HOUSE OF ASSEMBLY

Thursday 1 March 1979

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

ASSENT TO BILLS

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

Appropriation No. 1, (1979),
Eight Mile Creek Settlement (Drainage Maintenance) Act Amendment,
Evidence Act Amendment,
Legal Practitioners Act Amendment,
Securities Industry.

DOG CONTROL BILL

The Hon. G. T. VIRGO (Minister of Local Government): I have to report that the conference on the Bill has not been concluded. Accordingly, I move:

That Standing Orders be so far suspended as to enable the sitting of the House to be continued during the conference on the Bill.

Motion carried.

At 9.35 p.m. the following recommendations of the conference were reported to the House:

As to Amendments Nos. 1 and 2:

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

As to Amendments Nos. 3, 4, and 5:

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

As to Amendment No. 6:

That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:

Page 5, lines 19 to 21 (clause 12)—
Leave out all words in these lines.

and that the House of Assembly agree thereto.

As to Amendments Nos. 7 to 19:

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

As to Amendment No. 20:

That the Legislative Council amend its amendment by adding at the end thereof a new subsection as follows:

(6) No fee shall be payable for the registration of a guide dog for the blind.

and that the House of Assembly agree thereto.

As to Amendment No. 21:

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

Later:

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

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

The conference, I believe, has been a quite significantly successful one. We were able to persuade the managers from the Legislative Council not to insist on the bulk of their amendments. In short, the three points involved in the amendments to which the Assembly managers agreed were, first, the amendment of the Legislative Council which in effect means that a district council shall not be mandatorily required by the Act to establish a pound, but that a municipal council will. We see no difficulty at this stage in relation to this matter, particularly when one reads the rest of the legislation, because one finds that there are requirements on the council via its warden to seize dogs and hold them. Clearly, if dogs are going to be held, there must be a facility to hold them, whether it is in a pound or whether the warden is going to stand with the lead in his hand over the weekend holding the dog. That is his worry or the council's worry, not ours. We find no great problem with that.

The second variation was in relation to clause 12 (2) *(b)*, which required the surplus of any funds collected in any financial year that are not expended in the area of this Act to be surrendered to the Central Dog Committee. This is a clause that has concerned a number of us, because we realised that, whilst the intent of it was to ensure that councils expended the money they received from dog registrations in pursuit of this legislation, anomalies could arise where they spent more than they received in one year but had an excess the following year, as they would be out of pocket. It was not difficult to agree to the suggestion of the Legislative Council that that subclause should be deleted, bearing in mind that the councils are required to separately account for and provide details of their account to the Minister.

Mr. Mathwin: They could have collected it under another Act if they wanted to.

The Hon. G. T. VIRGO: Yes. Councils will be required to act separately and report to the Minister on their activities. If a council is spending money it has received from dog registration for general council purposes, that will show up clearly. If that is widespread, at some later stage we will have to take appropriate action. The Legislative Council did not proceed with its intention to delete the provision relating to the Central Dog Committee, which is good. Indeed, I made the point last Monday at a meeting of the Local Government Association that with the deletion of the Central Dog Committee the Act would be quite useless.

The other place desired that the half fee for working dogs and dogs owned by pensioners, and no fee for guide dogs for the blind, be written into the Act rather than in regulations, and we find no difficulty there. The whole conference revolved around the question whether an owner of a dog should have the option of a tattoo or registration disc. I am very pleased to report that the view of this House finally prevailed, and this clause as included in the Bill remains. In other words, once the Act is proclaimed, it will be mandatory for all dogs, with the exceptions provided for special cases, up to three months to be tattooed. Therefore, we will see the phasing out of the disc and the phasing in of the tattoo.

Mr. EVANS: I support the motion. I do not wish to go through every point: I believe that the Minister explained the results of the conference very effectively. It may have taken several hours to reach the conclusions that we reached, but I place on record my thanks and congratulations to the persons in another place. After having explained to them all the reasons why this House believed it was essential to retain the central committee in particular, and the tattooing of dogs when registered as puppies, they understood the points we were driving at and saw the need to adopt them. I place on record my appreciation for the responsible action they took after all the facts were put to them. The only thing we have really lost out of the Bill is the provision that councils must pay

any surplus into the central fund. People who keep dogs in the community will be able to keep their eye on local councils to see that they use the money properly. I strongly support the motion moved by the Minister in accepting the recommendations of the conference.

Dr. EASTICK: I also commend the decision which has been taken by the managers from another place and this House. I believe that the new Dog Control Act is long overdue, and that has been generally recognised. The genesis of the change probably took place in a deputation that I took to the honourable Minister in 1971. That deputation included representatives of the R.S.P.C.A., and Mrs. Joyce Richardson, who was then Vice President of the Animal Welfare League. Although it was not possible, with the alterations that were taking place to the Regulation of Dog Act at that time, to proceed as far as was desired by various parties in the community, undoubtedly the highlighting of the difficulties resulted in the working party and the other committees which were subsequently brought into existence.

It was necessary to take some very decisive action to ensure that the Act, when proclaimed, would be worth while and that it would allow those dog owners who look after their animals to enjoy a reduced registration, and the increase in the costs necessary for the overall dog problems of the State to be borne by those people who failed to accept the full responsibility of dog ownership. The existence of a tattooing system will progressively allow the situation to improve.

The Minister has indicated that there will be a transitional phase. We must face facts and acknowledge that the transitional phase will probably extend over a period of about 15 years, because it could be expected that dogs of three or four months of age now, which will not have to be tattooed, will live for that period of time. Accepting that the age span of a dog is generally recognised at about seven years, the vast majority of the dog population will come into the tattoo-identified group within the next seven or eight years and the end result will undoubtedly be of advantage to this State. The conference was undertaken in the right spirit. It was a tight conference where commonsense prevailed, and I commend the decisions taken.

Motion carried.

EMPLOYEES REGISTRY OFFICES ACT AMENDMENT BILL

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I have to report that the managers for the two Houses conferred together at the conference, but no agreement was reached.

SOUTH AUSTRALIAN THEATRE COMPANY ACT AMENDMENT BILL

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

As to Amendment No. 1:

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

As to Amendment No. 2:

That the House of Assembly do not further insist on its disagreement thereto.

Later:

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

Consideration in Committee of the recommendations of the conference.

The Hon. J. C. BANNON (Minister of Community Development): I move:

That the recommendations of the conference be agreed to.

Although the South Australian Theatre Company Act Amendment Bill deals with a number of matters, the only matter in dispute concerned the question of membership on the board of governors of the Theatre Company. This Bill, as it left this House, simply sought to enlarge the definition of the "company of players" to provide that all employees of the company, with the exception of the executive group of that company (the Artistic Director, the General Manager, and Director of the theatre-in-education section of the company), would be eligible to vote for a member of the board and also to stand for the position of employee representative on the board. As the amendments were returned from another place, the provision was added that the executive group would have a member on the board in their own right. In fact, it was not worded in those terms, because it referred specifically to the Artistic Director of the company being a member of the board. It was on this point that disagreement occurred, and the matter was finally placed before the conference of managers.

It was resolved by the managers that, while the House of Assembly was prepared to agree that the definition of the employees of the company be broadened to include the executive group (that is, the exclusion in the Bill as it left this House would be omitted), the Council, for its part, would not insist that the Artistic Director be a member of the board of the theatre company. The representatives from another place said that they accepted the view that it was impossible to designate a particular executive officer from the company and because of the structure of the company and the way in which it operated, it would be far better not to have a specific executive or management member nominated as a member of the board. It was on that basis and for that reason that agreement was reached. We therefore have before us the agreed recommendations of the conference.

Motion carried.

PUBLIC ACCOUNTS COMMITTEE REPORT

The Hon. J. D. CORCORAN (Premier and Treasurer): I move:

That Standing Orders be so far suspended as to enable me to move a motion without notice.

Motion carried.

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

That the report and recommendations of the Public Accounts Committee on the financial management of the Hospitals Department, laid on the table of this House on 28 February 1979 be noted, and that such suspension remain in force no later than 4 p.m.

Yesterday, the report of the Public Accounts Committee on the financial management of the Hospitals Department was tabled in this House. The report, a rather bulky document, resulted from a long and extended inquiry during which there were many changes not only in the areas of the State health services but also in the committee itself. The inquiry spanned a period that saw perhaps the greatest growth of health and hospitals systems throughout

Australia, accompanied in South Australia by the most sweeping reorganisation and restructuring of the institutions making up that system. It was a very ambitious undertaking. The committee tried to absorb and interpret a great mass of technical and management information.

I will deal with the main points of the report later, but I must say that there are signs within the report that the committee bit off more than it could chew, and it could not really cope with a task it had set itself. Indeed, the committee's own assessment is that it should never again attempt such a task. Nevertheless, the report is an important one. It gathers together much information and much interpretation and at times provides useful insights into complex and difficult questions of management.

Before referring to some of the committee's conclusions and recommendations, I think it is important to put this report in context. In other words, to get the right perspective on it. I know that that is difficult for Opposition members. They are really jumping around, and I know from yesterday's events that they are like undertakers waiting for a local millionaire to die. However, I have bad news for them, because there isn't going to be a corpse. Those of us who had to wait to see what was in the report before deciding what had to be done about it (and the Leader of the Opposition must have taken a speed-reading course: he was not reading a beginner's guide to plumbing) can see, as the report points out, that much of the material is historical. This report refers to the past. As the Government has been taking vigorous action on a variety of fronts to remedy many of the problems, many of the circumstances discussed in the report no longer apply.

But a far more important point, and one that must be kept in mind throughout our consideration of the report, is that South Australian health and hospital services are now the best in Australia.

Mr. Goldsworthy: Ha, ha!

The Hon. J. D. CORCORAN: The Deputy Leader can laugh, but I say that without any fear of contradiction. Other States look to us in admiration. The standards of medical and hospital care available to the ordinary person, to the ordinary family, are absolutely first rate. There is a high level of public confidence in the services provided, and that confidence is justly deserved. To get to this point, however, it has been necessary in the seventies for this Government to give health services one of the highest priorities in Government spending. There was no other way. In 1970, before we came to Government, South Australia had the unenviable reputation of providing the poorest range of hospital services of any State in Australia. After decades of neglect under Liberal Governments, we had a vast amount of ground to catch up.

We have done that, and the people of this State have recognised the great value of this transformation to them by consistently voting for continuation and improvement of the health services now provided. I know all this is very hard for the Opposition to take. Regardless of the situation, regardless of what the report says, and regardless of what the Government has done and is doing, they are after blood. Well, my advice to them is to make an appointment at the Blood Bank, because I am going to make one thing absolutely clear: we have put a vast amount of effort into establishing our health and hospital services at the high levels we now enjoy. We have put a vast amount of work into the reorganisation of those health services in the form of the South Australian Health Commission. That difficult and complex task was begun only two years ago and, when problems have arisen, we have attempted to act swiftly to minimise them. We have put a vast amount of effort into improving efficiencies, reducing waste, instituting new management procedures, staff controls, budgetary arrangements, and all this effort is paying off.

But we are not complacent. We are not looking for soft options. We recognise that there are many things still requiring to be done. We do not need this report to tell us that there are difficulties and problem areas that must be tackled: that is why we have been pushing hard in this area for many months now.

Let me tell everyone that this effort will go on, and it is going to be increased. There is no way I am going to put up with inefficiency: there is no way I am going to put up with waste: there is no way in which I am going to stand by if people do not pull their weight and do their utmost to make our health and hospital services not only the best but the most efficient and effective possible.

I have already announced that I have charged a top-level group of public servants with the vigorous pursuit of the issues raised in this report and elsewhere. I have already foreshadowed action to bolster the policy and management effectiveness of the South Australian Health Commission. These moves will be pursued with the utmost determination. I want the best out of South Australia's health and hospital services, and I am going to have the best.

I know that the Opposition is looking for scapegoats. They have been desperate for an issue to cloud their own internal wranglings and the disastrous showings of their Leader in successive opinion polls. I know that they want a blood-letting of some sort, but I am not going to pander to their warped desires.

There are aspects of this report that reflect badly on individuals within the system, and appropriate action will be taken to ensure that those situations are not repeated. But the fundamental thrust of our effort will be on further improvements, further consolidation, further achievement of excellence, and not on witch hunts.

The most general point that the Public Accounts Committee has tried to make in its report is that, for the most efficient and effective management of our hospital system, it is essential to get responsibility and accountability sheeted home in the individual hospitals. It is important that controls on costs, on staff, on use of facilities, and on day-to-day management matters should be clearly in the hands of the board and management of the hospitals, rather than held centrally in the Hospitals Department in some heavily centralised bureaucratic arrangement. The committee recommends a strong move to decentralisation, in the faith that delegation of responsibility will lead to a significant increase in the effectiveness of management.

The Government has no quarrel with this thinking, and indeed why should it—because that in fact is the fundamental philosophy behind our establishment of the South Australian Health Commission. Members should be aware from the debates in this House that the granting of autonomy to hospitals is a fundamental aspect of our whole reorganisation of the hospital and health services in South Australia. We have written it into the Act. It is the law of this State. A prime objective of the current establishment of the Health Commission is to achieve that goal, and we are progressing steadily along that path.

But it is one thing to endorse the Government's philosophy and to support its aims; it is another to say that in practice these changes are possible now. To be quite frank, it would be irresponsible for anyone to turn to the hospitals and say to them, "It is all up to you now. Here's your money for the year. We will see you in 12 months time. You just get on with the job." They simply do not have the capacity. They do not have the appropriate staff facilities to take on the complexities of these arrangements

by themselves, without a careful transition. We are now going through such a period of transition. We will do everything possible to ensure that it continues, at least at its present pace. But the public must recognise that the ultimate achievement of these arrangements will take some time yet.

Thus, on this major general point, the committee is doing little more than endorsing established Government policy and action. I must take issue on two points with the committee in this area. In the first place its comments about a large central office staff and Public Service type procedures being imposed on hospital boards simply does not fit the situation. As its own report points out there is a central staff of some 225 persons. There are ways in which this staff can and will be reduced as the hospitals themselves become more accountable and more responsible for their own affairs. However, let us not forget that the Health Commission, under its Act, has ultimate responsibility for the operation of a very large set of organisations. There is a total staff of some 16 000 persons. The annual budget is the region of $390 000 000. In that context, the central staff is appropriate and necessary.

Indeed, to develop, implement and improve the budgetary and staff estimates which the committee recommends, it is absolutely essential to have a strong and highly skilled central staff housed in the commission. It is essential to have top-rank planning and monitoring capacity. It is essential to have the best minds available considering the present and future direction of hospitals and health services policy. You cannot have it both ways. You cannot run an efficient and co-ordinated system without such capacities.

The second point to which I refer is a basic contradiction which runs through much of the discussion in the report. While placing great emphasis on delegation of responsibility to individual hospital boards (and I must remind the House that there are many institutions other than large hospitals involved in the Health Commission's operations), the committee's most pointed comments are directed at the hospital level. However justified or unjustified the particular comments might be, that is, in general terms, an argument for a cautious transition from central management, which we used to have some years in the past under the Hospitals Department, to co-ordination of basically autonomous institutions. On the one hand, the committee says that the Hospitals Department was at fault because it did not check up on every aspect of every problem. On the other hand, it tends to recommend that many of the checks should in fact be abandoned in favour of general accountability at the institution level. Again, you cannot have it both ways.

One of the areas causing most specific concern to the Government has been the apparent inability of the Hospitals Department to respond promptly and appropriately to the requests and queries of the Auditor-General. As this House has been told before, the former Premier and I have taken specific action on a number of occasions to follow up all the auditor's comments, and to implement improved systems as a result.

It annoys me considerably that, despite this, there are still areas, however small, that need clearing up. I am informed basic arrangements between the Health Commission and the Auditor-General's office are now operating satisfactorily and that outstanding issues are being handled appropriately, but it is obvious from the discussions in the report and other information made available to us that over an extended period the vital role of the Auditor-General was not sufficiently recognised in the hospitals area, and that a general air of complacency about remedying short and longer term deficiences existed. That situation has now changed. Quite categorically, I will not tolerate any repetition of those events at all.

One section of the report relates to budgetary control. Generally, the Government agrees with the direction of its recommendations. Indeed, they are little more than a restatement of the Health Commission's aims in that area. Before I discuss the comments in detail, I repudiate with considerable force the unsubstantiated and, in my view, unsupportable statement on page 5 of the report:

> The complete lack of effective systems of budgetary control to contain spending to real needs applies to most Government departments, and the Hospitals Department is no exception.

That statement is a gross exaggeration.

The Hon. R. G. Payne: How would they know?

The Hon. J. D. CORCORAN: There is nothing to support that statement; it has not been substantiated in any way. The South Australian Government budgetary controls are considered highly within out nation: our Treasury officers are held in the highest esteem thoughout Australia. They have consistently achieved the highest standards in their operation and have assisted the Government immeasurably in keeping closely to budgetary aims. This has been recognised publicly, and indeed in this House by members of the Opposition, so let us keep that in perspective.

In all the work that the Health Commission has been undertaking, the development of appropriate budgetary systems has been central. Work on the development of these systems began early, and is continuing. In general terms it is pointed in the same direction as indicated by the recommendations of the Public Accounts Committee in this area, and it is heartening that the committee was able to see that the basic approach being adopted is the right one.

The tone of the report, however, appears to suggest that these new systems should be brought in virtually overnight. This might be a great wish, but it is simply not practicable.

What must be kept clearly in mind in considering these questions is that the large modern hospitals in South Australia are extremely sophisticated and complex organisations. Running the Royal Adelaide Hospital is not like running the corner shop. Although the principles of budgetary control can be seen clearly, their detailed application and implementation require considerable thought and development, and it is not a matter of having a go with something that may or may not be suitable. New systems can be brought in only if you can be confident that they not only will achieve the broader objectives desired, but will operate effectively and practically in a day-to-day situation. There is no use having an elaborate system with the right philosophy if it cannot deliver the goods in terms of the basic running of the hospitals. It would be irresponsible to rush headlong into new systems. The course we are adopting is the right one. We will press on with it as quickly as we can. I point out to Opposition members that not the least of the hazards of this work is the frequent, almost random, changes that come from the Federal Government. If the Fraser Government had some clearer idea of what it wanted to do in the health financing area, it would be much simpler to institute costing, pricing and budgetary control procedures on a settled basis.

Currently, a team headed by the Public Service Board expert in this area is working on management information requirements in the Health Commission, with particular reference to budgetary and staff establishment controls. It has completed an interim report on the current state of

affairs in the financial administration of the Health Commission, but it is not yet ready to make firm recommendations for action.

The Government expects a final report within a few weeks, and I can assure the House that, after consideration, appropriate action will be taken as soon as possible. I must admit that, although my role in Government requires me to look at figures on many matters, I have a continuing healthy scepticism towards the use of statistics in certain circumstances (the member for Davenport knows about that). I must admit further that, in looking at the section of the Public Accounts Committee Report that deals with staffing matters, that the feeling of scepticism became quite strong. I am not at all suggesting that the committee has attempted to manipulate the figures, or even in any instances presented them wrongly, but I am quite sure that the statistics have been presented without proper context and in a way which would lead the uninformed reader to believe that things are very much worse than they are.

For instance, the figures for overall employment in the health and hospital system are quoted up to June 1978, and I believe that they are quoted fairly accurately. What the committee has not done, however, is ascertain what the situation is now and, contrary to all the assertions about unnecessary or abnormal growth, I can inform the House that, in the six months between June and December 1978, overall staffing in this area actually decreased. In the area of Public Service staff, for example, there has a been a reduction from 3 366 in June to 3 286 at the end of December. Total staff numbers declined from 16 417 to 16 140 in the same period.

Whatever the Opposition might like to say, and whatever the Public Accounts Committee's observations, that says a great deal about responsible management, control of staff and keeping to budgets. This has been achieved by the Government acting as a responsible employer. Whatever the pressures of the Opposition, we do not intend to engage in the wholesale sacking of people who have given faithful service for many years in our public services; they deserve our protection, and they will get it. We are making economies and will continue to do so, but we will not do it callously by throwing large numbers of people out on the dole. We do not share Mr. Fraser's creed that unemployment, and not full employment, can be brought within the reach of all.

