated in this Chamber and, if necessary, disallowed. It has been known for the Government to support a motion for disallowance moved by the Opposition. Sometimes it is necessary for our colleagues in another place to exercise their prerogative to query proposed legislation.

**The Hon. HUGH HUDSON (Minister for Planning):** Honourable members should recognise that there are certain circumstances in which the use of proclamations is an appropriate procedure.

*Dr. Eastick interjecting:*

**The Hon. HUGH HUDSON:** I do not think that that is the case. If the honourable member examines the proclamations that normally go through Executive Council on Thursday in relation to changes in water districts and all sorts of administrative matters that are entirely non-controversial and part of the normally accepted part of Government, where Parliament does not want to exercise any direct supervisory control, I am sure he will alter his position and say that we ought to do it by regulation where the issue is likely to be controversial.

For example, when the indenture for the Redcliff scheme was being discussed with the Imperial Chemical Industries, Alcoa and Mitsubishi consortium, one point of argument related to whether or not the environmental requirements would be handled by proclamation or regulation. The companies concerned were upset that it might be handled by regulation. They wanted the matter handled by proclamation, because they said that that gave them a greater certainty of the result and that they then had to deal only with Government and not with the whole of Parliament.

We took the attitude then that a regulation provision on matters such as environmental standards was appropriate. I suggest to the honourable member that the question of whether something should be done by regulation or proclamation really depends on the extent of possible controversy that will surround a decision and on whether or not it is appropriate, even if there is a controversy, for the people who may be affected by the decision to have the right to have that decision reviewed, by being able to make representations to members of either House of Parliament.

There may be situations in which a matter is sufficiently controversial and important to say, "It will create a row, but the decision must be made and it must stick." There will be circumstances in which the Government will take that view on that sort of matter and say that it must be done by proclamation. In this case, as we are dealing with the reintroduction of price control at some time in future, I have no objection if it is to be done by regulation. I therefore support the amendment.

**Dr. EASTICK:** I would not want the Minister to believe that Opposition members accepted without question his suggestion that the present Government had never done anything by proclamation that was not controversial. That was the distinct inference to be drawn from the Minister's statement in relation to the value of proclamation. Let it be clearly understood that the Opposition accepts that there are circumstances in which a proclamation has been, and will continue to be, beneficial. The Opposition considers that a decision of this nature, which affects people throughout the State, should come before Parliament for scrutiny. With much pleasure, I acknowledge that the Minister has on this occasion been gracious enough to accept the amendment.

Amendments carried; clause as amended passed.

Remaining clauses (3 and 4) and title passed.

Bill reported with an amendment.

#### DOG FENCE ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 3 August. Page 320.)

**Mr. GUNN (Eyre):** I support the Bill, as it brings the Dog Fence Act into line with the Vertebrate Pests Act, 1975-1977. It is purely a machinery measure, will simplify the administration and, I hope, save ratepayers a few dollars. As the Bill will simplify and streamline the

Government's procedure, the Opposition has no objection whatsoever to it. Indeed, it is pleased to support the Bill and to see it pass into law as soon as possible.

Bill read a second time and taken through Committee without amendment.

#### ADMINISTRATION OF ACTS ACT AMENDMENT BILL

Adjourned debate on second reading.  
(Continued from 3 August. Page 325.)

**Mr. NANKIVELL (Mallee):** I support the Bill.

Bill read a second time and taken through Committee without amendment.

#### ADJOURNMENT

**The Hon. PETER DUNCAN (Attorney-General)** moved:  
That the House do now adjourn.

**The SPEAKER:** Before calling on members to speak, I wish to place on record that today is the last day on which Mr. Colin Bradley, who has been a valuable member of the *Hansard* staff for the past 20 years, will be performing his duties in the gallery of this House. Before coming to Australia, Mr. Bradley was a member of the reporting staff of the House of Lords. During the war he served with the British Army in England, India and Burma. Colin has performed creditably in serving this Parliament, and on behalf of honourable members I wish him a long and happy retirement.

**Members:** Hear, hear!

**Mr. DEAN BROWN (Davenport):** Mr. Speaker, on behalf of the Opposition and members of the House I would like to second your remarks. I think all of us have appreciated the way that Colin Bradley has served this Parliament. He has been a distinguished member of the *Hansard* staff. I particularly think of those two pens that he has used over his 20 years of service in *Hansard*. They must be the two most used pens in existence, I think. It certainly has always fascinated me at committee meetings to see the way in which Colin has always had the same pens. They at times perhaps appear rather old pens, but they have obviously been very faithful and loyal to him.