Let us make sure that the figures that have been presented give the right picture. The committee talks about a very large percentage increase in staff between 1967 and 1978, and has compared it with a figure for the number of in-patients per day. But let us consider the circumstances, and the vast increase in the sophistication of our hospitals, where advanced heart surgery is almost a matter of routine; where various transplant operations are performed with high rates of success; where the road accident victim is given a full range of medical and surgical support, which was simply not available a relatively few years ago.

Look at the change that has been brought about in the area of mental health, where the programme has featured the treatment of patients outside of the hospital more strongly than through admission. Consider the fact, too, that our nurses used to be required to work a 48-hour week instead of the 40-hour week today. In the same period their award has provided for almost a doubling of the amount of recreation leave. In their training, they now devote 1 000 hours of paid time, whereas previously it was only 250 hours. Out of that we get much better trained and much more competent and knowledgeable nurses. The standard of care that they have provided has risen considerably. These are factors that the Opposition would choose to pass over and pretend have not happened.

I would like, at this point, to refer briefly to a basic mistake which the committee appears to have made in its report. It points to the fact that a very large number of student and trainee nurses are taken on at the Royal Adelaide Hospital and that, in fact, only about 25 per cent of them are subsequently employed by that hospital. It appears to imply that there is something grossly astray, but the reality of the matter is that the Royal Adelaide Hospital acts as a training centre for many other hospitals which have no trainee capacity, and those additional trainees, on their graduation, are employed elsewhere.

The committee points out that there are some 380 nurses currently unemployed. We are not happy with that situation, of course, but that is out of a total of about 16 000 altogether, and that figure has been kept as low as it is because of the action already taken to reduce the intake of trainees each year and to ensure that there will not be significantly more nurses seeking jobs than jobs available.

I spoke earlier about the need for a strong and competent central administration and financial staff in the Health Commission. I urge members to look closely at the figures contained in the report, keeping in mind the policy and co-ordination role entrusted to the commission under the legislation passed in this House. They will then see that the recommendation that most of the central office staff should be transferred from the Health Commission to the hospitals is quite unrealistic. If that happened, I can assure members that within a short time the Auditor-General and probably the Public Accounts Committee would be telling us to smarten up on co-ordination, budgetary control, staff control, and cost control, so that particular recommendation is one I am sure the committee would have preferred not to make.

A great amount of attention has been paid over the past year or so to the question of food costs in public hospitals. The matter has been raised and dealt with in some detail in this House. I do not intend to go over all that ground again, because that would serve no purpose. Several things, however, must be said, and said clearly. To begin with, the control over the purchase and use of foodstuffs in our various hospitals has shown inadequacies in the past. These inadequacies made it possible in certain circumstances for abuses to occur, and doubtless in some cases abuses did occur. Early indications of these difficulties appeared within the Hospitals Department, and in fact were taken under notice by the Public Accounts Committee towards the beginning of its inquiry, but insufficient attention was paid to the problems within the department, and insufficient follow-through took place.

The Government has, however, acted on this matter, and it has acted decisively. As honourable members will be well aware, Dr. David Corbett, a Commissioner of the Public Service Board, headed a committee to review and report on the control of consumables at Government institutions last year. The committee's report was tabled in Parliament in July. Specific deficiencies were pointed out and corrective measures specified. The Health Commission, with assistance from Public Service Board officers, was instructed by the Minister of Health to carry out the recommendations. This has been done and regular progress reports on the effectiveness of the new control measures have been issued by the Health Commission. Savings of meat and other consumables have been achieved. A follow-on examination of the use and control of pharmaceutical, medical and surgical supplies in Government hospitals has also taken place, and the results

of this extensive study have been included in a report completed only this week.

As the Public Accounts Committee's report points out, much of the material on which it is commenting is historical material; it deals with the past. The circumstances have now changed, and I can assure members there is no way in which this Government will tolerate a recurrence. However, I must place on record that I take the strongest exception to some statements in the report, which I believe quite misrepresent the situation and have no backing in fact. On page 7, the report states:

> The Public Accounts Committee investigations illustrate the total lack of control the Hospitals Department had over costs.

At no stage could it ever be said that the Hospitals Department totally lacked control. There were deficiencies certainly, but they were limited to certain areas. They were comparatively small in significance compared to the overall budget involved. The committee has overstated its case, and, I must say, in doing so has challenged the credibility of its own judgments in some other areas. Further, on page 7, the report states:

> For several years prior to April 1975, wholesale pilfering of foodstuff was taking place at the Northfield wards.

This is a gross exaggeration. As has been explained in the House previously, control systems at Northfield were inadequate and they were such that it was possible for pilfering to take place, and doubtless some pilfering on some scale did take place. But it is quite irresponsible to move from that factual situation to wild allegations which are unsubstantiated. As members will recall, the greater part of the pilfering that was alleged to have taken place was shown to be a matter of miscalculation. The officer, who was calculating a theoretical figure (a figure without any relationship to the practical method of operation in the hospital), was assuming in the usage of meat, for example, that 3 oz. of raw meat per meal was adequate.

That is about the size of a small short loin lamb chop. I can assure the House that certainly would not be adequate for me, and I do not think it would be adequate for the Leader of the Opposition, either. In other words, a gross miscalculation has occurred. It was a totally unrealistic and theoretical approach to the situation, creating shortages that never existed. A very thorough police investigation was instituted as a result of allegations in this area. No charges resulted. It is clear from the improvement in performance that we have achieved that in certain institutions (and this has been recognised in the committee's report) some pilfering would have taken place and there was some wastage of food. But this has been, and is being, remedied. The controls now instituted will ensure that improvement in this area will be continued.

On the further matter of the establishment and operation of the Frozen Food Factory, the House will be familiar with the information already provided by the former Premier. The intensive examination of this question, conducted by a committee under the Chairmanship of the Deputy Under Treasurer, Mr. T. A. Sheridan, has been reported. The factory is now being managed under the auspices of the South Australian Development Corporation, and reorganisation is taking place with a view to maximising the usage and cost effectiveness of the development. Further work on this matter is under way, and a report is expected before long. The Government intends to pursue vigorously, within the institutions being serviced by the Frozen Food Factory, the achievement of standards of efficiency and cost control already able to be observed in such places as Modbury Hospital.

As result of the examination of the operations of the factory it is considered that further reduction in staff may be achieved with consequent saving. This is an area where the Health Commission is concerned to ensure that the autonomy of individual institutions does not lead to continuing significant differences in cost levels. I will not dwell on the details, but I am informed that some of the figures on costs contained in the discussion of the reconstitution of frozen foods in the committee's report reflect a miscalculation, and should be treated with some caution.

I do not intend to pursue any further particular points raised in the report. Most of them have already been dealt with by the Government action or are being dealt with currently. There are a good many also where my advisers believe that the view taken by the Public Accounts Committee may be less than fully supportable. Other speakers in the debate may refer to such matters.

Before I close, however, I cannot re-emphasise too strongly that it is essential for this report and its conclusions to be considered in their true perspective. It is a report which refers in many instances to circumstances which have now passed. It deals specifically with the Hospitals Department, which was superseded by the Health Commission more than two years ago. The broad principles lying behind the committee's recommendations are in fact little more than an echoing of the Government's clearly established and stated policies for the development of effective and efficient management of the entire hospital and health services system. Those principles are reflected in the Health Commission legislation enacted by this Parliament. The Government is pushing ahead with all responsible speed to introduce the financial and staff control systems which it is planning and which it appears from the report that the Public Accounts Committee would support.

I have said earlier today and I will say again that there have been deficiencies in the past which we have acted to correct. I will not stand for inefficiency; I will not stand for waste. Tough action is being taken and will be taken to further improve the policy and management effectiveness of our health system—and that includes the Health Commission in its policy, co-ordination and controlling functions as well as the individual hospitals and institutions. As the first step in this action, I have already instructed three of our most senior Public Service officers to undertake a thorough assessment of the report and to make recommendations to me for consideration by Cabinet on any necessary additional action. These officers are: the Director, Policy Division, Premier's Department (Mr. Guerin), who will be Chairman of the group; the Deputy Under Treasurer (Mr. Sheridan); and a Commissioner of the Public Service Board (Dr. Corbett). Sir Norman Young has agreed to provide advice to the group on financial and management questions. I have also had discussions with the Minister of Health and the Chairman of the Health Commission, and announcements about further actions will be made in due course.

But let us not forget that the health system about which we are talking is a truly magnificent system providing the highest standards of personal, medical and hospital care. It is a system which has seen great improvement and great innovation in the seventies.

Even honourable members opposite must acknowledge that outstanding clinical services provided for patient care at new institutions, such as Modbury Hospital, Strathmont Training Centre, and Flinders Medical Centre are an impressive achievement. There have been vast improvements in staff training programmes at all levels. Community health programmes, domiciliary care services, the dental therapy programme, and community psychiatric services have all been implemented over the past decade,

and are acknowledged to be the best of their type in Australia. It is true that staff numbers in hospitals and other health units have increased over this period, but the community has gained substantially as the result of the provision of these improved services. And we have not solely concentrated our health service efforts in the metropolitan area. Indeed, we have made certain that many impressive improvements have occurred in our hospital and health services in country areas.

Similar comments could be made about the psychiatric hospitals, where accommodation and care have been progressively upgraded and improved in recent years.

The range of treatment services now available to all South Australians should be a source of pride to members, and this major fact should not be overlooked when considering the criticisms outlined in the Public Accounts Committee report. The Government has acknowledged that there have been difficulties and shortcomings in the administration in some of the areas under the auspices of the Health Commission, but I can assure honourable members opposite that this Government will see to it that all the action that we need to take in future will be taken, and they can rest assured that the things I have said about waste and about efficiency are supported very strongly by the team that backs me. The people of South Australia can be sure that no stone will be left unturned to see that anything that happens to be revealed in this report or in any investigation that we ourselves initiate and implement will be dealt with speedily and forcefully.

Mr. TONKIN (Leader of the Opposition): I expected yesterday, when the Premier agreed to bring on this motion for debate today, that he would perhaps have something more to offer than the parade of excuses and assertions that we have heard this afternoon, at some length and repetitively. The Premier has glossed over the major issues. He has introduced red herrings. I, too, am proud of the health services which this State provides. I believe that they are of the highest standard. That is not at doubt; it is not even in issue.

The very trenchant criticisms the Premier has made of the Public Accounts Committee, criticisms which I do not support, reflect upon members of his own Party as much as they reflect on the committee as a whole. The Premier has said today, by inference, that nothing will change, that nothing is going to be different as a result of the Public Accounts Committee report, and that the Government is going on in the way it determined beforehand.

This report is the most alarming account of mismanagement, irresponsibility, negligence, and downright incompetence that has ever been tabled in this House. So trenchant are those criticisms, so well documented are its accounts of waste, theft, inefficiency, incompetence, and irresponsibility, that it really should not be called a report at all.

Mr. Slater: It sounds like the story of the Liberals.

The SPEAKER: Order! The honourable member for Gilles is out of order.

Mr. TONKIN: What we have here is an indictment (a massive indictment, a bipartisan indictment) of this Government's fitness to control the State's finances at all. Let there be no doubt about the severity of the matter: the waste, the incompetence, and the bungling are of such scandalous proportions that, if we were dealing with a private organisation, it would be in serious breach of the Companies Act. If we were dealing with a private organisation, without doubt its directors would be replaced, and probably prosecuted, and its senior management would be dismissed. If we were dealing with a private organisation that had shown the same disregard for efficiency and accountability, it would have gone to the wall years before.

However, we are not dealing with a private company: we are dealing with a branch of government that has wasted many millions of taxpayers' dollars—what is worse, a branch of government that has continued to waste many millions of dollars of taxpayers' money even after its accountability and efficiency had been brought to the notice of its Minister and the Government year after year by the Auditor-General. Under this Government's maladministration, nothing of any substance has been done to correct the very grave faults evident for so many years. The Premier can point as much as he likes to the various steps that he has taken. But have the people of South Australia seen any results from those steps? The answer obviously is "No, they have not." All that has ever been attempted (and that has been only occasionally) has been a little cosmetic surgery—the appointment of a steering committee here, an advisory body there, and committees of inquiry everywhere. It has made no significant change in the total picture of waste, incompetence, and mismanagement.

Is it any wonder that it has been so ineffective? Time and time again, the report refers to committees whose investigations and recommendations have been thwarted or ignored. The inquiries have been held in many cases, but their findings have been ignored, or thwarted by the premature disclosure of what they were about—the statement in the committee's report that a police inquiry was thwarted by the blowing of the cover of the constable involved in the inquiries at Glenside; the public announcement, while the inquiries were going on, that police inquiries were to be held into certain aspects: a clear warning to people that those inquiries were to go on and that they should stop their activities. In many cases, the people appointed to these committees by the Government are criticised, by inference, for their own incompetence. The professors at Flinders Medical Centre have said that high-level committees ignored their advice about computer selection—and we know what a remarkably sad story that computer episode was. At the Royal Adelaide Hospital, the committee that liaised with P.A. Management Consultants recommended against implementing the very cost-saving proposals which it had already accepted in principle.

We have had the case of a senior investigation officer, one of the Government's own men, giving misleading information to the Public Accounts Committee. Now, unbelievably, the Government's response to this report is to establish yet another committee, a committee of senior public servants whose job will be to evaluate a report on senior public servants. Such a crude cover-up will not wash with the people of South Australia. It is unreasonable and unfair to the members of this proposed review committee to expect them to rest such entrenched mismanagement. It is unrealistic to expect the people of South Australia to accept passively what is clearly intended as a Government cover-up. Most of all, it is patently unfair for this Government to try to shift the responsibility from where it fairly and squarely belongs—right in its own lap. Let us not mix words: this report would have to be one of the most damning indictments against any Minister of the Crown that has ever been tabled in a South Australian Parliament.

The saga of events reveals a travesty of Ministerial control and a virtual dereliction of Ministerial duties. I do not impute to the the Minister any deliberate intention to waste the resources under his control, but the plain fact is that he has failed utterly to perform his duties responsibly. He has no option; the only possible course of action for

him to take now is to resign. It is as simple as that. Even though it is in many ways tragic, there can be no compromise. Every member of this House knows that it would be intolerable for the Minister to continue in that role, which is so obviously beyond his capacity.

Even though the Minister should go, he alone is not responsible, and I lay the blame fairly and squarely on the entire Government, because it has collectively failed to put its house in order. The Government is collectively responsible for ignoring the successive reports of the Auditor-General. The Government is collectively responsible for aiding and abetting the massive cover-up of September 1977, when the former Premier assured the people of South Australia that "the Public Accounts Committee had discovered no improprietary."

I need not comment further on that statement in the light of the Public Accounts Committee Report. The entire Government is responsible because it has collectively rejected the demand for greater accountability, the demands for efficiency audits and the demands for proper spending controls, which the Opposition has repeatedly proposed in this House and which now seem to be so urgently needed. The Premier has said either that these measures have been taken (but we have seen no evidence of that) or that the Public Accounts Committee is wrong (and I resent that).

Let me turn to the report and highlight some of the alarming comments it contains. Extracts from the report show that there has been an unbelievable degree of indifference to the repeated warnings about accounting procedures and budgetary control. The report says, in part:

> The Hospitals Department has failed to respond to the soundly based criticisms contained in the Auditor's reports . . . The complete lack of effective systems of budgetary control to contain spending to real needs applies to most Government departments, and the Hospitals Department is no exception.

The Premier cannot excuse, or in any way explain away, that statement; it is a statement of fact.

The figures given on departmental spending, on page 5 of the report, show an increase from $58 200 000 in 1972-73 to $226 900 000 in 1977-78. That is an increase of 290 per cent. The Public Accounts Committee says the department has outstripped both growth and inflation, and I totally agree. Not only that, but also it has outstripped any positive advance in medical science, any possible need for further requirements in expenditure because of the advancements in health care. It does not bear any relationship whatever to those requirements.

Page 6 of the report, regarding staffing procedures, shows that departmental staffing has increased from 5 230 in 1967 to 12 822 in 1978, an increase of over 7 500 people. At the same time, the total number of daily average inpatients in all hospitals decreased by 137. As if this exponential increase in staff is not in itself bad enough (because it is totally unrelated to hospital needs and patient care), the Public Accounts Committee on page 6 states:

> While evidence was tendered to justify some increase, the Public Accounts Committee is concerned that the Hospitals Department did not know how many approved staff positions there should be in the department as at February 1978.

Did not know how many approved staff positions there should be in the department as at February 1978! They do not even know how many people are meant to be on their pay-roll. The report continues at page 6:

> Staffing investigations had been carried out in some areas and staff reductions which would have saved several million dollars a year were recommended but not implemented.

Several million dollars a year could have been saved if the recommendations for staff reductions had been implemented! Let me add that a close reading of the report (and I may say that members of the Opposition have been up in the small hours of this morning working through it) reveals just what these money saving proposals are. Wholesale dismissals were never proposed. Let me make that quite clear. Nobody who did not already have a second job elsewhere would have been dismissed. On the contrary, the recommendations were to rationalise existing staff numbers, to reduce penalty payments by reducing overtime and shift work, and to eliminate duplication and waste.

The proposals were as simple as that, and as fair as that. But what happened? The Minister rejected the recommendations to save millions of dollars a year because the Australian Government Workers Union told him that it did not approve. The union objected to millions of dollars being saved, even though its members' jobs were not in jeopardy. This is what the Public Accounts Committee had to say about the matter:

> The P.A.C. is concerned at the lack of commitment to achieve economies worth over $1 000 000 per annum in cleaning costs at R.A.H. which were brought to the department's attention in February 1975. Staff savings can be achieved by attrition, transfer to other Government institutions, reduction of overtime, and retrenchment of part-time cleaners who may have two jobs.

As I have said, the unions objected, and the Minister, disgracefully in my view, capitulated to their demands. That was the response from a Government which continually denies that its policies are dictated by its Trades Hall masters.

Then we have the so-called policy of hospital autonomy, which this Government has turned into a farce and which the Premier tried to use as the basis for yet more of his excuses. When the Minister introduced the Health Commission Bill into Parliament, he was emphatic in his support for hospital self-management. This was the only way, indeed, he told us, that efficiency could be improved. He was dedicated, he told the Parliament, to the implementation of genuine hospital autonomy and financial management, but he has done nothing to honour his word or to implement the spirit of the Health Commission Act.

On page 6 of the Public Accounts Committee Report we find that the number of staff in the central office of the Hospitals Department has increased by 205 per cent in the past 11 years. What is more, they are still dictating policies and budgets to every hospital that the Minister claims is autonomous. Autonomous! No way, Mr. Speaker! Those hospitals are bound to the Government by financial ties. On page 8 of its report the Public Accounts Committee makes this comment:

> The South Australian Health Commission Act, 1975-1977, provides for the incorporation of hospitals and the establishment of responsible boards of management. The P.A.C. considers that one of the objectives of this legislation was to ensure that the administration and control of health services be located as close to the delivery point as possible. It was considered that, to provide more flexibility, a commission was justified in place of a Public Service department. The S.A.H.C. has retained the majority of the central office staff and has issued numerous "Administrative Circulars" to hospitals based on Public Service procedures. These circulars will excessively restrict the authority of the hospital board and the financial procedures will not encourage improved management of the hospital.

Whether the Premier likes it or not, the South Australian Health Commission has in no way lived up to the

expectations which the Minister had for it when the legislation was introduced into this House. Indeed, with the retention of a top-heavy bureaucracy over and above the autonomous organisations of individual hospitals, this State is paying money for top level administration which it does not need and which is surplus to requirements. On the question of food costs in hospitals, the Public Accounts Committee, on page 7 of its report, states:

> The Public Accounts Committee investigations illustrate the total lack of control the Hospitals Department had over costs . . . The Public Accounts Committee considers that the department was blatantly irresponsible for not improving controls over foodstuffs in other hospitals after the Northfield Wards episode, particularly as reports have been made late in 1974 about alleged pilfering of foodstuffs from the Glenside Hospital.

Nothing was done, and the situation was allowed to continue for months.

When referring to the Frozen Food Factory, to which the Deputy Leader will refer later in this debate, the committee reports that, although it was expected to cost $4 500 000, it actually cost more than $9 000 000, twice as much as expected. It was expected that the Frozen Food Factory would operate profitably, but it has now budgeted for an operational loss this year of $700 000. It was expected that the factory would produce 25 000 meals a day, but the hospitals require only 10 000. It was expected that the Royal Adelaide Hospital would save $539 000 a year with prepacked frozen meals, but it has incurred additional costs of $500 000 a year. In fact, the difference between the expectation of savings and the additional costs is another $1 000 000.

When referring to management within the Hospitals Department, the Chairman of the Health Commission (Dr. Shea) is reported on page 45 of the report as saying, in answer to a question, the following:

> However, it is hard to get good management services people in the Public Service . . . We have been running sufficient courses in management technique, so we now have a staff ready to move into the 20th century, but it does take time to ready that level.

Mr. Allison: What an indictment!

The SPEAKER: Order!

Mr. TONKIN: Yes. How reassuring that is; what a statement to make! Unbelievable as it may be, that attitude is confirmed elsewhere in the report. On page 10, the report states:

> P. A. Consulting Services Pty. Ltd. were employed on a management project at the Royal Adelaide Hospital from January 1977 to March 1978 and were paid $179 244 consulting fees. Their recommendations in a report dated July 1977 were endorsed by the Project Steering Committee and by the S.A.H.C. but were never implemented. The only valid criticism by the hospital executive was that the recommendations were two years too soon.

That defies further comment. What a ridiculous situation!

The management has wasted millions of dollars on computer selection for Modbury Hospital, Royal Adelaide Hospital and Flinders Medical Centre. The failure of the Hospitals Department to make effective use of the millions of dollars spent on A.D.P. development since 1970 is accentuated by the urgent need to overcome the difficulties identified above which would have significantly improved the quality of patient care and made more effective use of hospital resources. So much for the claims made by the Premier earlier today.

A source of Government revenue from specialists who practise in Government hospitals has been totally ignored by the Government. The report states:

> There has been a total lack of accountability over the exercise of rights of private practice for resident and visiting specialists, who, in the majority of cases, are using hospital resources free of charge. At the F.M.C. over 20 per cent of all in-patients and out-patients are receiving treatment as the private patients of resident or visiting specialists and, as a result, F.M.C. in the financial year ended 30 June 1978 forfeited approximately $500 000 in hospital fees which could have been charged to privately insured patients.

There are provisions which set down how much private specialists can earn from private patients in hospitals, and there is no criticism of specialists in this matter. In fact, some of them have offered to pay, as they are required to do, the balance over the limit which they may earn into the fund, and the Government has not wanted the money.

Mr. Goldsworthy: Disgraceful!

The SPEAKER: Order! The Premier was heard in silence. The Leader should also be heard in silence.

Mr. TONKIN: I could go on at great length about this massive report of 220 pages, which is 5 centimetres thick. It is full of similar examples. I believe it is a document well worth studying. It contains a little light relief, but the light relief does not make up for the overwhelming conclusion that, if the various recommendations which have been made by various committees and studies over the years had been adopted, we would have saved millions of dollars of the taxpayers' money in this State. If we consider that this might also apply to other Government departments—

The SPEAKER: Order! I want the honourable Leader to speak to the Hospitals Department.

Mr. TONKIN: Yes, Mr. Speaker. If we consider that this report on the Hospitals Department could apply also to other Government departments, we could be saving even more money in this State.

The SPEAKER: Order! The honourable member must stick to the motion before the Chair. He has used the same words again.

Mr. TONKIN: I was asked recently where the money would come from to enable certain of the promises which have been made in the policies of the Liberal Party to be kept. That question was asked of me only two days ago. If succession duties, for example, were abolished in this State—

The SPEAKER: Order! I want the honourable member to stick strictly to the motion. There is nothing about succession duties in the motion.

Mr. TONKIN: Where could we save money which could be used for other purposes which would be strongly demanded and desired by the people of this State? The suggestion has been made that other taxes would be necessary to finance matters—the Hospitals Department, for example, or anything else you wish. There is no truth whatever in the idea that any further taxation measures would be necessary, because the Government need take notice only of the Auditor-General's Reports and the Public Accounts Committee report that we saw tabled by a courageous committee yesterday. If the Government of this State had acted on the Auditor-General's Reports, if it had acted, and if it is preparded to act now, on the Public Accounts Committee report, we certainly would be able to save anything up to at least 3 per cent of the State Budget, and that amounts to a great deal of money.

Mr. Becker: $36 000 000.

Mr. TONKIN: As my friend says, $36 000 000.

The SPEAKER: Order! The honourable member for Hanson is out of order.

Mr. TONKIN: This Public Accounts Committee report totally supports our contention that we could prune 3 per cent from the State's overall Budget by adopting proper accounting methods and proper Budget control, and by preventing waste and mismanagement. The people of this

State will not continue to wear high taxation from this Government while it cries poverty and yet allows this scandalous situation to continue.

I have already said that I regard the Minister of Health as culpably responsible for this state of affairs. We understand that after 10 March he is due to retire from his position, although I believe that there is some slight doubt in his mind about that. The only honourable course for the Minister, under the Westminster system of Parliament and democracy which governs this Parliament, is for him to resign his portfolio. If the Minister does resign, the Government should not use him as a scapegoat, because the Government itself is totally responsible.

This report vindicates, as nothing else could, the very existence of the Public Accounts Committee. I congratulate all members of that committee, its Chairman and its staff. Although there was a little humour exhibited on the other side when I said it was a courageous report, I stand by my words. It was a courageous report and I honour the members of that committee for bringing it in. They have produced a detailed and responsible report under the most difficult circumstances. The committee needs further skilled help to take some of the burden from its members, so that they can discharge their duties even more effectively and properly.

Mr. Goldsworthy: They get it in other States.

Mr. TONKIN: Yes. The measures we would take were outlined in the Budget speech last year. We believe that consideration should be given to reconstituting the Public Accounts Committee, and it should comprise three members from each side of the House. Consideration should also be given to placing an independent Chairman in control, and that is no reflection at all on the present Chairman. The committee should meet regularly and follow a disciplined programme of work. It should have clerical, research and investigative facilities, either through the Auditor-General's Department or through its own staff available to it. Consideration should also be given to holding the Public Accounts Committee meetings in public, subject to the right to meet in camera when necessary and also subject to the accepted restrictions presently applying to the reporting of proceedings in a court of law.

The Public Accounts Committee has proved to be a most important and valuable committee in this Parliament. Major changes must be made in budgeting procedures of this Parliament. We must change as rapidly as possible from the line budgeting system to the zero-based programme and performance budgeting system, so that as members of this Parliament, we can have a more definite control over Government expenditure. The Budget itself should be examined by Estimates committees of this House.

The SPEAKER: Order! We are talking about the Public Accounts Committee.

Mr. TONKIN: Yes, indeed, Mr. Speaker, I take your point. It can be linked very easily indeed, Mr. Speaker.

The SPEAKER: I hope the honourable Leader will do so.

Mr. TONKIN: If Estimates committees of this House were to examine the Budget in great detail, as I believe they should, the work of the Public Accounts Committee would be much lighter and its activities would be far less necessary. We would be tackling the problems before they arise, instead of examining them through the Public Accounts Committee after they have occurred.

Cost benefit statements introduced with major Bills would also solve a great number of problems of accountability. Legislation should be introduced requiring the Public Accounts Committee, or some other responsible committee of this Parliament, to examine Government programmes at the end of a specified period to ensure that they are still fulfilling their original purpose and that they are not just being perpetuated because they exist; sunset legislation, as it is called. Parliament's role is to act on behalf of the people and to monitor and check the Government's spending. That is a role which must be upheld at all times. The Public Accounts Committee is a very important part of that role.

Finally, the announcement today by the Premier of a further committee of inquiry to examine the matter is hardly likely to restore any confidence at all in the minds of the community.

The Hon. J. D. Corcoran interjecting:

The SPEAKER: Order! The honourable Premier has spoken and was heard in silence.

Mr. TONKIN: Some evidence of positive action by the Government is needed. Something is needed to show that the Government will act on the recommendations that have already been made, rather than the setting up of another committee of inquiry to make yet another series of recommendations. We are sick of committees of inquiry inquiring into committees of inquiry. The Premier's assertions today, and his excuses, because there has been nothing else, make me believe that the description of him which is currently beginning to circulate throughout the community is probably accurate. He is becoming known as "Des the decorator", with his bucket of paste and his paper under one arm to paper over the cracks and splits in his own Party.

The SPEAKER: Order! I think the honourable Leader should get back to the motion before the Chair.

Mr. TONKIN: He also has a bucket of whitewash in the other hand to paint over the writing on the wall.

The SPEAKER: Order! I called the honourable Leader to order, yet he still continues.

Mr. Klunder interjecting:

The SPEAKER: Order! The honourable member for Newland is out of order.

Mr. TONKIN: This report raises most serious doubts as to the efficacy and the wisdom of establishing the South Australian Health Commission. To say that all these matters occurred in the past in no way excuses what has happened or suggests that the disastrous situation which currently applies has changed. The report represents a major scandal relating to the Government's continued irresponsible ignoring of mismanagement, waste, and lack of budgetary control. Warnings have been given repeatedly and were given only recently. Not only should the Minister resign but the Government itself stands indicted by the report of the Public Accounts Committee. The Government, on that report, and on other contributing factors, will be dismissed by the taxpayers of this State at the next election.

The Hon. HUGH HUDSON (Minister of Mines and Energy): Certain things should be made very clear from the word go. First, it is simply not true for the Leader of the Opposition to say that we have seen no results. As the Premier made clear, in the six months up to December 1978 there has been a significant reduction in the staff employed by the Health Commission in the general hospitals area. Public Service employment has declined by 80 to 3 386. The total employment in this area has declined by 277 to 16 140. That is a decline in Public Service employment of 2½ per cent in the space of six months, and in total employment of almost 2 per cent in that six months. The consequences of that decline for expenditure have meant that, after allowing for inflation at 8 per cent,

the decline in expenditure is already $2 000 000, or a saving in costs of that sum.

As is made clear in the Public Accounts Committee report, action taken by the Government has already resulted in a reduction in food costs. The Public Accounts Committee has conducted the investigation over a long period, with changes in membership of the committee (three changes in membership on the Government side, and two changes in membership on the Opposition side), so that the total composition of the committee is now quite different from what it was when the investigation commenced. In that situation it is correct to question the wisdom of an investigation that extends over such a long time.

I would certainly agree with the Public Accounts Committee proposal that future investigations should not be on such a wholesale basis but should deal more quickly and more succinctly with particular problems in areas of administration rather than in the total way dealt with in the report. Many of the things alluded to by the committee as a consequence of its approach have been dealt with already.

It is important to recognise that, because the Parliamentary Public Accounts Committee presents a report, its recommendations do not gain the force of Holy Writ, to be accepted without question. It is easy to point up a number of recommendations which illustrate the point. For example, it is pointed out that the Queen Elizabeth Hospital staffing accommodation involves a deficit each year, according to page 61 of the report, of $444 000 and that, at Queen Elizabeth Hospital, in the nursing home and medical staff residency, lodging fees collected in the financial year to the end of June 1978 were $239 000. During that financial year, the lodging rate for resident nurses and medical staff had been increased from $12·50 a fortnight to $16 a fortnight.

It is clear that, in order to cover the deficit—and that is what the committee recommends—one would have to treble the charge made to nurses and other people who are resident within the hospital. It should have been obvious to the Public Accounts Committee that the provision of accommodation at subsidised rates has traditionally been a feature of the working conditions of nurses, for example, and resident medical officers at every hospital throughout the length and breadth of Australia. To say that all subsidies should be removed, the deficit eliminated, and an economic rate charged implies a very significant change in the working conditions under which nurses and resident medical officers are employed.

The Hon. J. D. Corcoran: You don't think it would cause any industrial trouble, do you?

The SPEAKER: Order! The honourable Premier is out of order.

The Hon. HUGH HUDSON: The Premier is quite correct. It would cause substantial industrial trouble if the Government were to adopt, in an unthinking fashion, the recommendations of the committee on this score. If the Government was successful in producing the change, the Industrial Commission in this State would be faced with a very substantial claim for an award increase because of the basic change in the circumstances of employment of the nurses, and that claim before the Industrial Commission would succeed. The total costs in wages and salaries of the hospital would increase.

One must face the fact that, if you are going to talk about substantial changes in what is charged at the nursing homes at the various hospitals throughout the State, and even assuming you overcome the industrial trouble that would arise as a consequence of that sort of approach, you would still be faced with increased costs, because there is little doubt that the Industrial Commission would say that the change in the conditions of employment of nurses justified an increase in the wage and salary rates. All that you might succeed in doing if you adopt the Public Accounts Committee recommendations is to transfer a deficit on the nursing home to an increased wages and salaries bill. That is one aspect of the Public Accounts Committee's recommendation.

I believe that the charge that is made for nurses' accommodation should keep pace with inflation and increased costs. There is no case for the ratio of what is charged a nurse to the wage of the nurse being reduced over a period of time. There is a clear case for that relationship to be maintained, but there is not a case for the Public Accounts Committee recommendation—not unless one becomes determined to create industrial unrest and low morale for other reasons.

A similar thing arises in relation to the running of staff cafeterias. Again, the Public Accounts Committee has recommended that deficits in the operation of staff cafeterias should be eliminated. I suppose if we could get the committee to investigate the accounting systems of the banks in Adelaide and a series of other companies and institutions around Adelaide that are run privately, it would find staff cafeterias subsidised by management. That is a common feature of employment conditions in private industry; no-one can deny that. Every bank that has a staff cafeteria runs it at a loss. Every bank provides subsidised loans to its own staff. Such conditions of employment become one of the attractions of working for that institution.

If you alter the terms of employment by putting up the costs of meals to people, then again you have altered their basic industrial conditions. I wonder what would happen if the Public Accounts Committee did an investigation into the Parliament House dining-room?

Those two points deal with recommendations made by the committee, which have been made without taking into account the consequences of the recommendation for the working and industrial conditions of employees of the various hospitals. I suggest that there would be very few honourable members, having listened to the points I have made, who would say other than that the recommendations of the committee on those two points should not be accepted. In those circumstances, it is patently ridiculous for the Leader of the Opposition to suggest that the Government is being silly in having an investigation in detail into all the recommendations that have been put up by the Public Accounts Committee. In addition, if some of the recommendations of the committee are correct, it may be necessary for certain disciplinary action to be taken. If that disciplinary action has to be taken, the Government must be satisfied, and the Public Service Board must be satisfied, that it is acting on a proper basis.

In his speech, the Leader of the Opposition talked about senior public servants reporting on actions of other senior public servants, and later on he tried to talk about a whitewash. He had already had his speech written and, because of that, he was able to take no account whatever of the Premier's statement that Sir Norman Young would be working with the people involved in that overall investigation. You would think that he would have heard that statement from the Premier and, at least verbally, might have been able to alter the written speech he had in front of him.

The SPEAKER: Order! I call the honourable Minister to order.

The Hon. HUGH HUDSON: That is the truth. The Leader read from his speech and did not make any

adjustment in it because of the statements made by the Premier.

Let me deal with another recommendation of the Public Accounts Committee, again to illustrate my point that the recommendations of the committee are not Holy Writ, and have to be carefully considered and weighed before they are implemented. I quote from page 8 of the report, where the Public Accounts Committee recommends that:

> 7.1 Hospital boards determine the computer systems philosophy for the hospital based on achievements overseas.

I think I could convince every one member of this House, and even the members of the Public Accounts Committee, that that is a wrong recommendation. You cannot have every hospital board making its own determination on computers, according to what is done overseas. That way, disaster lies. Let us be clear about computerisation. The Public Accounts Committee seems to have some enthusiasm for the El Camino system, which is indeed an expensive system. I believe strongly, and I think that the Government will be accepting this kind of philosophy, that, on computerisation, it pays a State like South Australia to be, if anything, excessively conservative and to require all agencies of Government to consult with the Government or the Public Service Board and with whatever expertise is available before any decisions are made. I do not think that there is any case whatsoever for South Australia, in this complicated and risky area, to say, "We are going to take initiatives ahead of other States and to innovate ahead of other States."

In the computer era, it is a clear case for saying "If some expensive computer system is under consideration, let us see what happens in other States, in the Commonwealth, and in organisations that are bigger than South Australia. We have got to know what the bugs are before we do anything. Let us learn from the mistakes made elsewhere." That is a fundamental point for the State of South Australia to consider, and I believe that it should be fundamental to our policy. It is too easy in this area to be part of the modern scene—"Let's do it, because everyone's doing it." It is too easy to be persuaded by consultants that the most modern system should be introduced, to adopt the system which results in all sorts of bugs and problems developing and which ends up not doing the job we believed that it would do.

Having said all that, I am sure that members would appreciate that I, for one, would reject entirely and immediately the recommendation of the committee relating to computer systems; it is a completely wrong recommendation, and it should be seen to be wrong. The problems that every one of us has over computers are governed by the fact that most of us who are trying to take decisions understand little, and have to rely on outside advice.

The critical question is whose advice we should take, and how to get that advice. A further critical question that must be considered is that it is clear from computer developments now taking place overseas, and to some extent in Australia, that there is a new movement towards miniaturisation, which will alter the whole basis of the future use and cost of computers. In these circumstances, where fundamental changes are taking place overseas in computer technology, it is sheer folly for South Australia to say, "Well, we could be part of this movement before it has been fully rationalised and worked out, or we can allow autonomy to individual hospital boards to determine what computer arrangements they make." That is obviously not tolerable.

I deal now with the question of growth expenditure, and I refer to the figures quoted on page 5 of the committee's report. First, I point out that the period of this decade has seen the most rapid growth in hospital services in the history of this State. As the Leader has said, we have a right to be proud of the standard of those services. A period of extremely rapid growth is obviously going to create additional problems, because many of the people in the system who should be devoting much of their time to ensuring that existing systems are operating effectively get involved with the growth problems existing within the overall administration. A rapid period of growth is almost inevitably followed by a period of consolidation. Let us also be clear that the source of this rapid growth was not just the desire of the South Australian community and Government to improve standards: the growth in finance from the Commonwealth Government has been extraordinary. During the period from 1972-73 to 1977-78, the expenditure in this area increased by 3½ times, but the amount of assistance from the Commonwealth Government increased almost 15 times—from $8 900 000 to $121 300 000. Putting it another way, of the increase in expenditure of $169 000 000 that occurred, $112 000 000 was provided from the Commonwealth Government.

There is little doubt that the actions of the Whitlam Government, followed by the Fraser Government, were the source of tremendous stimulus to expansion. It is relevant in those circumstances that in many hospitals, which often are governed by professional people who may not have a close understanding of administrative matters, certain things will get out of hand during a period of rapid growth. Members would be less than honest if they did not recognise the stimulus to hospital development that came from the changed Commonwealth-State financial relations. I do not think that it is good enough for the Leader to expatiate, as he did, on the growth of expenditure without pointing out that two-thirds of the increased funds made available over that five-year period came from the Commonwealth Government.

A number of points have been made in relation to autonomy as against centralised administration. I think that it should be obvious, after a moment's thought (although these points are not brought out effectively in the report) that, while certain things can be delegated to the local hospital board and to the local hospital administration, other matters necessitate central decision-making. It is not possible in this day and age to say to each hospital board, "You're entirely responsible for the determination of wages and salaries and working conditions in your organisation." If that were said, soon one would see differences appearing in conditions applying to the employment of people within the hospital system, and differential rates of salary are a source of industrial trouble and of leverage on an individual hospital.