Colin Bradley does an extremely good job in sorting out my speeches. I appreciate that, and I am sure all other members appreciate the debt that we owe him in sorting out our speeches. We wish Mr. Colin Bradley a very happy and worthwhile retirement, and on behalf of the House I certainly thank him for what he has done for this Parliament.

**The Hon. PETER DUNCAN:** Mr. Speaker, I have much pleasure, on behalf of the Government, in joining with you in your remarks and those of the member for Davenport in wishing Colin Bradley a long and happy retirement. He has performed his tasks, to my knowledge in the few years I have been here, with a cheerful face, scurrying around to get the work done as quickly and efficiently as possible. I particularly take note of the remarks of the member for Davenport. I think that Mr. Bradley has made his mark as a member of the *Hansard* staff on this Parliament in a unique way, and I compliment him on that. On behalf of the Government, particularly on my own behalf, as the Minister technically responsible for the *Hansard* reporters, I wish him a long, happy and pleasurable retirement, and I also hope that it is most fruitful.

**Mrs. ADAMSON (Coles):** I am mindful that, in Mr. Colin Bradley's interview with the press, he suggested that many of the words that have been reported in this Parliament were unnecessary. I hope, therefore, that my speech this afternoon will include material judged worthy of being included in *Hansard* and worth while in terms of this Parliament's deliberations.

It has been interesting to note that in the debate on motions yesterday and from replies to questions from the Government yesterday and today, it is clear that this Government believes that its salvation lies in trying to denigrate the Federal Government. It seems that the State Labor Government will go to any lengths to divert attention from its own shortcomings to the Federal Government. I believe that the State Government will be judged on its merits and demerits, on its management of the State's economy, and on the various departments under its administration.

**Mr. Dean Brown:** And condemned on the same grounds.

**Mrs. ADAMSON:** I thank my colleague for his interpolation. I refer particularly to the Education Department, and I raise a matter that was reported in the *South Australian Teachers' Journal* of 19 July 1978. It is a report on a matter on which the department overrode the school in a student promotion clash. The journal states:

A decision by the staff of a metropolitan high school to return a year 12 probation student to year 11—on the basis of inadequate achievement—has been overruled by the Acting Director-General, Mr. J. R. Giles, using an unknown and unpublished policy statement on parents' rights . . . SAIT President John Gregory described the department's action as "unwarranted interference in school-based decision-making and a poor reflection on responsible professional judgment and initiative."

Any objective observer could not help but agree with that assessment. It was interesting that, when the member for Mount Gambier asked a question of the Minister of Education earlier in this session on this matter, the Minister professed innocence of the school concerned. It seems incredible that he should not know what is happening in his own department or that he should be so incompetent as not to know. Surely not many instances could have come to his notice where the entire staff of the school was so distressed that it had arranged a deputation to the Director-General, and surely he cannot ignore that and profess ignorance of it when questioned in the House.

The report concludes with several questions put by the staff and council of the school concerned in relation to the school's ruling being completely overruled by the department, and the school staff was not informed of the policy by which the department was guided in overriding the school judgment. The report contains the following question:

What does happen in your school concerning student promotion?

The answer to that, I imagine, is that the schools in this State believe that they have the right to determine whether a student will be promoted. That surely is a basic professional right of teachers. If that right does not exist, it makes a complete mockery of professionalism. We might as well have a system where there is no professional judgment whatever and where students can be promoted on their own say-so, if need be. The second question is as follows:

How does any secret policy affect the way you counsel and administer your students?

Obviously, in future there will be some effect on counselling within schools as a result of any secret policy. How can principals and staff be expected to carry out

responsible counselling when all the time they fear that behind them lurks a Minister, who has a batch of secret policies hidden in his drawer which he can pull out at any opportunity he chooses in order to pull the rug from under the feet of his professional staff? The third question is as follows:

How are schools to observe secret policies that they do not know about?

The answer is self-evident. In the past, Principals have believed that they have had autonomy and responsibility for making professional judgments affecting the staff and students within their schools. It appears that that autonomy has been more in the Minister's words than in his actions, because clearly the Minister has removed that autonomy from the Principals. The fourth question is as follows:

What impact does a secret policy have on schools within the State system?

I suggest that it has a profound impact, because it means that professional teachers are perpetually in fear, lest their decisions are over-ruled by their own department. This must have a damaging impact on professionalism and on morale, and I suggest that it has already had that effect within the Education Department. The fifth question is as follows:

In the context of the recent State Government-sponsored International Conference on "Worker Participation in Decision-making" how do you view this administrative decision of the Education Department?