Obviously, any competent union organisation, if it is faced with 12 negotiating bodies to determine salaries and conditions in a particular area instead of with a centralised negotiating body, will use the technique of gaining an advance in relation to one hospital, and using that as a lever on all of the other hospitals successively. Clearly, that is a situation where broad guidelines have to be provided to the hospitals by the Hospitals Commission, which must work in conjunction with the Public Service Board. While there may be local autonomy with hospitals in a number of areas, the general question of overriding wages and salaries and working conditions (the broad industrial issues) is subject to some sort of central guidance.

Similarly, the Auditor-General has responsibilities regarding all hospitals. If recommendations of the Auditor-General are to be given effect to (and that is what the Leader of the Opposition wants), administrative

procedures and instructions have to be issued to ensure that procedures exist which are satisfactory to the Auditor-General; otherwise, the only alternative is to ask the Auditor-General to institute appropriate procedures for each hospital. That normally has not been the Auditor-General's function. If he were required to do that, he would say, "These are the procedures I want, and I want them applied in the same way in each hospital." So, again, financial accounting and control procedures inevitably will have some central guide. There is no way of avoiding that.

The Premier made clear in his speech that economies would be made in the central administration of the Hospitals Department, and they will continue to be made, but it is not possible to accept the full implication of the Public Accounts Committee report, namely, that the central administration can disappear altogether, the kind of doctrine supported by the Leader of the Opposition. The logic of the situation does not support the conclusions that the Leader of the Opposition tried to make.

In a short debate, one has to limit the overall range of the remarks that one makes. I believe that, if we have to have an effective Public Accounts Committee (and it is a joint Party committee, consisting of three Government members and two Opposition members), it is essential that that Public Accounts Committee operates in an effective way, and in a way that does not seriously trammel the initiative that should normally be exercised by public servants. This is one of the final points I want to make. If, every time the Public Accounts Committee comes out with a report, the public at large, the media, the Opposition and the Government indulge in a witch hunt, there is a danger that the next time the Public Accounts Committee undertakes an investigation fear will go through the department involved about whose head will go on the chopping block.

Dr. Eastick: If they are efficient, they should not be fearful.

The Hon. HUGH HUDSON: One of the things that happens within a Public Service or within a bureaucracy, regardless of whether it is public or private is that, if there is a fear that heads will roll, nobody will take responsibility for a decision. Every decision that has to be made will be passed on to someone else for support. The extent of the movement of paper will double and even treble, and the so-called red tape will multiply. One has to be very careful in the way in which one operates a Public Accounts Committee. One cannot really allow a committee investigation to develop into a witch hunt for Party-political purposes, because the overall long-term consequences for the effectiveness of the Public Service and public servants is likely to be excessively negatived. That is a fundamental point, but I haven't much hope that the media will take that point into account, because it will not help them to sell papers.

The SPEAKER: Order! The motion contains no reference to newspapers.

The Hon. HUGH HUDSON: No, but there is plenty about the media in the reason for this discussion. Let us not kid ourselves on that.

The SPEAKER: I hope the Minister will link his remarks to the report.

The Hon. HUGH HUDSON: I have said what I wanted to say about that point. The Government takes this matter seriously, and it has already instituted a series of changes within the hospitals area, and that will continue. Any recommendations of the Public Accounts Committee that the Government believes to be valid will be implemented, but the Government cannot, as I have demonstrated, implement those recommendations blindly without producing more trouble than we have got.

Mr. GOLDSWORTHY (Kavel): It is a common ploy of the Government to criticise any report that comes before this House, which is often. One does not have to cast one's mind back very far to recall the Royal Commission into the suspension of a schoolgirl, as a result of which a responsible report was made by the Royal Commissioner. The Government's response was to criticise the Royal Commissioner. The issue here is about a bipartisan committee of this House, consisting of three members of the Government acting responsibly in concert with two members of the Party of which I am proud to be a member, bringing before the House a courageous and responsible report. In response, the Government trenchantly criticises its own members for having the courage of their convictions.

This kind of exercise is not new for the Public Accounts Committee. When I was a member of the original committee, the Chief Secretary, who was then the Chairman of that committee, had the temerity to stand up against the Government and do what he thought was right. He received precious little gratitude for that action. It ill behoves the Government to adopt that tack today, that is, to attack the findings of the committee and to attempt to downgrade its function. The Public Accounts Committee is probably one of the most valuable committees that the Parliament has ever established, and I congratulate its Chairman and members. The same old story has been churned out today as has been heard over and over again since the Government took over the Treasury benches in South Australia. According to the Government, South Australia had the worst record in relation to health in the Commonwealth. However, under a Liberal Administration, South Australia had the most efficient health system, because of community hospitals, which were unique in Australia. Responsible voluntary effort was subsidised by Government intervention. But what has the Government done since coming to office? It has poured millions of dollars into the public sector of the Hospitals Department, aided by that great influx of funds, as the Minister who has just completed his remarks has said, from the Whitlam Labor Government. Labor Governments generally have the mistaken notion that, if money is being spent, the end result is that good must be done. That is an absolute fallacy. If ever that idea has been proved to be completely fallacious, it is by this report. Millions of dollars has been poured into the Hospitals Department for health services in South Australia, and it has cost the taxpayers millions of dollars in wasted funds. Even from a casual reading of this report, anyone would come to that inescapable conclusion.

The Minister of Mines and Energy talked about computers and how satisfactory conclusions were difficult. In my rather abbreviated remarks, because of the strictures on this debate, I refer to the present situation regarding computer facilities in South Australian public hospitals as outlined in the report. The new broom Government in 1970 got straight into this area of health, as it came to office on the emotional issues of health and government. It set up a committee to see how it could get computerization of the records and details of patients in hospitals, and that committee made some recommendations. At page 150, this report states:

> Unfortunately these initiatives to improve the organisation and management of hospitals and to provide the information necessary to monitor patient care have been thwarted despite the spending of millions of dollars.

Not tens, not hundreds, not thousands but millions of dollars have been spent. Let us look at what is said in relation to Flinders Medical Centre. The report states:

> The Flinders computer system has been a disaster.

Those are not my words. The report continues—

The committee set up by Cabinet identified existing inadequacies and in August 1971 made recommendations.

The report states, at page 153:

The failure of the Hospitals Department to make effective use of the millions of dollars spent on A.D.P. development since 1970 is accentuated by the urgent need to overcome the difficulties identified above, which would have significantly improved the quality of patient care and made more effective use of hospital resources.

The report continues:

On 18 April 1978 the P.A.C. took evidence at the Flinders Medical Centre and asked the following questions referring to the CDC computers and how computers can be used to improve patient care:

Question: In reality, has the computer come up to expectations:

Answer (Prof. Berry): No. It has been an absolute disaster.

Those are not my words. Professor McDonald, another of the expert witnesses, said:

We have the machinery over there, but we have had no influence at all on the purchasing, the development objectives, or the implementation. Committees have sat from time to time [and the Government has announced another] but, despite what went on at those committees, the department has gone on more or less independently.

The evidence continued as follows:

(Prof. Berry): For overall administration of the hospital, computers are vital, but so much money has gone down the drain that people are reluctant to put any more money into the system.

Question: The committee inspected the A.T.S. system operating at Modbury which is costing $350 000 per annum to operate. I believe a proposal has been made to spend $50 000 on extending the computer capacity so that the system can be installed at Flinders. Do you believe that this is a realistic proposal considering the overall computing needs of Flinders:

(Prof. McDonald): It is throwing good money after bad. There are small computers in many hospitals doing the sorts of things we want. We are not talking in millions of dollars for these things; we are talking in hundreds of thousands of dollars.

(Prof. Berry): I do not know whether it is a disease of computer people, but it is always a grandiose scheme. It is not just the size of the machines: it is the skills of the operators, who are expensive. We should not spend another $50 000. The Modbury one must be scrapped sooner or later. The figure of $350 000 is an absurd cost for the purposes achieved.

Here we have the Minister of Mines and Energy saying that it is difficult to get into the computer systems in hospitals. The continuing record of the Government and of the department regarding computers shows that it has cost the taxpayers of this State literally millions of dollars for virtually nil effect.

We have complained in this House about the activities of trade unions and the adverse effects that they are having on the welfare of the people of this State. If ever there was a testimony to that fact one has only to examine parts of the Public Accounts Committee Report. The Minister of Mines and Energy talked about industrial trouble. He said, "We cannot take certain action because we will have industrial uproar on our hands." One has only to look at some of the quotes in this report to show the activities of the unions in this very department and what those activities are costing the taxpayers of South Australia. At page 48, the report states:

A report dated 26 December 1974 from the Administrator Royal Adelaide Hospital to the Director-General of Medical Services referred to the proposed staff reductions as follows:

It is not disputed that staff reduction to 27 attendants could be affected but it is thought that the industrial climate may make it necessary to have open discussion with the staff on this matter before any attempt is made on implementation.

And so it goes on. The report states, further:

The reduction in staff was not agreed to by the Australian Government Workers Association.

A report dated 26 February 1975 states:

Applying current wage rates the estimated saving would now be in excess of $1 000 000 per year.

That was in relation to staffing. The activities of the A.G.W.A. in maintaining excessive levels of employment and shifts at awkward times of the day so that extra payments have to be made is costing the taxpayer $1 000 000 a year. There are many quotes in this report that I would dearly like to read to the House. The Premier mentioned statistics. How is this for statistics! In November 1974, Mr. Feckner reported excessive quantities of foodstuffs being taken out on buses when patients were taken on trips, and there is a whole saga of millions wasted in food. The following question was asked:

What was the nature of the discrepancy?

Mr. Feckner replied:

On one day it was 11 patients and 250 hamburgers.

What a feast! I have undertaken to conclude my remarks in time to give the Premier three minutes to reply. I think that the report speaks for itself. If anybody wants a bit of heavy material to read in bed at night, or a bit of light entertainment, for that matter, the report has it all. I commend the committee for its courage and condemn the Government for its maladministration of the health services of this State since 1970 and for the millions of dollars in taxpayers' money that it has poured down the drain.

The Hon. J. D. CORCORAN (Premier and Treasurer): I want to reply to a couple of points made in the debate. First, I refer to the ridicule heaped on myself and the Government for setting up another committee to examine the Public Accounts Committee's report. The Leader knows as well as I that I will not take it on myself to check the validity of the report of the Public Accounts Committee. That validity must be checked by competent people because it is apparent that there may have to be disciplinary action taken against Public Service officers. I want to be absolutely certain that it is justified, and that is one of the main reasons why I want the report examined. The other point I make is that already in reading the report there are some glaring gaps and, indeed, that in itself is enough reason for me to have the validity of the report checked.

The Leader called for the resignation of the Minister. I want to announce that early in February the Hon. Mr. Casey, Minister of Lands, and the Hon. Mr. Banfield, Minister of Health, indicated to me that they wished to retire from the Ministry on 30 April this year. Both resignations were of course for personal reasons. This has no bearing at all on this report.

Members interjecting:

The Hon. J. D. CORCORAN: The sceptics and cynics can say what they like. There is already one member opposite laughing. The truth of the matter is as I am stating it. It has nothing at all to do with the Public Accounts Committee Report.

The SPEAKER: Order! The time for the debate has expired.

The Hon. G. T. VIRGO: On a point of order, Sir, it is

not 4 o'clock. I think you were rather hasty in cutting the Premier off in mid-stream.

The Hon. J. D. CORCORAN: I want to make only this point to the House, and I will finish on this point—

Mr. DEAN BROWN: I rise on a point of order, Mr. Speaker. It has been traditional for the actual vote to take place before 4 p.m. That has always been the practice, and I do not see why the Premier should object just because he happened to be on his feet this time.

The SPEAKER: I uphold the point of order.

Motion carried.

PETITION: SQUID FISHING

A petition signed by 7 416 residents of South Australia praying that the House would urge the Government to take action to restrict the operations of the Japanese squid fishing vessels in Backstairs Passage, Investigator Strait, St. Vincent and Spencer Gulfs was presented by Mr. Chapman.

Petition received.

PETITIONS: PORNOGRAPHY

A petition signed by 116 electors of South Australia praying that the House would pass legislation to provide for Ministerial responsibility to adequately control pornographic material was presented by Mr. Blacker.

A petition signed by 178 residents of South Australia praying that the House would take all necessary steps as a matter of extreme urgency to prohibit the sale of pornographic literature in South Australia in the interests and welfare of the children of this State was presented by Mr. Blacker.

Petitions received.

PETITION: GERIATRIC CARE

A petition signed by 120 residents of Port Lincoln and Lower Eyre Peninsula praying that the House would urge the Government through the Minister of Health to initiate immediate action to commence the construction of the proposed new geriatric wing and day care centre at the Port Lincoln Hospital was presented by Mr. Blacker.

Petition received.

PETITIONS: ABATTOIRS AND PET FOOD WORKS BILL

Petitions signed by 130 residents of South Australia praying that the House would urge the Government to amend the Abattoirs and Pet Food Works Bill to ensure that local slaughterhouses are allowed to remain operational subject to prescribed hygiene standards were presented by Messrs. Eastick and Wotton.

Petitions received.

PETITION: MARIJUANA

A petition signed by 249 residents of South Australia praying that the House would not pass legislation seeking to legalise marijuana was presented by Mr. Becker.

Petition received.

PETITION: SUCCESSION DUTIES

A petition signed by 28 residents of South Australia praying that the House would urge the Government to amend the Succession Duties Act so that blood relations sharing a family property enjoy at least the same benefits as those available to other recognised relationships was presented by Mr. Harrison.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to questions, as detailed in the schedule I now table, be distributed and printed in *Hansard:*

WASTING OF POWER

In reply to **Mr. EVANS** (13 February).

The Hon. D. J. HOPGOOD: The seven-teacher unit referred to by the honourable member is a unique complex constructed under difficult site conditions at Stirling East Primary School. Due to the site conditions, small high-level windows were an essential part of the design. In the general design of Demac units a good deal of thought has been given to balancing the effect of large windows (with consequent heat gains in summer and losses in winter) against the effectiveness of small windows combined with air-conditioning (with additional power consumption). It is considered that additional power consumption through using lights on sunny days is less than that which would be consumed by air-conditioning if the windows were larger. The honourable member can also be assured that the whole question of energy consumption is being very carefully considered in the design of solid structure schools where south lighting and a number of ventilation features appear likely to prove an effective restraint on energy consumption.

CURRICULUM DIRECTORATE

In reply to **Mr. GOLDSWORTHY** (13 February).

The Hon. D. J. HOPGOOD: The original vote for Curriculum Directorate contingencies was $20 541 000. The almost $9 000 000 apparently refers to $8 688 000 for the primary programme.

The $7 000 000 referred to is the Supplementary Estimate addition to cover salary and wage increases and has no relationship to the original vote for contingencies. $250 000 additional has apparently been allotted by Treasury as primary programme in seeking Supplementary Estimates.

	$
It comprises	650 000
Less transfers out on account of Museums and Botanic Gardens	400 000
	$250 000

The sum will be applied toward increased costs of electricity, water, gas and books and materials supplied to children of parents in poor circumstances.

SITTINGS AND BUSINESS

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

> That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

SOUTH AUSTRALIAN FILM CORPORATION ACT AMENDMENT BILL, 1979

Returned from the Legislative Council without amendment.

CHIROPRACTORS BILL

The Legislative Council intimated that it had agreed to the House of Assembly's amendment No. 1, and had disagreed to amendment No. 2.

Consideration in Committee.

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

That the House of Assembly insist on its amendment No. 2 to which the Legislative Council had disagreed.

The reasons for including the amendment in the Bill were given during the Committee stage, and my view has not changed. Discussion took place during the Committee stage. I ask members to endorse the Committee's previous action.

Motion carried.

Later:

The Legislative Council requested a conference, at which it would be represented by five managers, on the House of Assembly's amendment to which it had disagreed.

The House of Assembly agreed to a conference, to be held in the House of Assembly committee room at 7.45 p.m., at which it would be represented by Messrs. Becker, Max Brown, Mathwin, Payne, and Whitten.

At 9.37 p.m. the following recommendation of the conference was reported to the House:

That the House of Assembly amend its amendment by deleting "February 1979", and inserting "January 1978", and that the Legislative Council agree thereto.

Consideration in Committee of the recommendation of the conference.

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

That the recommendation of the conference be agreed to.

I believe no further explanation is necessary. The proposition reached at the conference is quite patent to all members of the Committee, and simply means that the date has been moved back to January 1978. I believe that the decision arrived at by the conference was unanimous, and I think it gives proper regard to the welfare of the persons who in future will be patients of the persons to whom the legislation is addressed, at the same time giving reasonable recognition to the people who have been engaged in the practice of chiropractic prior to the commencement of the proposed legislation.

Motion carried.

Later:

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

MEMBERS' DISCLOSURE OF INTERESTS

The Legislative Council transmitted the following resolution in which it requested the concurrence of the House of Assembly:

That in the opinion of this Council a joint committee comprising three members from the House of Assembly and three from the Legislative Council, be established to inquire into and report to Parliament upon the disclosure of interests by members of Parliament and other persons serving in any public office; the inquiry undertaken by the joint committee to include:

1. Who should be required to make declarations.
2. What interests should be declared.
3. If a register of interests is established who should have access to this information.
4. An examination of the Constitution Act and Standing Orders, and to make recommendations for any changes that may need to be made.

HIGHWAYS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 22 February. Page 2927.)

Mr. CHAPMAN (Alexandra): On 22 February, the Minister of Transport introduced a Bill to amend the Highways Act. The Minister told the members of the Chamber, in carefully couched terms, that the Bill proposed to make a variety of minor amendments to the principal Act. One of these amendments dealt with the introduction of a new section empowering the Commissioner to remove unattended vehicles from roads declared under the principal Act to be controlled access roads. Secondly, he said that the Bill was to provide for the enactment of provisions which would enable the titles of land comprising roads closed under the principal Act to be consolidated with the titles of contiguous land. Thirdly, it was to recast parts of the existing section which authorises the payment of moneys out of the Highways Fund. The Minister said that the Bill was also designed to provide for other matters, including the delegation of the Commissioner's powers and functions. The Minister went on to say that the Bill would also provide for the recasting of provisions relating to the Deputy Commissioner's role and the substitution of Ministerial consent for the approval of the Governor in the disposal of land held by the Commissioner.

To all intents and purposes the introduction to the Minister's explanation showed that the Bill before the Chamber was somewhat minor and dealt with what members have regarded in the past as rats and mice matters. However, there is a clear and distinct proposal to create a new position for a Deputy Commissioner of Highways incorporated in this Bill. That provision caught me by surprise, bearing in mind the Government's announced policy to freeze Public Service positions, and as a result, avoid additional expenditure. That was the first point to capture my attention when I studied this Bill.

Secondly, I will refer at some length to new section 12a (3), which seeks to authorise, condone or make lawful, directions that have been made by the Commissioner prior to the commencement of this Act. New subsection (3) provides:

Where at any time before the commencement of the Highways Act Amendment Act, 1979, the Commissioner conferred, or purported to confer, upon any other person an authority to act on the Commissioner's behalf, that authority shall be deemed to have been lawfully conferred.

If ever there was a retrospective element in a Bill, it is certainly incorporated in that provision. It seems that we are being asked to make the actions of the Commissioner, prior to the commencement of this amending legislation, legal.

Obviously, the Commissioner must have taken some action prior to this time and during his occupation of that high office, that the Government now wants to cover through the introduction of an amendment. Accordingly, I expect the Minister, at the appropriate time, to explain the background and the real reasons why the Commissioner

needs to be covered retrospectively for apparent actions that he has taken.

One may ask whether there has been an exercise of bad management and whether there is something to hide. All sorts of connotations can be placed on this clause. I firmly indicate to the Minister that I want to be quite satisfied about what has occurred before this amendment can be supported by the Opposition. If members on this side cannot be satisfied by the Minister's answer, we will seek to strike out the provision, removing from the overall proposal of the Bill any retrospective authorisation of actions taken by the Commissioner. Other retrospective provisions are contained in this Bill, for example the last subclause of the Bill. This very short subclause (clause 8 (3)) also seems to be retrospective because it provides:

> Subsection (1) of this section shall be deemed to have come into operation on the 1st day of July 1976.

The operation referred to relates to the transfer of money from certain licence and registration fees to the Highways Department from the Treasury for specific purposes. Again, there may be a good reason to protect, authorise, and condone the actions of the Commissioner, in this case back as far as 1 July 1976, but we want to know why.

It seems that the rest of the clauses are designed to dovetail into the principal Act as a result of this matter I have spoken about; they are consequential on matters raised. Generally speaking, it appears that, as he did in the railways legislation, the Minister is seeking to take away the powers ordinarily conferred on the Government by the Governor and to adopt those powers himself.

Clause 3 refers to an amendment to section 13 of the principal Act, and empowers the Governor to appoint a Deputy Commissioner for the Commissioner during illness, and so on. The Government proposes to introduce a brand new position with the appointment of a Deputy Commissioner under new section 13. I do not think there is much point in my proceeding in this debate to cite the matters I want to raise in relation to these clauses. This is a Committee Bill. It is one which concerns me on the surface, and some of that concern could well be allayed as a result of answers from the Minister in Committee. If those answers were forthcoming, we would support the Bill. Without them, we will be seeking to make amendments, which are already prepared and on file.

Dr. EASTICK (Light): I believe that the House would expect from the Minister of Transport an answer to the serious situation outlined by the member for Alexandra, who foreshadowed the views of the Opposition, particularly in relation to clause 2 and retrospectivity. The honourable member asked the Minister to outline the reasons for the actions by the Commissioner or his deputising officer which have led to the need for this retrospectivity.

As recently as last evening, members on this side spoke against retrospectivity. At that time, I indicated that the Opposition had supported retrospectivity where there had been a public announcement or where there was likely to be a major disadvantage to the community. Before the Bill goes into Committee, I should like to hear the Minister's comments on the reasons behind the engineering of clause 2 in its present form. In Committee, the Opposition might want to have progress reported so that it can consider amendments. I hope that will not be necessary. If we can get the necessary information at this juncture we will be in a better position to know what course of action to follow. The question is: why is it necessary to have this retrospectivity?

The Hon. G. T. VIRGO (Minister of Transport): Dealing with the delegation of authority, I assure members that no ulterior motive is involved. This provision is brought forward because of an opinion expressed by the Crown Solicitor that there is some doubt whether the Commissioner has the ability, within the Highways Act, to delegate to his senior officers, his Assistant Commissioners. The office of Assistant Commissioner was established long before this Government came into power, although I do not think there are any of the present Assistant Commissioners who have not been appointed since we came to office. The Assistant Commissioners have been carrying out the duties assigned by the Commissioner, but the Crown Solicitor has raised a doubt whether there is legal competence for that to be done. The provision is simply to make sure that there is no question on that score.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Delegation of powers, etc., by Commissioner."

Mr. CHAPMAN: I do not intend at this stage to move the amendment I have placed on file. I think that, in closing the debate, the Minister referred more to the provisions of clause 3, relating to the appointment of a Deputy Commissioner. Whether or not the Crown Solicitor has recommended that action be taken, or whether he has cast some doubt on the Commissioner's authority to confer authority upon any person in the past, is irrelevant. If, for example, there is a need to give the Commissioner power to confer the function of his office on another officer, by all means let us tidy it up and give him that power. However, to suggest that we should give a blanket approval to what the Commissioner may have done in the past, not knowing what it is or what it was, is giving retrospective approval for something we know nothing about and is something of which we do not approve, as a matter of principle.

If the Minister could identify some action that the Commissioner has taken in good faith in the past, where action needs to be taken to avoid a similar future occurrence, that is all right, but to ask the Opposition to condone what the Commissioner has done, without examples, seems ridiculous and unreasonable to the Opposition at this stage.

I should like to hear from the Minister on this matter. I am not casting doubts on the Commissioner's integrity. If there is a loophole there, and he may be subject to criticism, let us tidy it up and have a Bill that gives the Commissioner the appropriate powers in the future, but let us not try to hide behind a retrospective clause something that might have been done in the past, according to the Crown Law Office.

The Hon. G. T. VIRGO (Minister of Transport): There is not much point in making the allegations the honourable member has made (that he is not prepared to give *carte blanche* to the Commissioner for what he might have done) and then saying that he is not casting aspersions on the Commissioner's integrity, because that is what he is doing.

Mr. Chapman: Well, clean it up.

The Hon. G. T. VIRGO: I do not know whether the honourable member understands it, but the senior structure of the Highways Department is comprised, first, of the Commissioner and, secondly, his deputy, a position created, I would think, about four years ago, prior to which there were only three Assistant Commissioners. We created the position of Deputy Commissioner, but we still retained the three Assistant Commissioners, because each has his own area of operation that he controls. Obviously, if you have assistants or deputies, the very name implies

that it is their task to carry out the duties that otherwise would be carried out by the Commissioner himself.

The Committee might be interested to know that we use the Commissioner, because of his outstanding capabilities, in many ways. He plays a leading role in the affairs of ATAC and, at present, he is National Chairman of the Australian Road Research Board. Only a week ago, he returned from Malaysia, where he presented a paper on behalf of Australia, and about three months ago he was in Manila and later in Hong Kong—again, an indication of his outstanding capabilities. If a senior and responsible officer of that nature is away, someone has to carry on the work, or it just piles up. Understandably, the Commissioner farms out to those people who have been appointed as his deputy or as his assistant various tasks to do, with the authority of the Commissioner.

This has been going on for years, and that is the reason for new subsection (3). So, we are at this stage putting beyond all doubt (and I take the point the member for Alexandra has raised in relation to the deputy) that we are dealing with the Assistant Commissioners and one or two other senior people in whom the Commissioner is prepared to put his trust. It is not for the Minister to know whether or not that trust is justified: you have to ask the man on the job. It is not for the Committee to know whether the Commissioner ought to trust this senior officer or that senior officer. Obviously, the person who delegates authority must accept the responsibility of that delegation.

Mr. Chapman: From now on, but why back date it?

The Hon. G. T. VIRGO: I do not think that the honourable member heard what I said, so I will quickly repeat it. What has been happening from time immemorial, not just since the present Ministry came to power in 1970, but prior to it, is that the Commissioner of the day has been delegating to his Assistant Commissioners tasks which, in the opinion of the Crown Law Office, those Assistant Commissioners might not have had the legal responsibility within the Act to carry out. All the tasks have been done. They are past. There have been no blow-ups, or dissatisfaction expressed. Now, we are saying that, if we are going to put it beyond all possible doubt, let us not leave a vacuum of possible doubt in the past.

Mr. CHAPMAN: The Minister said that three or four years ago we appointed a Deputy Commissioner. In 1975, there was an amendment to the principal Act, and no Deputy Commissioner was appointed then, and there is none now. What happened then was that the following section was inserted:

> In case of the illness or other incapacity, absence, or suspension of the Commissioner or any other vacancy in the office of Commissioner, the Government may appoint a Deputy Commissioner.

Provision is there for the Government to appoint a Deputy Commissioner, but one has not been appointed. What the Minister proposes is to appoint one. The Commissioner has a number of assistants, and obviously in the past that Commissioner and his predecessors would have been directing their workload to be covered by those officers. I am not satisfied that we need to give *carte blanche* for something that has happened in the past. In future, there ought to be total protection for the Commissioner and total authority for him to distribute his work among his officers wherein any action of those officers becomes not only condoned but properly authorised and acceptable, and the responsibility is in the Commissioner's hands. In order to demonstrate that we are concerned about the retrospectivity of such action and seeking to fix up something that might have happened, I move:

> Page 1—Strike out lines 19 to 23.

Dr. EASTICK: I want to correct a situation which has arisen and of which I suspect my colleague is not aware. He said there has not been a Deputy Commissioner.

Mr. Chapman: No, I said one had not been appointed permanently.

The Hon. G. T. Virgo: One has not been legislated for.

Dr. EASTICK: In the report of the Highways Department for the year ended 30 June 1978 appears the organisation and principal officers' table. It indicates that Mr. N. J. Knight is the Deputy Commissioner, and he is so shown on the organisational chart at that date.

The Hon. G. T. Virgo: Mr. Roeger was appointed some time prior to that.

Dr. EASTICK: This being the case, it is important that the situation proposed by clause 2 be accepted because in the future actions may be taken against the Highways Department, although I doubt it. Responsibility must be accepted for the appointment of a Deputy Commissioner, even if that is not legislatively provided for, other than in circumstances of ill health or unavailability of the Commissioner. It is strange that a Deputy Commissioner has been appointed without legal backing. No-one will deny that both Mr. Roeger, when he was the Deputy Commissioner, and Mr. Knight have been responsible in fulfilling their roles, as would be expected of a person in that position.

Mr. CHAPMAN: The circulation of my amendment has had the desired effect. Information has been gleaned that was not available in the second reading explanation, the Act or the Bill. After having listened carefully to what the member for Light has said, I accept the explanation. I seek leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Clause passed.

Clause 3—"Deputy Commissioner."

Mr. CHAPMAN: Because of the explanation to clause 2, I will not proceed with my amendment. The creation of the position of Deputy Commissioner of Highways is only a formality, because a person has already been appointed to that position.

The Hon. G. T. Virgo: He is being given legal status.

Mr. CHAPMAN: This clause makes legal that which may not have been legal before, but in practice has been adopted.

The Hon. G. T. Virgo: That is not quite right.

Mr. CHAPMAN: Well, it is making absolutely sure that what action has been taken is protected. Clause 3 formalises the fact that there shall be a Deputy Commissioner of Highways.

The Hon. G. T. Virgo: And it bestows on him certain authority.

Clause passed.

Clause 4 passed.

Clause 5—"Removal of vehicles causing obstruction or danger."

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

> Page 2, line 20—Leave out "a controlled access road" and insert "the road known as the South-Eastern Freeway".

This amendment ensures that vehicles left on the South-Eastern Freeway can be removed and that the Commissioner has legal authority to do that.

Mr. CHAPMAN: I cannot agree to this amendment. The Bill referred to controlled access roads, which are defined in the principal Act as roads under the control of the Highways Department. If the Highways Department accepts responsibility, it should be responsible also for the removal of unattended vehicles from public thoroughfares. Naming the South-Eastern Freeway would limit the

workload of the Highway Department. Vehicles have to be removed by someone, and that responsibility might fall to the Police Department or local government. New highways or freeways will have to be named in the Act. The term "controlled access road", as defined in the principal Act, is quite clear. The South-Eastern Freeway would automatically become the only freeway on which vehicles must be removed by the Highways Department.

The Committee divided on the amendment:

Ayes (25)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Drury, Duncan, Groom, Groth, Harrison, Hemmings, Hopgood, Hudson, Klunder, Langley, McRae, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, Whitten, and Wright.

Noes (18)—Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Dean Brown, Chapman (teller), Eastick, Evans, Goldsworthy, Gunn, Mathwin, Nankivell, Russack, Tonkin, Venning, Wilson, and Wotton.

Majority of 7 for the Ayes.

Amendment thus carried.

Mr. CHAPMAN: I wonder whether the Minister, having gained a victory, is prepared to explain why there is a need to depart from the definition of "controlled access roads" in the principal Act.

The CHAIRMAN: Order! I point out to the honourable member that this matter has been discussed and voted on. The honourable member can now speak to the clause, which no longer includes the words "on a controlled access road". They are replaced by the words "the road known as the South-Eastern Freeway". He must speak to the clause.

Mr. CHAPMAN: Why has the Minister chosen to identify the South-Eastern Freeway as the only road in South Australia for which the Commissioner of Highways will be responsible for removing unattended vehicles, thus confining the responsibilities of the Commissioner to that extent when he is responsible for the care, maintenance and control of all highways in South Australia?

The Hon. G. T. VIRGO: I would like to confer with the Commissioner to make sure that what I am about to say is absolutely correct. I am 99·9 per cent sure, but I will have the matter checked and inform the honourable member if what I am saying is not correct. My understanding is that the Commissioner of Highways is wholly, solely and completely responsible for the South-Eastern Freeway. Other roads throughout the length and breadth of South Australia are vested in local government and, although the Commissioner assumes the responsibility for building, maintenance and the like of certain major highways, those roads are still vested in local government, and local government has the responsibility and authority for the removal of those vehicles.

Mr. CHAPMAN: Can I take it from that that the Main South Road, for example, between Adelaide and Cape Jervis is vested in those councils through which it passes?

The Hon. G. T. VIRGO: Highways are owned by the Queen but they are vested in local government.

Mr. CHAPMAN: That seems strange to me when the Highways Department still retains, in many cases, the total control and responsibility to construct, remove, maintain, or sell off without consultation with councils. I cannot understand what the Minister is getting at. I accept his answer, because the Commissioner is not present, but I would be interested for him to check his possible ·1 per cent inaccuracy.

Mr. MATHWIN: I take it that, because of the amendment, the Commissioner of Highways can remove vehicles from anywhere on the tarmac strip of the highway but not from the shoulder or other parts, which appear to be vested in particular councils. If a car breaks down elsewhere than on the road surface, then it is the responsibility of the council and not the Commissioner.

The Hon. G. T. Virgo: I did not say that.

Mr. MATHWIN: Will the Minister clarify that?

The Hon. G. T. VIRGO: What is called the "road reserve" is the area from building alignment to building alignment. It would be easier to refer to a road in the metropolitan area so that the member will get a clearer picture. The area between the building alignments, or front fences, is the road reserve, and it is vested in the local government body concerned. It is the Queen's highway, but it is vested in the local government body concerned. However, the Commissioner has declared certain of these roads to be of a particular class. Once he has made such a declaration, he accepts total responsibility for the building and maintenance of that road, but only from kerb to kerb.

A road that comes to mind is Brighton Road, which was rebuilt about three years ago. The local government body was responsible for the kerbing, water table and footpath. The Highways Department simply assumed responsibility for building and paying for the new pavement that vehicles run on. The whole of the road reserve still rests in the hands of local government on behalf of Her Majesty the Queen. It has the legal power to remove vehicles, and this Government believes it ought not to take power away from local government. That is why that power is staying there.

Clause as amended passed.

Clauses 6 and 7 passed.

Clause 8—"Application of Highways Fund."

Mr. CHAPMAN: Clause 8 seeks to amend section 32 of the Highways Act. That section, in a number of subsections, authorises the Commissioner of Highways to apply highways money. Why does the Minister seek to take away from the scrutiny of Parliament the allocation of such moneys by removing from that section of the Act the requirement for Parliament to appropriate the funds?

The Hon. G. T. Virgo: That is not what it does.

Mr. CHAPMAN: Section 32 authorises the Commissioner to apply Highways Fund moneys. New paragraph (1) authorises the allocation of one-sixth of drivers licence fees for road safety purposes, including reimbursement to the Treasurer for the money certified as so spent. Existing paragraph (1) permitted allocation to the Treasurer of up to $1 for each licence issued under section 75 of the Motor Vehicles Act on or after 1 October 1974, but only as may be appropriated by Parliament for the purposes of road safety.

The appropriation by Parliament is not required in that new paragraph. I appreciate that the new system takes into account the possibility of a more identifiable sum of one-sixth of the fees. This has no doubt been brought about by the availability now of a driver's licence for a three-year period. A sum of $1 from a driver's licence fee every three years would be insignificant. In seeking to retain an appropriate amount of funding for the road safety activities of the Highways Department I see no reason why Parliamentary scrutiny should not be preserved.

The Hon. G. T. VIRGO: The important aspect of this provision is to deal with the change from annual to triennial licensing. Initially we provided that the $1 out of each licence fee should be allocated for road safety purposes. That was done on the assumption that it would be an annual $1 out of $3, and later $5. This amendment is simply to cover that alteration to the procedure.

My recollection of the appropriation is that the legislation, having a prescription within it to allocate a specific sum for a particular purpose, in fact gives the Parliamentary approval that is necessary. Parliament is

saying that for every licence fee issued one-sixth of the fee shall go to road safety purposes. Therefore, that sum does not go to the ordinary appropriation of Parliament in the Budget. However, I imagine that there would be an attendant paper which would provide information on what was happening. I think the necessity for an appropriation is over-ridden by the legislation.

Mr. CHAPMAN: I raise this matter because we are talking about an amendment to clause 8 (1) *(l)* in particular, and section 32 (1) *(l)* of the principal Act clearly states:

> . . . in paying to the Treasurer such amounts not exceeding one dollar for each licence issued under section 75 of the Motor Vehicles Act, 1959-1974, on or after the first day of October 1974, as may be appropriated by Parliament for the purposes of road safety;

The Hon. G. T. Virgo: We are now saying "equal to one-sixth".

Mr. CHAPMAN: I appreciate the explanation given by the Minister that there appears to be no need to appropriate a figure on each occasion because it is already calculated and known. What opportunity will there be for Parliament to know the sum that has been appropriated automatically?

The Hon. G. T. VIRGO: It will have to be shown in the Commissioner's financial papers. I will ask the Commissioner to include in his future reports the information regarding the transfer of money for road safety purposes, if it is possible to do so, and I imagine it will be.

Mr. CHAPMAN: In clause 8 (2) we are substituting for paragraphs *(m)*, *(n)*, and *(o)* of subsection (1) new paragraphs *(m)*, *(n)*, *(o)* and *(p)*. Can I take it that the same principle is to apply to the 6 per cent going to the Police Department as will apply to driving licence fees as just explained by the Minister, and that there will be no longer a need for Parliamentary scrutiny in appropriation?

The Hon. G. T. Virgo: That is my understanding.

Mr. CHAPMAN: Could I have the same information confirmed by the Commissioner as the Minister mentioned a moment ago? I have been asked specifically to ask this question relating to the allocation of sums from the driving licence and registration fees for road safety purposes.

The Hon. G. T. VIRGO: I will direct this matter to the Commissioner with the same request as I will do in relation to licence fees.

Mr. CHAPMAN: I move:

> Page 5, lines 15 to 17—Leave out paragraph *(n)*.

I have been talking about the requirements of the Highways Department funding to be appropriated by Parliament. In this case I do not believe that we should be transferring the total powers of financing the sea transport services in South Australia, for example, to the Highways Department, without the ordinary course of appropriating funds allocated for that purpose. Whilst the argument may not apply to ferries and other works ancillary thereto, the sea transport service owned by the Government is a multi-million dollar business and it involves an annual loss between $500 000 and $1 000 000 as reflected in the reports over the past few years.

This is an essential service that is costly to run. It is well run by the Highways Department. I think that for the purposes of funding that service its funds should be under the scrutiny of the House and included in the ordinary appropriation papers that come before it. By amending the Act by deleting the Parliamentary scrutiny requirement and allowing the Commissioner to expend money in the provision of those services I think is unacceptable.

The Hon. G. T. VIRGO: I ask the honourable member to check carefully the effect of his amendment because it seems to me that, if lines 15 to 17 are deleted from subsection (2), the preamble of section 32 would be amended by striking out paragraphs *(m)*, *(n)*, *(o)* and *(l)*.

As of now, paragraph (n) will authorise the Treasurer to pay such amounts for the purpose of operating any ferry or sea transport service. That provision presently authorises the $900 000 by which we are subsidising the people of Kangaroo Island this year. If the amount is carried, there will be no authority at all for running the *Troubridge*, and it will either have to be run out of the moneys that it charges, or give up. Perhaps the honourable member will tell us what he would prefer us to do—up the ante so that there is enough revenue to meet the operating costs, or cut the service out. The honourable member is effectively removing the legal authority for the Commissioner of Highways to operate the *Troubridge* and all Murray River ferries. Today is the last day of the session, so if the honourable member is successful in doing this he cannot undo the wrong before we come back, and I do not know quite when that will be.

Mr. CHAPMAN: The Minister is capable of making a corkscrew straight; there is no question about that.