I would suggest that most teachers would view it as a complete betrayal by the Minister and as total hypocrisy on his part in his interpretation of State Government policy in relation to worker participation. The sixth question is as follows:

What would be an appropriate membership for a working party to establish "guidelines for action on matters of this kind"?

I would suggest that, if a policy affecting the promotion of students were to be developed, it should be developed in conjunction with parents, Principals, and teachers: it should not be done behind closed doors in the Education Department and then posted in a list of secret policies about which principals and staff members know nothing. It is not only wrong but also almost incomprehensible that any Government should seek to bind teachers to policies, fail to promulgate those policies, and fail to make teachers aware of them. It is not going too far to say that many members of the teaching profession believe that they have been betrayed by the Minister.

How can the situation occur where a Minister develops a policy and keeps it secret for much more than a year, with the result that the parents, teachers, and students affected are unaware that it exists? How can the Minister permit the situation to exist in a school where the Principal and staff are steadfastly sticking to a decision that they believe is professionally correct and in the best interests of the students, and then suddenly the department pulls the rug right out from under the feet of the Principal and staff in order to give a decision in favour of promotion at the insistence of parents, rather than on the recommendation of the staff? The Minister should have given far more attention to this serious matter.

Not often does the industrial body representing teachers give a front page story to a criticism of its own department, but this happened in the South Australian Institute of Teachers *Journal* of 19 July. There has not been a satisfactory reply by the Minister; he has virtually evaded the question in his answer to the member for Mount Gambier and he has much to answer for to the teachers, Principals and the students of this State in terms of the

answer he gave, namely, that it has always been the policy, although it has been unspoken, and Principals have been aware of it all the time. That was not the case at the school concerned, and I believe that the Minister stands condemned for his irresponsible action in this regard.

**Mr. HEMMINGS (Napier):** I intend to speak about two items. The first deals with pornography and the attitudes of certain members towards this subject. Ever since I entered this House I and others have been subjected to being confronted outside the House and in the corridors of the House by people who insist on thrusting current pornographic magazines under our noses to try to get us to read them. I was even accosted as I came out of the Adelaide Railway Station. I am sure members on this side of the House, who know me as a shy and retiring person, know how embarrassed I was at that time. I was surrounded by quite a few people coming out from the station when a lady showed me the latest lurid pornographic magazine and asked me to read it.

**Mr. Max Brown:** It's always a lady, too.

**Mr. HEMMINGS:** Yes. Since the member for Coles has come into the House, she has set herself up as the guardian of the State's morals, especially where pornography is concerned. I know that there are other things for which she sets herself up as the guardian of the State.

**The SPEAKER:** Order! The member for Napier should say, "the honourable member".

**Mr. HEMMINGS:** The honourable member has told us many times that there is widespread concern over pornography and that this Government should be doing something about it. When the honourable member speaks about pornography, she states that she is reflecting the views of the community, not those of her political Party. I dispute that claim and suggest that the position is the exact opposite.

I believe that the Liberal Party (and especially the member for Coles) has found that there are a few people in the community, especially those in the Festival of Light, who insist that this State Government is permissive and is allowing all and sundry vices to come into the State. They have seized on this issue to try to embarrass the Government.

I have not had one complaint in my district about pornography or any other lurid magazine that is on sale. I have checked all the shops in my district and have found it virtually impossible to obtain a pornographic magazine. Then again, the people in my district are not really worried about pornography; they have plenty of other things, such as unemployment, to worry about. Since last Tuesday evening they have had even more to worry about, but that has been canvassed in the House enough over the past few days.

It seems that it is only in marginally held seats that there is this deep concern about pornography. I suggest that the whole question of pornography, as it concerns the Liberal Party, is simply a cynical political exercise. I remind members of what the member for Coles said during her Address in Reply speech. The honourable member threatened the member for Morphett (who is also a shy and retiring member on this side).

After he had interjected and asked the member for Coles whether she was talking about pornography, the honourable member turned on him and said (this is from memory) that the member for Morphett should take the subject of pornography seriously, because any member who was hanging on to his seat by a slight margin would do well to do so. I suggest to the member for Morphett that he takes the subject of pornography seriously, and the next time a lady comes to him with a plastic bag full of

pornographic magazines that he accepts one and reads it.