The Hon. G. T. Virgo: You test this one out.

Mr. CHAPMAN: All right. Let's look at it. Clause 8 seeks to amend section 32. Among other things incorporated in the Bill, the Minister proposes to amend section 32 by striking out paragraphs *(m)*, *(n)* and *(o)* of subsection (1). The effect of my amendment is not to strike out paragraph *(n)* of the principal Act, but to leave it there. I checked this matter with the Parliamentary Counsel before the amendment was prepared. I explained quite clearly to the counsel that I wanted to retain paragraph *(n)* of the principal Act, which provides for the paying to the Treasurer such amounts as may be appropriated to Parliament for the purposes connected with the provision and operation of ferry services or sea transport services operated under this Act, and works ancillary thereto. The object of this amendment is to preserve paragraph *(n)* in the principal Act.

The Hon. G. T. Virgo: It doesn't.

The CHAIRMAN: Order! From advice I have received, it does seem that the honourable member's amendment does not do what he is seeking it to do. The advice of the Minister is correct. The honourable member may disagree, and it will not be considered as a disagreement with the Chair.

Mr. CHAPMAN: Mr. Chairman, I throw a bouquet, and I am obliged to the Chair for the comments made. I know what was sought, and I am fully aware of the explanation given to me. Quite frankly, Mr. Chairman, the whole object of this exercise was to preserve Parliamentary scrutiny over the funding for the purposes outlined in paragraph *(n)* of the Act. If by the learned opinions that have been extended to me in this Chamber in the past 10 minutes I am to be guided to reword my amendments to embrace that requirement, I am happy to scribble out another one, as long as you are prepared to accept my terminology. I respect what you are saying, Mr. Chairman, and if you are right I have been misguided by the counsel of this Parliament.

The CHAIRMAN: Order! The honourable member must not refer to Parliamentary Counsel.

Mr. CHAPMAN: All right, I won't. The position is quite clear as to what was requested and quite clear as to what was understood to have been prepared for me. I am not going to argue about the legal point. I have made my position quite clear. The Opposition required the full scrutiny of Parliament over all moneys allocated pursuant to section 32 (1) *(n)* of the Highways Act. In these circumstances, I ask the Minister to report progress.

The Hon. G. T. VIRGO: There is a much easier way to

handle the dilemma. I appreciate the difficulty the honourable member is in. I would certainly not proceed with an amendment that would deprive the people of Kangaroo Island of a vessel.

Mr. Chapman interjecting:

The CHAIRMAN: Order! The honourable member is out of order.

The Hon. G. T. VIRGO: Nor would I support an amendment the effect of which would hand back to local government, or close down, every ferry over the Murray River. A simple way to solve the problem is to tell the honourable member that it is the Government's intention to oppose the amendment that he has put forward, and that will get him out of his dilemma.

Mr. CHAPMAN: I suppose it has been made fairly clear that members on this side are not at all happy with this situation. In a case like this millions of dollars are required to purchase equipment and maintain the services outlined in paragraph *(n)*, so why will the funding be direct from the Treasury to the Highways Department and not in future, as a result of this Bill, be subject to the scrutiny of the Parliament?

The Hon. G. T. VIRGO: The matter is always capable of being scrutinised in here. I do not know where the millions come from.

Mr. Chapman: It certainly cost a few.

The Hon. G. T. VIRGO: From memory the *Troubridge* will cost the taxpayer $900 000 this financial year.

Mr. Chapman: From memory, your officers said that it was seaworthy for another 10 years, and that amounts to multi-millions.

The Hon. G. T. VIRGO: We could say that you are going to cost a few hundred thousand dollars in wages, too, but that is nothing to do with this amendment. The honourable member's hobbyhorse is the *Troubridge*. Therefore, he should know that an arrangement now exists and has existed for about three years, whereby the operating losses of the *Troubridge* are shared between the Treasury and the Highways Department. The honourable member would also know that the contribution from the Treasury is contained within the revenue budget that comes before this Parliament every year. To say that there is no opportunity for Parliament to discuss it is really just a wee bit beyond me.

Mr. CHAPMAN: The Minister talked about the services of the *Troubridge* being funded from these two sources and how the service was extended to Kangaroo Island. The Minister is repeatedly being provocative and throwing out baits, and while he does that I will answer him. The *Troubridge* is not just a service for the people of Kangaroo Island—it is available to all the people of South Australia. I am not satisfied with the manner in which he introduced this Bill. This Bill deals with a lot of money, and seeks to take the funding for specific purposes completely out of the hands of Parliament. He has done this many times—brought a Bill in, wanted it dealt with straight away, and not been able to answer questions.

The CHAIRMAN: Order! When the Chairman speaks, it would make proceedings easier if the honourable member stopped talking and listened when the Chairman is trying to help him. He should not refer to the Bill, when the Bill came in, or any irrelevant matter when he is discussing his amendment in Committee.

Amendment negatived.

The CHAIRMAN: Does the honourable member wish to move his other amendments, or was that a test amendment? If the honourable member has no amendment to move, I shall put the clause. The honourable member has had the call three times.

Mr. CHAPMAN: I move:

> Page 5, lines 22 to 25—Leave out paragraph *(p)*.

This business of people being bloody smart at this hour—

The CHAIRMAN: Order! The Chair is not trying to be smart, and the Chair resents that remark. It is not the responsibility of the Chair to keep reminding the honourable member of his amendments or to call his attention to them. If he is not alert enough to move his amendments, he will not get the call. The Chair has been bending over backwards to help him, and he should appreciate that.

Mr. CHAPMAN: In speaking to the amendment, I suggest that the Bill seeks to give the Commissioner, by authority of the Minister, power to administer costs without any authority of the Parliament. Paragraph *(p)* is a new approval. In his second reading explanation, the Minister said:

> It permits the payment to defray the administrative costs of functions carried out by the Commissioner otherwise than under the principal Act.

That is the only explanation available to us. It is the defraying of administrative costs of any function carried out by the Commissioner, and those costs have been identified. What does the Minister mean when he refers to costs of any function? It could be a lunch here and there. I am not concerned about that, but if we are to write into the Act this power for the Commissioner there should be some explanation of what those functions are likely to involve. These powers have never been identified for a Commissioner of Highways, and there is no need to do it now. I do not agree that the functional and operational powers extended to the Commissioner should be extended to the point of introducing a specific new provision to confer such wide and vague powers.

The Hon. G. T. VIRGO: I do not want to labour this, because it is a storm in a teacup. One example should suffice. I expect that in about May, the honourable member, as shadow Minister, and his colleague, the member for Murray, will receive from the Commissioner of Highways an invitation to attend the official opening of the South-Eastern Freeway and the Swanport Bridge. It is desirable that the Commissioner, with the approval of the Minister, has power to expend that sort of money.

Mr. CHAPMAN: If that is the explanation, how does the Commissioner now fund such functions, when that provision is not in the Act? I thought that point would have been well covered by the Act. Is the Minister saying that for all these years the Commissioner has had no power to provide finance?

The Hon. G. T. Virgo: It has been operated on the Minister's authority.

Mr. CHAPMAN: I should have thought it was satisfactory for that situation to continue. I do not think that even senior and highly-respected officers, such as our South Australian Commissioner, need such an open-ended provision in the Act, and I oppose the provision. I ask the Committee to support my amendment.

Amendment negatived.

Mr. CHAPMAN: I move:

> Page 5, lines 26 and 27—Leave out subclause (3).

Subclause (3) simply proposes to have the provision come into operation from 1 July 1976. I do not understand the reason for the retrospectivity.

The Hon. G. T. VIRGO: We are making sure, on legal advice, that what has been done has been lawfully done and that there is no doubt about the legality of it, particularly in relation to fees. The one-sixth portion of the licence fees has been transferred in accordance with the spirit of what this Parliament did, but not necessarily in strict accordance with the legality of it. That situation should be put beyond all reasonable doubt, if there is any

doubt.

Dr. EASTICK: Can the Minister give an assurance that the Commissioner has not assumed that role in regard to this type of activity?

The Hon. G. T. VIRGO: The responsibility of the Minister has been used up to this stage.

Dr. EASTICK: Then the chicken dinner which the Minister and I had at Seppeltsfield on the occasion of the opening of the by-pass need not cause us any indigestion.

The Hon. G. T. VIRGO: None at all; I authorised it, and it gave me pleasure to do so.

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

Later:

Returned from the Legislative Council with the following amendment:

> Page 1, lines 19 to 23 (clause 2)—Leave out subsection (3).

Consideration in Committee.

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

> That the Legislative Council's amendment be disagreed to.

This clause provided that anything which had been done by a person on the authority of the Highways Commissioner prior to this Act shall have been regarded as lawful. The clause was subject to debate in the House. I explained it satisfactorily and it passed. I have spoken to the Honourable Mr. Hill and given him a copy of my explanation taken from *Hansard* and he agrees with what we are doing. I believe that when the Bill is returned, the Legislative Council will no longer insist on its amendment.

The following reason for disagreement was adopted:

> Because the amendment deletes an important provision of the Bill.

Later:

The Legislative Council intimated that it did not insist on its amendment to which the House of Assembly had disagreed.

MENTAL HEALTH ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 February. Page 3041.)

Mr. BECKER (Hanson): The Bill tidies up current legislation and simplifies the handling of property of mental patients under the appropriate Act. There will be what is known as the old Act, the principal Act, and an Act under which mental patients will be conveniently placed under the control of the Administration and Probate Act, 1919-1978.

It is interesting to note that, on page 251 of the Auditor-General's Report, under the Health Commission line, attention is drawn to trust funds, as follows:

> Established requirements for the management and use of trust funds have not been adhered to at psychiatric hospitals with particular reference to the treatment of interest on patients' trust fund moneys. The department is reviewing the management of trust funds for the purpose of making firm recommendations regarding their control, including proposals concerning amounts of interest already accumulated.

In view of that comment and the complexity of the legislation, the fact that the Minister and I were members of a Select Committee on the matter some years ago, and of the need to improve the legislation to assist these people, the Opposition supports the Bill.

The Hon. R. G. PAYNE (Minister of Community Welfare): I thank the honourable member who has just spoken in support of the measure. True, we served together on a Select Committee, and I think it was probably fortunate that we did, because this topic was canvassed before that committee. I think it fair to say that the Bill, in its reference to what is to happen to the schedule, is somewhat confusing. My experience on the committee allowed me to follow it, and I daresay that the same applies to the member for Hanson.

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

SOUTH AUSTRALIAN HEALTH COMMISSION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 27 February. Page 3042.)

Mr. MATHWIN (Glenelg): I support the Bill, which simplifies and clarifies the proceedings under the Industrial Conciliation and Arbitration Act relating to industrial awards, orders, and agreements in respect of incorporated hospitals and health centres and their employees. The Bill, which deals particularly with section 60 of the Act, adds a further three subsections, which provide that an incorporated hospital or incorporated health centre cannot enter into an industrial agreement or be represented in the Industrial Court without the consent of the Health Commission. The Bill allows the commission to act as an employer for the purposes of awards and industrial agreements.

I understand, from information I have gleaned, that only three incorporated hospitals exist at present, showing that the Minister of Health has fallen down on his job, because this whole area should have been completed by last July. The Minister's second reading explanation states:

> The principal Act provides that the officers and employees of incorporated hospitals and health centres must be employed on terms and conditions fixed by the South Australian Health Commission and approved by the Public Service Board.

That proves the situation about which the Opposition has been talking for some time. The Minister continued:

> In addition, hospitals and health centres can appoint staff only in accordance with a staffing plan previously approved by the commission.

This provision relates to the employment of staff. A recent report of investigations into the staffing of hospitals states, at page 6, the following:

> The staff employed in metropolitan Government general hospitals increased from 3 981 as at June 1967 to 10 317 (159 per cent increase) as at July 1978, while the average daily in-patients increased from 1 515 to 1 937 (28 per cent increase). In metropolitan psychiatric hospitals staff increased from 1 158 as at June 1967 to 2 227 (92 per cent increase) as at July 1978, while the average daily in-patients decreased from 2 164 to 1 605 (26 per cent decrease). The staff employed in Central Office increased from 91 as at June 1967 to 278 (205 per cent increase) as at July 1978. While evidence was tendered to justify some increase, the P.A.C. is concerned that the Hospitals Department did not know how many approved staff positions there should be in the department as at February 1978. Staffing investigations had been carried out in some areas, and staff reductions which would have saved several million dollars a year were recommended but not implemented.
>
> It was noticeable that the ratio of medical staff to patients at F.M.C. was twice that at R.A.H., where medical staff numbers are being reduced. As at July 1978 there were 2 371 student nurses and trainees employed in Government general hospitals, yet less than 25 per cent of students graduating are

> offered positions at the hospital. In addition to the training cost, the operating deficit on nurses accommodation is high (Q.E.H. approximately $500 000 deficit on nurses home and medical staff residency for financial year ended 30 June 1978).

That is the situation as appears in the report of the Parliamentary committee that was tabled in the House yesterday. I stated that the Opposition will support the Bill because the situation has arisen because of the Act, and it is logical that a Bill be passed to bring the Act up to a better standard.

Mr. WILSON (Torrens): As the member for Glenelg has said, this Bill centralises the control of industrial matters regarding hospital, under the aegis of the Health Commission. This is really a direct negative of what the Premier said today—that the Government was concerned to decentralise control. There are some reasons for this, because there have been considerable industrial problems with the hospitals regarding their relations with the Australian Government Workers Association in the endeavour of the hospitals to reduce costs. The Public Accounts Committee Report on page 48, regarding the Royal Adelaide Hospital, states:

> The P.A.C. was surprised to find that very little work had been carried out by the Management Services Branch in investigating the staffing establishments of the Royal Adelaide Hospital.

Regarding the Central Sterile Supply Department, the report states:

> As a result of a request from the Administrator, R.A.H., a work Study was carried out during the period April to July 1974 to determine the correct staffing establishment for the C.S.S.D.

A report dated 26 December 1974, from the Administrator of the Royal Adelaide to the Director-General of Medical Services, referred to proposed staff reductions as follows:

> It is not disputed that staff reduction to 27 attendants could be affected but it is thought that the industrial climate may make it necessary to have open discussion with the staff on this matter before any attempt is made on implementation. In this regard, it is thought that it would be beneficial that Mr. Brown should meet with the staff in the presence of the Superintendent and perhaps some union representation so that he may place the facts before those concerned.

Regarding this letter, the report stated that the reduction in staff was not agreed to by the Australian Government Workers Association. The tactics of that union caused a serious cross-situation at the Royal Adelaide Hospital. Regarding domestic staffing, the Public Accounts Committee report stated:

> A report dated 26 February 1975, addressed to the D.G.M.S. from the Management Services Branch, included the following comments:
>
> A preliminary examination of the domestic staffing levels of the Royal Adelaide Hospital and the Queen Elizabeth Hospital would indicate that there could be a considerable saving made if the organisation and methods section of this department could undertake a detailed work study.

That is a reasonable request, and the Opposition approves of this in an effort to reduce costs. A reply dated 29 December 1978, from the Administrator of the Royal Adelaide Hospital, stated:

> It is realised that cleaning costs can be reduced by cleaning less frequently and less thoroughly thus lowering the standard. In the past, attempts to do this have met with strong opposition from the domestic staff and the Australian Government Workers Association on the grounds that lower standards should not be acceptable in hospitals and that job satisfaction would become non-existent.

The report, under the heading "The following measures have been taken to reduce cleaning costs", continues:

> Consideration has been given to the possibility of cleaning certain areas of the hospital by outside contract. A rough estimate of the savings which could be made by doing so would be $300 000 p.a. However, the domestic staff and the Australian Government Workers Association are strongly opposed to such a move. A direction has been sought from the Minister of Health as to whether contract cleaning should be introduced. About 140 part-time staff would become redundant.
>
> A proposal to transfer the cleaning of certain areas from evening shift to morning shift thereby saving about $160 000 p.a. in penalty payments has been opposed also by the domestic staff and the union. A further move to reduce penalty rates paid to this staff from 30 per cent to 15 per cent on the grounds that the hospital no longer requires them to work evening shift is being challenged by the union also. This would save about $80 000 p.a.
>
> The above indicates that, with the co-operation of staff and union, the hospital could make savings of about $1 000 000 in cleaning costs, provided the necessary staff reductions are achieved.

That is a significant sum. The final paragraph of the Public Accounts Committee Report, regarding this subject, states:

> The P.A.C. is concerned at the lack of commitment to achieve economies worth over $1 000 000 p.a. in cleaning costs at R.A.H. which were brought to the department's attention in February 1975. Staff savings can be achieved by attrition, transfer to other Government institutions, reduction of overtime and retrenchment of part-time cleaners who may have two jobs.

By the control of industrial matters being brought under the aegis of the Health Commission, the Opposition hopes that the Health Commission will be able to take stringent action to control what we believe is a gross waste of public funds.

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

LIBRARIES AND INSTITUTES ACT AMENDMENT BILL, 1979

Adjourned debate on second reading.

(Continued from 28 February. Page 3134.)

Mr. ALLISON (Mount Gambier): This Bill was introduced in an unusual fashion in that it was introduced in another place, when one would have expected the Minister to introduce it in this place. I assume that it was a matter of expediency at a time when we were under considerable pressure to move legislation through the Houses. I notice with some regret that quite an important issue was not canvassed in the other place. It is an issue which affects the wellbeing of librarians and librarianship generally in South Australia. Ostensibly, the introduction of this Bill is to improve library services in South Australia by rationalising the operation of library services. One important thing about this legislation is that the status of the State Librarian is affected. To my way of thinking, from the professional point of view, this is one more action that down grades generally the status of librarians in South Australia.

The Bill totally removes from the legislation any reference to the position of State Librarian. In particular, it removes the State Librarian from specific membership of the Libraries Board of South Australia. His name is expunged from the record. One clause refers to eight

members of the board, whereas previously the State Librarian was the main member of the board; the Act provided that one member shall be the State Librarian, and seven others were to be appointed by the Government. The presence of the State Librarian on the board is now an optional extra instead of a certainty. It is hard to envisage a State Libraries Board excluding someone who was previously a key member. He was the leading professional member of the libraries in South Australia; now he is excluded from membership. Whether that is the intention of the Minister and the new Libraries Board remains to be seen. I assume that the Minister will comment on that in due course.

Carrying on that expression of concern, I point out that subsequent amendments to the Act remove reference to the State Librarian as the permanent head of the Libraries Department. The State Library and State libraries are removed from the legislation, and instead we have a public libraries service which is now to be headed by someone who has no professional librarian status; that is, the permanent head of the Community Development Department. The supreme control or responsibility for public libraries in South Australia will now be vested in a non-professional. Bearing in mind the considerable dissent created when a similar action was taken by the Federal Government a few years ago in Canberra, when the Australian National Librarian's position, the position of Senior Librarian, was handed over to a non-professional (Mr. Fleming), one can only assume that there will be similar discontent within the ranks of the professional librarians, and in the Australian Librarians Association in particular, about this latest move.

I am not saying that the present State Librarian has in any way expressed personal regret about this. I think, as a professional and someone who already has responsibility to the State Government, he would probably be too gentlemanly to do that. As a professional librarian myself, I can appreciate the concern that will obviously be felt by the L.A.A., the Library Association of Australia. I feel that this is certainly a downgrading generally of the position of librarians in South Australia. I would consider this, if I were in the position of the State Librarian in South Australia, to be in some way a vote of no confidence, for my control over the entire State library system to be removed and for me as a person to be pigeonholed in some line of duty which has not yet come before Parliament. I assume that some subsequent legislation will be introduced which will quite clearly define the new powers.

[Sitting suspended from 6 to 9.25 p.m.]

Mr. ALLISON: Before dinner I was referring to the role of the present State Librarian being considerably diminished by the present legislation. That is undoubted. In view of the fact that no alternative legislation is brought forward simultaneously with the present Bill to define his future role, I have to express great concern, particularly on behalf of the professional librarians of the State who regard the title of State Librarian as one of very high honour. This concern is not ill-considered, because we should always bear in mind that for some considerable time we have also been lacking an Assistant State Librarian. Whether that has been a deliberate ploy, in view of the emergence of the Crawford Report, or whether it is purely accidental, I am not sure.