**Mr. DEAN BROWN:** I rise on a point of order, Sir. The member for Napier has just said that the member for Coles threatened the member for Morphet. If that were the case, that would be a breach of privilege of this House. I would ask you to rule, Sir, whether that was a threat, and whether, in fact, the privilege of this House has been breached.

**The SPEAKER:** I was not listening at the time the honourable member made his statement, because I was dealing with another matter, so I cannot give an opinion. If the honourable member wants to withdraw his remark, the opportunity is there.

**Mr. HEMMINGS:** I gladly withdraw the remark. Perhaps if I use the word "warns", would that be acceptable? The second matter concerns a statement made by the member for Mitcham. I am disappointed that he is not here to listen to what I have to say. During his Address in Reply speech he said that he had been told there were seven empty factories in Elizabeth. He covered himself by saying that he had not checked the facts, but that still did not stop him making that charge. He was very dramatic, and likened one industrial area to a scene from *On the Beach*.

I checked the facts and found that the member's informant was way off beam. I will give the true facts, and I hope that the member for Mitcham will read them in *Hansard*. One factory leased from the Housing Trust is empty. This used to be occupied by Ceramic Tilemakers Limited. Petbows, which is the only factory in Hewitson Road referred to by the honourable member and which was vacant until recently, has now been purchased by a local company called Shakespeare Engineering Pty Ltd. The premises previously occupied by Shakespeare Engineering already had an option taken out on them.

Ali Castings was closed not because of disenchantment with the State, but because of the shambles surrounding Flinders Trading. Those premises have now been occupied but are not being used for production because of extensive remodelling. Austral Bronze Crane has stated that it will move interstate in nine months, but there is every indication that, as a result of the purchase of Static General Engineering by the Commonwealth Aircraft Corporation, these premises will be taken over by that company.

So you can see, Mr. Speaker, that after checking the facts (which the member for Mitcham could have done) there is only one factory in Elizabeth that is vacant. I hope that, in future, when the member for Mitcham is giving information to the House, he makes sure that it is correct.

Finally, I say something about the Deputy Leader of the Opposition. During the debate yesterday afternoon I moved amendments to the motion, condemning the Fraser Government. The Deputy Leader said that it was obvious the Premier had framed the amendments, as I was not able to do so.

I had intended to take a point of order but, as we were to vote on the matter that evening, I thought I should wait until a later date. I assure the Deputy Leader that I framed my own amendment. Members on this side are extremely talented. We do not need to go to Ministers or to the Premier; when we want to frame amendments to some of the lousy, awful motions you put up, we will do so on our own.

**The SPEAKER:** Order! I think the honourable member should say, "the honourable member put up".

**Mr. HEMMINGS:** I am sorry, Sir. I am getting carried away. I was most incensed when the Deputy Leader made that charge against me yesterday. We are an extremely talented side. I think the Deputy Premier made the point;

one can go to the front, the middle, or the back benches, and we will still prove to be a better side than that on the Opposition benches.

**Mr. GOLDSWORTHY (Kavel):** The member for Napier is so talented that he made a thorough mess of the rates in the city of which he is Mayor. There was an error of 80 per cent. I understand there is a meeting tonight to protest at his lack of talent.

The matter I now raise relates to an answer by the Premier to a question I asked in the House today that I believe is cause for considerable concern in the South Australian community. The Premier admitted quite freely and openly that he is using the resources of his department for Party political purposes. The letter which was sent out from the Premier's Department—I have a copy—in support of a rally is on the Premier's crested and embossed letterhead. It is a photostat copy.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr. GOLDSWORTHY:** The cost of the photostat would be about 10c, postage would cost 20c a letter, and the paper is the expensive Conqueror watermarked paper, which the Premier uses. Each letter would have cost about 40c, and they went to business and industry throughout South Australia and, I believe, had a wide coverage. The letter states, in part:

The Federal Government's Budget, announced on Tuesday night, must be of great concern to South Australian industry.

It refers to some of the Budget measures, and concludes as follows:

I invite you, your colleagues, and your employees to participate in a protest rally to be held at the Festival Centre Plaza on Saturday 19 August at 10.30 a.m. I look forward to speaking with you at the rally. Yours sincerely, Don Dunstan, Premier.

I understand that the rally was organised before the Federal Budget was brought down and that advertising on radio stations was booked before the Budget, so we know how sincere the Government is in this rally. This is the dodger—

**The SPEAKER:** Order! The honourable member cannot exhibit the document.

**Mr. GOLDSWORTHY:** The dodger in support of the rally was authorised by Chris Schacht, an official of the A.L.P. He has authorised the radio scatters supporting the rally, and the dodger states that at the Budget protest rally the speakers will be Don Dunstan, Premier; Mick Young, shadow Minister for Industrial Relations; and Ray Doyle, Unemployed Workers Union. The rally is authorised and is called by the Australian Labor Party and the United Trades and Labor Council, Trades Hall, Adelaide. The rally is purely and simply Party political. The Government cannot deny that. It is a Labor Party and Trades Hall rally to protest at the Federal Government.