I understand that an Assistant State Librarian was appointed after a series of interviews, but he subsequently declined to take on the position, so that exaggerated the difficulty being experienced by the State Librarian in executing his duties efficiently. Be that as it may, the State Library has been labouring along with less than adequate administrative staff in senior positions. Therefore, on behalf of the members of the Australian Library Association, who hold the position and activities of the State Library in high regard, I view with great concern the fact that all reference to that high office and everything that it entails are expunged from the present Act, and that there is no indication that there will be any substitution coming forward. I hope the Minister will comment about these matters.

The Hon. J. C. BANNON (Minister of Community Development): First, as the honourable member suggested, the Bill was introduced in another place and not in this Chamber as a matter of convenience. The state of the Notice Paper and the fairly heavy legislative load that we had at that time in this House, made it convenient to introduce the Bill in another place. If the Bill had represented a major reworking of the Libraries Act and major policy decisions, naturally it would have been introduced in this House by me as Minister in charge of that area. However, because it is a machinery Bill its ramifications, although important, are not really of such a nature that they require extensive debate, and it was thought quite proper for it to be introduced in another place.

This Bill paves the way for administrative action to take place within the library as recommended by the Library Services Planning Committee, under the chairmanship of Mr. J. A. Crawford. Therefore, many of the statements made by the honourable member and many of his doubts and reservations are really unfounded, if one views the Bill as being part of the implementation of that report. The State Libriarian, Mr. Olding, who was the subject of most of the honourable member's remarks, was in fact a member of that committee and took part in the inquiry and helped write the report. He signed the report as a member of the committee. He was thus fully aware of the implications of some of the recommendations. One of the recommendations of that report was that there be a Director-General of Libraries, and that the department be revamped in a particular way. This meant that in any case the position of State Librarian would have been abolished or made secondary.

That did not occur because the Government has not adopted that particular approach. However, it has adopted the logic of seeing the library service as two divisions—the State Library and the Public Library Division, services regional and local government libraries throughout the community. The precise elements in each of the two divisions are being worked out at the moment, partly by a steering committee comprised of staff of the library which again includes Mr. Olding, the State Librarian. Therefore, Mr. Olding has certainly not been pushed aside, kept out or had somebody going over the top of him; he has been very much a part of this process.

The honourable member suggested some discontent with what was happening, but it would amaze me if there was discontent in the libraries area. The last two or three years have seen major expenditure, a major upgrading of the libraries and a tremendous vote of confidence by this Government in the development of the libraries system. I suggest that professional librarians in South Australia, far from being disturbed or worried about the situation, along with the Library Association, are over-joyed at the attention being given to the libraries and the high priority this has in our programme. I would imagine that the current State Librarian is as pleased as anyone about it.

The Public Libraries Division, will service regional and

local government libraries, which have only developed in a major way in the past few years. In other words, they have developed since the position of State Librarian was created. The library development has grown at such a pace and so comprehensively that we are in a position where we must divide the library service into two sections to ensure that the programme goes on at the pace we require. That was the recommendation of the Crawford committee and the Government has adopted that recommendation. As I have said, Mr. Olding was a member of the committee which prepared that report.

I reject the tone and tenor of the honourable member's remarks. The position on the Library Board has not been resolved yet. What role the Library Board will play, what its powers should be, and so on, are all part of the consideration of the report. In the interim period, although the position of State Librarian has been abolished from the board, it is certainly my intention to make Mr. Olding, the current State Librarian (and he will retain that title), a member of the board. With the passing of this Bill, there will be one vacancy, and I can appoint Mr. Olding on an interim basis to that vacancy. Although the general position is being looked at, Mr. Olding's position will be completely protected.

In conclusion, Mr. Olding has been very much an important part in the process of developing the libraries, a development that is being welcomed throughout this State. As Minister of Community Development, I intend to keep libraries at a high priority within my department, and I am sure that the Government, having adopted the Library Services Planning Committee Report, also intends to keep it that way.

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

DANGEROUS SUBSTANCES BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, line 10 (clause 5)—Leave out "inflammable" and insert "flammable".

No. 2. Page 2 (clause 7)—After line 32 insert subclause as follows:

(2) The provisions of this Act shall not limit or affect any civil remedy at law or in equity.

No. 3. Page 4 (clause 9)—After line 24 insert subclause as follows:

(6a) A person shall not be guilty of an offence against subsection (6) of this section if he refuses to answer a question, the answer to which would tend to incriminate him.

No. 4. Page 5 (clause 12)—Leave out the clause.

No. 5. Page 7, line 36 (clause 24) —Leave out "appeal to the Minister " and insert ", within the period of one month from the making of the decision, appeal to a local court of full jurisdiction".

No. 6. Page 7, line 37 (clause 24)—Leave out "Minister" and insert "local court of full jurisdiction".

No. 7. Page 8 (clause 25)—After line 20 insert subclause as follows:

(5a) A notice given under subsection (4) or (5) of this section shall not have effect until the expiration of the period of fourteen days from the day on which the notice is given or a day specified in the notice, whichever is the later.

No. 8. Page 9, line 2 (clause 27)—Leave out "every manager" and insert "the manager".

No. 9. Page 9, lines 4 and 5 (clause 27)—Leave out all words in these lines and insert "that offence unless he proves that he did not know and could not reasonably be expected to have known of the commission of that offence or that he exercised all due diligence to prevent the commission of that offence."

No. 10. Page 10, lines 43 and 44 (clause 31)—Leave out all words in these lines.

Amendments Nos. 1 to 6:

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I move:

That the Legislative Council's amendments Nos. 1 to 6 be agreed to.

The amendments are mostly legal and technical, they do not affect the operation of the Bill, and the Government has no objection to them.

Motion carried.

Amendment No. 7:

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

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

The basis of the disagreement is that it would interfere with the rights of the Directors in granting exemptions. The effect would be that we would not be able to apply this within 14 days, and the Government opposes that amendment.

Motion carried.

Amendments Nos. 8 to 10:

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

That the Legislative Council's amendments Nos. 8 to 10 be agreed to.

They are technical and legal, and the Government sees no effect on the operation of the legislation.

Motion carried.

The following reason for disagreement to the Legislative Council's amendment No. 7 was adopted:

Because the amendment reduces the responsiveness of the Bill to a potentially dangerous situation.

Later:

The Legislative Council intimated that it did not insist on its amendment No. 7 to which the House of Assembly had disagreed.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Pages 2 and 3 (clause 7)—Leave out this clause.

No. 2. Page 3 (clause 8)—After line 17 insert new clause as follows:

8a. Section 52 of the principal Act is amended—

(a) by striking out subsection (1) and inserting in lieu thereof the following subsection:

(1) Except as is expressly provided by this Act, any weekly payments payable as compensation pursuant to this Act shall not be discontinued or diminished without the consent of the worker except—

(a) where—

(i) a legally qualified medical practitioner has certified that the worker has wholly or partially recovered or that the incapacity is no longer a result of the injury; and

(ii) the employer has given to the worker at least twenty-one days prior notice in writing of his intention to discontinue the weekly payments or diminish them by an amount stated in the notice (which notice must be accompanied by a copy of the medical certificate stating the

grounds of the opinion of the medical practitioner);

(b) where the worker has failed to provide his employer with evidence in the form of a certificate from a legally qualified medical practitioner that his incapacity continues and the employer has given to the worker at least twenty-one days prior notice in writing of his intention to discontinue the weekly payments, unless the worker within that period provides his employer with such evidence; or

(c) where the worker has returned to work.;

(b) by striking out from subsection (2) the passage "referred to in that subsection" and inserting in lieu thereof the passage "after the notice of intention to discontinue or diminish is given or, where no such notice is given, after the weekly payments are discontinued or diminished"; and

(c) by inserting after subsection (2) the following subsection:

(2a) Where a worker has been given a notice under subsection (1) of this section and has taken out an application referred to in subsection (2) of this section, the weekly payments shall not be discontinued or diminished pending determination of the proceeding upon the application.

No. 3. Page 3, lines 23 to 33 (clause 9)—Leave out all words in these lines and insert:

or

(b) if it considers that a genuine dispute exists concerning the liability of the employer to pay any compensation, order that this section shall not apply in relation to so much of the compensation as is the subject of the genuine dispute.

No. 4. Page 3, lines 35 to 45 (clause 9)—Leave out all words in these lines and insert:

(3aa) Upon the hearing of an application referred to in subsection (2) of this section, the Court may order that this section shall apply with such modifications as the Court thinks fit and specifies by order in relation to so much of the compensation as is not the subject of a genuine dispute, but no modification of the application of this section shall render a penalty amount payable under this section in respect of any period during which the operation of subsection (1) of this section was, pursuant to subsection (2) of this section, suspended.

No. 5. Page 5 (clause 15)—Leave out this clause and insert new clause as follows:

15. The following section is enacted and inserted in the principal Act after section 74:

74a. (1) Notwithstanding any other provision of this Act, where an employer—

(a) employs a worker in employment that commences after the commencement of the Workmen's Compensation Act Amendment Act, 1979;

(b) causes the extent of the noise induced hearing loss of the worker to be determined by an examination conducted in the prescribed manner by a person holding prescribed qualifications not more than two months (or such other period, not exceeding four months, as the Court may, on the application of the employer, allow) before or after the commencement of the employment (and, in the case of an examination conducted after the commencement of the employment, while the worker is still in that employment); and

(c) causes a copy of the report made upon the examination together with a notice in the prescribed form to be supplied to the worker personally as soon as practicable after his receipt of the report (and in no case more than six months after the commencement of the employment);

the employer shall be liable to pay compensation only on the following basis:

(d) as if the noise induced hearing loss arising out of, or in the course of, his employment of the worker were the only hearing loss of the worker; and

(e) as if the hearing loss arising out of, or in the course of, his employment of the worker had been caused by an injury occurring on the last day on which the employer employed the worker prior to the commencement of the proceedings in employment to the nature of which the injury is due.

(2) Where—

(a) the noise induced hearing loss of a worker is attributable to injury arising out of, or in the course of, his employment by two or more employers (of whom at least one is a non-examining employer); and

(b) the last responsible employer of the worker is an examining employer;

the worker may claim compensation in respect of the whole of his noise induced hearing loss from that examining employer and proceedings in respect of the claim may, on the application of the worker, be brought before the Court for hearing and determination notwithstanding that there is no dispute between the worker and that employer in relation to liability to pay, or the amount of, compensation under this Act.

(3) Where proceedings are brought before the Court in pursuance of subsection (2) of this section, the last responsible non-examining employer and any subsequent responsible examining employer who employed the worker before the commencement of his employment by the employer against whom the proceedings are brought shall be joined as parties to the proceedings.

(4) In any proceedings under subsection (2) of this section—

(a) compensation shall first be assessed as if all the employers who are parties to the proceedings were a single non-examining employer;

(b) compensation shall then be assessed against each examining employer on the basis referred to in subsection (1) of this section; and

(c) compensation shall then be assessed against the non-examining employer by subtracting the amounts assessed under paragraph *(b)* of this subsection from the amount assessed under paragraph *(a)* of this subsection.

(5) In this section—

"examining employer" means an employer who is entitled to the benefit of subsection (1) of this section:

"hearing loss" includes deficiency of hearing:

"non-examining employer" means an employer who is not entitled to the benefit of subsection (1) of this section:

"responsible employer" means an employer who employed the worker in employment to the nature of which the injury is due.

(6) This section does not—

(a) affect a liability to make weekly payments; or

(b) confer any right to recover compensation for a prior injury as defined in subsection (9) of section 69 of this Act or an injury in respect of which compensation has been recovered under

a law not being a law of this State.

(7) Nothing in this section—

(a) affects the operation of any other provision of this Act that is relevant to onus of proof in proceedings under this Act; or

(b) affects the operation of any other provision of this Act except in so far as the operation of that provision must necessarily be affected in order to give effect to the express provisions of this section.

No. 6. Page 6 (clause 18)—Leave out the clause.

No. 7. Page 7 (clause 19)—Leave out the clause.

Consideration in Committee.

Mr. DEAN BROWN: I move:

That the Legislative Council's amendments be agreed to.

The first important amendment relates to clause 8 and inserts a new clause 8a. Except for some variation in drafting, the amendment is almost identical to that introduced by the Minister of Labour and Industry in a Government Bill in November 1976. After a conference between the Houses, that Bill lapsed. The clause provides that an employer may discontinue or diminish weekly payments to a worker if the worker fails to provide a continuity of medical certificates giving evidence of his incapacity.

The employer is required under this clause to give the worker 21 days notice that his weekly payments are to be discontinued, during which time the worker may apply to the court for an order that payments should be continued at the expiration of the period of notice. When a worker challenges his employer's right to discontinue, the weekly payments shall not be discontinued or diminished pending determination of the hearing. I recommend that the Committee adopt that amendment.

The next amendment relates to clause 9 and is an attempt to clarify an apparent error in drafting in the Government amendment introduced in my private member's Bill; this is simply a routine amendment. The next major amendment relates to clause 15, the provision dealing with hearing loss. It is an important amendment, and deals with noise-induced hearing losses. It has been recognised by the Government and the Liberal Party for some time that the relevant sections in the existing Act are inadequate, and I will not canvass that matter in full detail. When I moved my private member's Bill, I outlined to the House at least four major anomalies that exist under the present Act. On 23 November, the Minister of Labour and Industry, the Hon. Mr. Laidlaw and I issued a joint statement with regard to the proposed amendment to the noise-induced hearing loss provision. In that joint statement, I think on the last night of the sitting, we said:

It is proposed that, if an employer has the extent of a worker's hearing loss medically determined within two months of that worker commencing employment, the employer will only be liable for compensation in respect of any further hearing losses that occur after that medical examination. This will apply only to workers who commence work with a new employer after the Act is amended. Any right to compensation now provided for a worker currently in employment will not be affected.

Legal advisers to the Government and to employer bodies have given detailed attention to drawing up these amendments during the past three months, and I commend the people involved. The Minister, the Hon. Mr. Laidlaw and I appreciate the many hours of work put in by Mr. Cunningham, on behalf of the department, Mr. Chris Lee, on behalf of the employers, and a number of Parliamentary draftsmen, including Mr. Hackett-Jones.

The CHAIRMAN: Order! The honourable member must not refer to the Parliamentary Counsel by name.

Mr. DEAN BROWN: They all spent days discussing, negotiating and working out an agreement on this matter. The other day, they worked well into the night in a last-ditch stand, and I am pleased to say that agreement was finally reached yesterday on what the amendments should be.

This amendment is comparatively brief, and deals with the situation where, after the Act is amended, a worker is given a hearing test before or after commencing employment. If the employer does not arrange for a worker to have a hearing test, the worker can claim under the existing provisions of the Act and obtain compensation for the whole of his noise-induced hearing loss as at present. To enable the employer to limit his liability for noise-induced hearing loss, the employer must arrange for the worker to have a hearing examination by a person with prescribed qualifications. It is anticipated that the examination will be conducted either by an ear, nose and throat specialist or a qualified audiologist.

There is provision for the examination to be conducted not more than two months before or after the commencement of employment or, in special circumstances, the court may allow up to four months for the test to be held. The prior testing provisions cover the case where an employer has within his conditions of service a provision to test a worker's hearing prior to commencement. The extension to four months would apply probably to workers in remote areas, where it is difficult to arrange for testing. If the hearing test by which to limit liability is conducted after the worker has left the job, the right to limit liability will be removed. This is a wise precaution, otherwise the worker may suffer post-employment loss of hearing prior to testing. It would be impractical to determine the extent of any loss suffered during the short term of his job. Alternatively, an employer could limit his liability by arranging for an unwitting worker to be tested after leaving his job.

In addition, in order to limit liability, the employer must ensure that a copy of the hearing test, together with a notice on a prescribed form, will be given to the worker personally as soon as practicable and, in any event, not longer than six months after starting his job. If an employer fulfils these conditions, he can limit his liability for noise-induced hearing loss. Under section 74a (1) *(d)* the examining employer is liable only for loss suffered by the worker in his employment. If the worker had as his hobby the playing of drums at a discotheque and if the loss of hearing suffered at work can be distinguished from that suffered at the discotheque or elsewhere, the examining employer is liable only for the loss of hearing at work.

The subclause also prescribes the method of measuring the proportion of hearing loss. If a worker's loss was, say, 20 per cent at the commencement of his job and 40 per cent when he had a test prior to commencement of proceedings, the loss will be calculated as 20 out of 100 and not 20 out of 80. Since the lump-sum compensation for total loss of hearing is $15 000, the worker in that case would be entitled to $3 000 and not $3 750 as might otherwise have been claimed.

Under section 74a (1) *(e)*, it is assumed that the hearing loss occurred on the last day on which the worker was employed prior to the commencement of proceedings. This is to preclude him from leaving his job, then waiting for, say, 10 years before making a claim in the hope that the lump-sum benefits will have been increased in the meantime by amendments to the Act.

Section 74a (2) deals with the case where the noise-induced hearing loss is suffered at two or more jobs—where the last responsible employer (that is, a person who employed the worker in a job which

contributed to the injury) was an examining employer, and where at least one other employer is a non-examining employer. In this case the worker may claim compensation with respect to the whole of the loss from the examining employer, the employer who carried out the test at the beginning of employment. When proceedings are brought to court, previous employers, so long as one is a non-examining employer, can be joined. This means that a worker can obtain the whole of his compensation entitlement at one hearing.

This is an important provision. It allows the worker now to make only one claim and obtain all of his hearing loss against the number of employers who may be brought into the one claim. If the worker suffered 20 per cent loss whilst working for the last responsible and examining employer, 20 per cent loss from a previous examining employer, and 30 per cent loss from an earlier but non-examining employer, he would be entitled to receive $3 000, $3 000, and $4 500, or $10 500 in total from the three employers. Under the present Act, he could receive $10 500 from the one employer or any one of those employers that he could have sued. This is outlined in section 74a (4).

Section 74a (5) provides that the term "hearing loss" includes deficiency of hearing. Therefore, if a worker has a congenital loss of, say, 20 per cent and then suffered a further 20 per cent loss during the course of employment, his entitlement will be 20 per cent of unimpaired hearing, or a total loss of 80 per cent.

Section 74a (6) provides that this section does not absolve an employer from the obligation to make weekly compensation payments. This covers the rather rare case of a worker who suffers a hearing loss severe enough to incapacitate him. That could apply to an airport where there would be extremely loud noise. Nor does this section confer a right for a worker to obtain hearing loss compensation if he has already been compensated for that loss in another State or under a prior claim under this Act.

Under this subsection, a worker who has received compensation for hearing loss in another State will not be able to come to South Australia and make a further claim. The Opposition considered whether there should be a definite period at the end of employment when a person should be forced, by his employer, to take a test, but it was decided that that portion be excluded. I recommend that the Committee of Inquiry on Workers Compensation could examine this aspect, because it has much to commend it. The drafting of the provision could pose problems and could take some time. Because it is included in these amendments, the value of the proposal is not undermined.

The amendments that have been passed make a significant breakthrough in the original Act of 1973. Many people in South Australia suffer from hearing loss and may be able to find employment in the future, because much of the prejudice against such people will be removed because the liability for further hearing loss will be limited to that further loss and not to the total hearing loss.

When I introduced this Bill I pointed out that many deaf people or those with congenital deafness had difficulty in obtaining jobs. I quoted a letter from parents of children with congenital deafness; these people will be greatly helped by the Bill. Many companies in South Australia will increase their employment of deaf people, because I believe they have been waiting for the amendment, which will limit their liability.