**Mr. Dean Brown:** An A.L.P. rally.

*Members interjecting:*

**Mr. GOLDSWORTHY:** It is an A.L.P. rally. We could take a like situation. In Government we could have used Government resources to fund the Salisbury rally. The public will not accept this sort of behaviour. It is quite improper. The Government's justification is that the Leader of the Opposition has gone interstate to talk to the Federal Treasurer. Certain Parliamentary travel is authorised by the Government and accepted by Parliament. That is my first point. The expenses incurred by the Leader and the member for Chaffey are in line with the ground rules laid down by the Government, accepted by Parliament and known to the public.

Secondly, regarding the Leader's trip, he is on legitimate business as Leader of the Opposition. He is there to represent the whole of the wine industry in a submission to the Federal Treasurer. No-one in his right mind would suggest that the Leader is on anything but legitimate Parliamentary business, but for anyone to suggest that what the Premier is doing is legitimate Parliamentary business is completely false. If we accept this principle, we might as well set up an office of the Australian Labor Party in the Premier's Department to organise A.L.P. functions.

**Dr. Eastick:** Isn't it there already?

**Mr. GOLDSWORTHY:** We know he has what is called his political staff. We know of the earlier incident when the Premier sought support for his \$200 dinner, when the cards were printed and delivered personally by an employee of the taxpayers at public expense. That was bad enough, but now we have a more serious incident, where the Premier has openly admitted to Parliament that he is using his office for Party-political purposes at taxpayers' expense. If we accept this principle, the A.L.P. head office might as well move up to the Premier's office.

*Members interjecting:*

**Mr. GOLDSWORTHY:** We know we are on a tender nerve when Government members interject in this manner. There is no caution and they think that they can get away with anything. So does the Premier; he thinks he is the Almighty! He can, with no notice, sack Salisbury, and he can use his office and taxpayers' funds for any purpose that he deems reasonable, including Party-political purposes. This a disgraceful situation. More than half the public of this State, 56 per cent of voters, elected the present Federal Government, and its mandate was reinforced in South Australia. Indeed, the South Australian vote was as strong a vote for the Federal Liberal Government as any vote that the Premier has received recently. What will the 56 per cent of people who voted for the Federal Government think about their funds going through the Premier's office to the A.L.P. for Party-political purposes? They would be alarmed, and it is my view that the other 44 per cent, even if they did vote for the Federal Labor Party, should be concerned about taxpayers' funds being used at the Premier's behest for Party-political purposes.

**Mr. Dean Brown:** Where did they get the names and addresses?

**Mr. GOLDSWORTHY:** The Premier's staff was employed in preparing the letter. Public resources were used to pay for the letterhead.

**The SPEAKER:** Order! The honourable member is not allowed to exhibit any document.

**Mr. GOLDSWORTHY:** I am quoting from it.

**The SPEAKER:** The honourable member is entitled to quote from it.

**Mr. GOLDSWORTHY:** This letter was sent out from the Premier's Department at public expense to support the A.L.P.'s point of view.

**Mr. Wilson:** It must have been prepared before the Budget.

**Mr. GOLDSWORTHY:** I have referred to that. The radio stations in South Australia were teed up last week; that is how sincere—

**Mr. Groom:** What's the date of the letter?

**Mr. GOLDSWORTHY:** The honourable member knows the date of the letter, but we know that the radio stations were teed up last week. Certainly, it would look rather phoney if the date on the letter predated the Budget. I recognise that the A.L.P. has sufficient intelligence to see that such a mistake would be embarrassing. The letter is dated 16 August. The Premier's actions indicate to me that this fellow thinks he can do what he likes with taxpayers' funds. Things have reached a serious state when the Government and the Premier can for purely Party-political purposes use taxpayers' funds in this manner.

I was disturbed indeed by the answer I received to my question today, and it is ludicrous to suggest that there is some comparison between an authorised Parliamentary trip for which provision has been made and Parliamentary agreement obtained and the willy nilly use of taxpayers' funds in this manner.

Motion carried.

At 4.26 p.m. the House adjourned until Tuesday 22 August at 2 p.m.