Now that the amendment has been passed and agreed to in the other place, many of those employers will employ deaf people. I know of a large company that has indicated that it wishes to employ more people, but it has been waiting for the amendment to be passed. It has been a long hard road. I appreciate the assistance of the Minister of Labour and Industry in reaching agreement. I am sure the Minister would agree that, although negotiations have been lengthy, the achievement has been worth while. I thank him and his officers for their support in reaching this conclusion. The amendments proposed cover only one or two of the—

The SPEAKER: The honourable member cannot refer to the second reading debate.

Mr. DEAN BROWN: In that case, I will make the comments. The Bill covers only some areas of the Workmen's Compensation Act that need amending. The first major milestone has been achieved, and I hope that the committee of inquiry will recommend worthwhile amendments to deal with the rest of the Bill. An excellent procedure has been laid down. If the problem is tackled piecemeal, as in this case, some degree of consensus will be reached even though on some parts of the Bill we will never receive consensus.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I did not intend to speak at length in this debate. I thought that the *fait accompli* had been achieved. The member for Davenport did not have to convince me: the die was cast. This area of workers compensation has been troublesome for the Government.

The Act will now be entitled "Workers Compensation Act", and that is an important change, because of a request by the female population. It is a measure on which there is great philosophical difference between the Government and the Opposition. The honourable member referred to that in his final address and said that there were some areas on which agreement would never be reached. These differences are always current. However, on this occasion, with a great deal of pleasure, I announce a satisfactory resolution of the issues raised by this amending Bill. The Bill as it left this House contained a number of amendments designed to give more effective operation to the Act, and those have been accepted by the Legislative Council, with some minor modifications which are acceptable to the Government.

The major issue of substance concerns the amendments which permit employers to limit their liability to noise induced hearing loss sustained by workers in their employment, provided that they are prepared to conduct pre-employment hearing tests, which I believe to be an increasingly common practice in industry. It has been my concern throughout to ensure that the Act does not impose burdens on those employers which would prevent them from employing people with hearing loss, as appears to have been the case in recent years.

I am not as confident as is the member for Davenport when he says there are numerous employers ready and willing to employ people. I hope he is right, and I hope employers start employing sound people as well as those with afflications. Employers are not showing any anxiety to increase their workforce. It mystifies me how the member for Davenport can be so confident as to say there will be numerous employment opportunities. I hope this legislation gives an equal opportunity to people with afflications, whether of hearing or any other loss, and I hope they can compete in the workforce on an equal footing with others seeking work. I also hope that the member for Davenport is right when he says that there will be an upsurge in employment, but I hope this will be for all people.

At the same time, I was concerned to ensure that the rights of workers were not prejudiced by the fact that an individual employer was able to limit his liability. This, in turn, means providing to workers rights of recourse

against previous employers in respect of the balance of any compensable hearing loss. I would like to go back to 1973, when this legislation was introduced and carried through both Houses by my predecessor, the Hon. Dave McKee.

A worker who had in fact suffered any hearing loss prior to that legislation received no compensation. There were literally thousands of workers in this State who for many and varied reasons in their occupations had found later that they had quite large percentage losses of hearing and who received no compensation at all. If the legislation that was passed in 1973 had some anomalies in it, it also had some protection in it, because it gave workers, for the very first time in this State, an opportunity to receive some compensation for an affliction received at work.

These two principles have been achieved in the amendment to the Act which inserts a new Section 74a. It is made clear that this section is not to affect the operation or interpretation of any other provision of the Act, a matter which at one stage appeared to be a matter of fundamental divergence. A worker whose employer does not bother to conduct the hearing test specified in this section will be able to claim against that employer under the existing provisions of the Act, and his position is in no way changed. Where the current employer has limited his liability, procedures are provided to ensure that all relevant employers are involved in the claim and proceedings so that the whole of the worker's loss may be recovered by that worker, but the liability to pay compensation can be apportioned among the various employers.

I want to commend the member for Davenport for raising a matter that I did not know he intended to raise. I want to place my thoughts on record about that position; that the Government seeks to encourage the wider use of hearing tests in industry to protect the health and welfare of our workers. At one stage of the discussions we contemplated an amendment to provide incentives for employers to conduct such tests at the termination of employment. I believe that this idea met with general approval in principle, but doubts were expressed as to the possibility of consequences which had not been anticipated. It is now thought desirable that this idea be referred to a committee of inquiry for further consideration. The Government will continue to pursue any idea which benefits the health of workers and lessens the burden on careful and responsible employers.

I give an assurance to the House, and to the public of South Australia, that I will personally refer that matter to the committee of inquiry for its interest, and examination, and for what it might recommend at the termination of its recommendations. I repeat that the Government's concern has been to ensure employment opportunities for people with hearing loss. This amendment removes the objections which have been previously expressed by employers to taking on these people. I expect an immediate improvement in the employment prospects of these people, and I will be monitoring carefully the effects of this amendment. I would like to pay a tribute to the reasonable and constrained approach taken by members of the Opposition in what have been intense and difficult discussions over this amendment. An agreement in principle was established early in the proceedings. It was recognised then on both sides that there was a genuine social problem, and discussions proceeded in a constructive way with a determination to find a solution.

I pay a tribute to all those people who were involved in this most difficult problem. From the time that the House adjourned in November, many people hve been involved in discussions. In fact, I do not know how some of those people have put up with it. I do not think the member for Davenport or the Hon. Mr. Laidlaw thought in their wildest imagination, when this attempted amendment was put before the House, that so much legal technical, officer, Minister and member time could have been taken up in trying to find a solution to this problem. As the member for Davenport said, it was only last night at about 11 p.m. that finality was reached. I thank all of those people involved. I will not mention names, because if I do I may leave somebody out. I thank everybody involved in the final drawing up of this amendment, because without their assistance I do not think that we would have reached the stage that we have reached tonight. The Government supports the amendment.

Motion carried.

SEEDS BILL

In Committee.

(Continued from 23 November. Page 2321.)

Clauses 2 to 7 passed.

Clause 8—"Defences."

Mr. RODDA (Victoria): I move:

> Page 4, lines 18 and 19—Leave out "at places situated within 30 kilometres of each other".

The distance of 30 kilometres mentioned in this clause seemed to be of little consequence in an industry like the seed industry. People employed in the industry in the South-East were worried about the necessity for this condition. These people had some very good practical queries as to why the Bill should have been drawn in this way. If pestilence is to attack the seed industry, it will not be restricted by a distance of 30 kilometres, and this seems an extraneous condition to incorporate in the Bill.

The Hon. HUGH HUDSON (Minister of Mines and Energy): I understand the problem the member for Victoria is trying to deal with. However, I am informed that his proposal goes too far, as it removes all restrictions on the sale of seed to primary producers. Cases have been known to the Agriculture Department of disease transmission through contaminated seed—for example, rye grass toxicity—and it would be impossible in those circumstances and irresponsible to allow the latitude that the honourable member desires to seek by his amendment. In special cases, power exists for the Minister or authorised officers to allow exemption for transactions more than 30 km apart. The department feels very strongly that, if there are special circumstances to be considered, it should be done by means of exemption, but not by the overall removal of this limitation, because there have been cases of contaminated seed.

Mr. RODDA: I am not sure who is rustier, the Minister or I. It is some months since the proponents of this proposal talked to me. They were practical farmers and were unhappy about the way in which the clause is framed. When the Minister used the comparison of rye grass toxicity, it was probably one of the worst to pick on.

The Hon. Hugh Hudson: I am advised by practical men.

Mr. RODDA: I think the analogy is off the beam. I acknowledge the weight of the Government in this, but I am disappointed that the amendment will not be accepted, thus opening up a fair go for seed producers in the higher rainfall areas.

Amendment negatived; clause passed.

Clause 9—"Powers of authorised officer."

Mr. RODDA: I move:

Page 4—

> Line 32—After "shall" insert ", in the presence of the person in charge or apparently in charge of the premises at

which the sample is taken."

Lines 38 to 40—Leave out all words in these lines after "sample to" in line 38 and insert "that person".

We seek to include in clause 9 a provision that, where an authorised officer takes a sample of seed for analysis, he shall, in the presence of the person in charge or apparently in charge of the premises at which the sample is taken, see that the sample is taken and that it is a true sample. As the Bill is drawn, the sample could be other than a true sample when it gets mixed up in the conglomerate that takes place.

The Hon. HUGH HUDSON: Although I feel generous tonight, I am unable to be generous about this amendment. It is impractical because, where an authorised officer takes a sample of seed for analysis, he is required under the amendment to do certain things. He shall mix the sample and divide it into three equal parts, and so on. The effect of the amendment is that those processes shall take place in the presence of the person in charge or apparently in charge of the premises at which the sample is taken. If that person refuses to be present while the sample was taken, the whole procedure is invalid.

If the matter came before the court for contest, the authorised officer could be examined on the way in which he carried out the statutory duties imposed on him by the Bill. If it could be demonstrated that he had not carried out those duties adequately, any attempt at action no doubt would fail. In the way in which the amendment is framed, the person in charge or apparently in charge could defeat the whole process, simply by refusing to be present while the authorised officer carried out the processes required.

Mr. NANKIVELL: I can see that there is possibly a legal loophole if the person in charge or apparently in charge was not present. However, when the member for Victoria and I discussed this amendment, we had in mind trying to ensure that the sample that was taken was in fact the sample that was tested. If samples are not properly labelled, they can be confused. From the main sample, one portion is sent back to the person from whose property the seed was collected. We are trying to make sure that the situation works in reverse.

The amendment is trying to ensure that the sample collected is the sample from that property, and not from some other property. When the officer takes a sample, he puts it in a bag and labels it. He leaves behind a portion of the sample he has collected, and he takes the other for processing. There is always the possibility that the sample being returned is not the specimen of the sample collected.

The Hon. HUGH HUDSON: I can see the point. It is a question of which point you meet—that point or the legal requirement. If a prosecution were to follow as a consequence of the processes carried out, and they had not been carried out according to the letter of the Act, the prosecution would fail.

Let us imagine that we had drafted the breathalyser law in terms of saying that the test had to be conducted in the presence of the driver so that the driver knew for sure that it was his breath, and not someone else's breath, that had been analysed by mistake. It is either a question of ensuring that the legal requirements set out in the clause can be fulfilled, or it would create a situation to give still greater protection to the person in charge or apparently in charge at the cost of putting at risk the legal process that had to be carried out. The Government has come down on the side of ensuring that the legal processes be carried out.

Mr. RODDA: Harvesting is a busy time, and the authorised officer would go from property to property, and such a mistake could be made. Looking at the seed as harvested, I doubt whether the Minister or I would know the difference. There are fundamental differences in seed, and the authorised officer could make the mistake. All the legal argument in the world would not correct a statement when the officer in charge had collected the seed and had placed it in various bags.

The Hon. Hugh Hudson: He can be cross-examined.

Mr. RODDA: The lucerne aphid would not care two hoots about a court. I have moved my amendment in the interests of the lucerne industry to ensure that there is some legislative process that would require extra care to be taken in the taking of the sample. It is important that the authorised officer gets the true seed that is brought up for sampling.

Mr. BLACKER: I support the amendment. The authorised officer must be there to negotiate the market price for the sample before he can take the sample.

The Hon. Hugh Hudson: Then he whips off.

Mr. BLACKER: We are dealing with two hypothetical situations. It is in the farmer's interest that the grain be tested, because he has to take a lower price unless he gets the certificate of test. It is a simple matter to divide the sample into three and to place it into the appropriate bags. I see no great problem with the amendment.

The Committee divided on the amendment:

Ayes (16)—Mrs. Adamson, Messrs. Allison, Arnold, Becker, Blacker, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Nankivell, Rodda (teller), Russack, Venning, Wilson, and Wotton.

Noes (22)—Messrs. Abbott, Bannon, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Drury, Duncan, Groom, Groth, Harrison, Hemmings, Hopgood, Hudson (teller), Langley, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, and Whitten.

Pair—Aye—Mr. Tonkin. No—Mr. Klunder.

Amendment thus negatived: clause passed.

Remaining clauses (10 to 12) passed.

New clause 4a —"Application of this Act to sales of seeds."

Mr. NANKIVELL: I move:

Page 1—After line 23, insert new clause as follows:

4a. This Act applies in relation to any sale of seeds—

(a) Where the sale takes place in this State;

or

(b) where the seeds are to be delivered in pursuance of the sale to a place within this State.

Where seed is grown on a property in South Australia and seed merchants operate over the border in Victoria, it would be possible for a seed merchant to buy a sample of seed which was untested in South Australia and sell it back in to South Australia, thus cirmumventing the legislation. That should be avoided, as the amendment will provide.

The Hon. HUGH HUDSON: I am advised that the honourable member's proposal is surplusage. The principles of section 92 of the Constitution apply. That would mean that this Bill would not control the sale of seed to Victoria, but that it would control any sale of seed that resulted in a delivery to South Australia, even if the seed was produced interstate, provided that it could be held that the main purpose of the Bill was a problem within South Australia and not a problem directed at restraining interstate trade, and therefore directed against section 92.

The honourable member may recall the situation that applied regarding the road maintenance tax. This tax, when it was a very high rate, was held by the High Court to be in invalid, as it was held to be a tax not directed simply at road maintenance, but directed at the freedom of interstate traffic. When the tax is at a level that can be demonstrated quite clearly to be commensurate with the

road maintenance required, it applied automatically and could not be further challenged in the High Court.

So, the interpretation of section 92 of the Constitution is quite clear. With a Bill such as this, which imposes certain procedures and standards for an objective, and requirements which are clearly related to that objective, then even though the requirements may impinge on interstate trade in certain cases, those requirements would not be invalidated by the working of section 92. It must be demonstrated that the purpose of this Act goes beyond the matters dealt with, the control of the spread of disease, and is directed at stopping interstate traffic. I do not think that that would be the case in terms of the Act. The Act applies generally in South Australia to all sales, whether the seed is produced in South Australia or whether it comes from across the border. While I would not be unhappy about the honourable member's amendment, it is not necessary and would be adding unnecessary words to the Bill. Because of the honourable member's reputation for conciseness in the use of the English language, unlike myself, I am sure that he would not want to add unnecessary words to the Bill.

Mr. NANKIVELL: The Minister has misunderstood what I was putting to him. I thank him for his dissertation on the problems associated with section 92, but I point out that, although section 92 exists, if there is no way that restraint can be exercised in this area, there is no way that the Bill can be effectively implemented in the south-eastern regions of South Australia. Big seed merchants such as Wright Stevenson can buy in South Australia, and have branches just over the border, say at Kaniva. A person can buy anything there and bring it back across the border.

The Hon. Hugh Hudson: No.

Mr. NANKIVELL: Yes. That is the situation. People cannot be stopped from doing so, as that constitutes interference with trade.

The Hon. Hugh Hudson: What about inspectors at State borders who inspect cars for diseased fruit?

Mr. NANKIVELL: I do not think that an inspectorial service will be established at the border. I am aware of the fact that there is a very big small seed production in the Keith, Bordertown, Naracoorte and Padthaway area, covering a large area, which is probably one of the biggest lucerne seed producing areas in Australia.

The Hon. Hugh Hudson: The law would apply to seed brought back into South Australia.

Mr. NANKIVELL: Only if it was sold through some agent in that State.

The Hon. Hugh Hudson interjecting:

Mr. NANKIVELL: I do not imagine that border inspections will be implemented. If there are, this Act could be enforced. I was trying to prevent seed being moved into Victoria, bought there, and brought back to South Australia.

The Hon. Hugh HUDSON: That situation is covered by the Bill.

Mr. NANKIVELL: I am grateful for the Minister's explanation. I did not believe that the situation was covered by the Bill, and I would still like to ensure that it is covered, for my own satisfaction.

New clause negatived.

Title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN TIMBER CORPORATION BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 6, lines 3 to 10 (clause 13)—Leave out all words in these lines and insert:

(1) The functions of the Corporation are—

(*a*) to trade in wood chips, wood pulp, logs, seedlings and seeds;

(*b*) to participate outside the State in joint ventures involving trade in timber, timber products or related commodities;

(*c*) to participate in the State in joint ventures involving trade in timber or timber products;

(*d*) to hold shares in bodies corporate trading in timber, timber products or related commodities otherwise than in the State;

(*e*) to hold shares in bodies corporate trading in timber or timber products in the State;

(*f*) to establish undertakings, or acquire undertakings or interests in undertakings, carried on otherwise than in the State involving trade in timber, timber products or related commodities; and

(*g*) otherwise to promote trade in timber, timber products and related commodities.

No. 2. Page 6, line 26 (clause 13)—After "consultancy services" insert "either in this State or elsewhere".

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

That the Legislative Council's amendments be agreed to.

The Legislative Council's proposals are fairly straight forward. The corporation can trade in South Australia only in timber products, while it can trade more widely and generally when it is operating outside South Australia. To summarise briefly: in timber and timber products the corporation will be able to trade anywhere; in timber, timber products and related commodities it can trade only outside the borders of South Australia. The amendments have been supported, I understand, by the South Australian Timber merchants, and they meet the fears that they expressed in relation to the Bill. They mean that, if the Government wishes to trade in other than timber products within the State, it will have to do so within the terms of the Forestry Act through the Woods and Forests Department.

The second amendment deals with clause 13, and enables the Timber Corporation to provide consultancy services either in this State or elsewhere in relation to production, processing, manufacture of and sale of timber, timber products or related products. In relation to consultancy services it is not confined to "outside the State of South Australia". That is the single exception to the overall distinction between trading within the State and trading outside the State. This seems to be a reasonable compromise, and it meets the objections previously discussed in the House.

Motion carried.

TRADE STANDARDS BILL

Consideration in Committee on the Legislative Council's amendments:

No. 1. Page 4—After line 27 insert new clause 5a. as follows:

5a. *Act binds Crown*—This Act binds the Crown.

No. 2 Page 5, Line 29 (clause 8)—Leave out "not exceeding" and insert "of".

No. 3. Page 11—After line 25 insert new clause 26a. as follows:

26a. *Goods for the purpose of this part*—In this Part—"goods" means textile products, footwear, furniture, leather goods or goods made of gold or silver.

No. 4. Page 16, line 35 (clause 39)—Leave out "and

manager" and insert "and other officer and the manager".

No. 5. Page 16, lines 37 and 38 (clause 39)—Leave out all words in these lines and insert "that he did not know and could not reasonably be expected to have known of the commission of the offence or that he exercised all due diligence to prevent the commission of the offence".

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

That the Legislative Council's amendments be agreed to.

Motion carried.

MINORS CONTRACTS (MISCELLANEOUS PROVISIONS) BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, lines 13 and 14 (clause 5)—Leave out "A contract of guarantee under which a person other than a minor undertakes to guarantee" and insert "When a person (other than a minor) guarantees".

No.2. Page 1, line 15 (clause 5)—After "contract" insert, "the guarantee".

No. 3. Page 1, line 15, (clause 5)—Leave out "that person" and insert "the guarantor".

No. 4. Page 1 (clause 5)—After line 17 insert subclause as follows:

(2) This section does not operate to render a guarantee enforceable if it would, apart form this section, be unenforceable otherwise than by reason of the minority of the person whose obligations are guaranteed.

No. 5. Page 2, line 10 (clause 6)—Leave out "or limited".

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

That the Legislative Council's amendments be agreed to.

Motion carried.

APPEAL COSTS FUND BILL

Consideration in Committee of the Legislative Council's amendments.

No. 1. Page 2, line 2 (clause 3)—Leave out "or".

No. 2. Page 2, after line 3 (clause 3) insert—

or

(d) a local court of full jurisdiction:

No. 3. Page 2 (clause 3)—After line 21 insert definition as follows:

"indemnity certificate" means a certificate granted in pursuance of this Act.

No. 4. Page 4 (clause 8)—After line 15 insert paragraph as follows:

(ab) a court before which criminal proceedings have been commenced discontinues the hearing of those proceedings by reason of a default on the part of the counsel or solicitor for the Crown and costs are not awarded against the Crown;

No.5. Page 4, line 30 (clause 8)—Leave out "paragraph *(a)* or paragraph *(b)*" and insert "paragraphs *(a)*, *(ab)* or *(b)*".

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

That the Legislative Council's amendments be agreed to.

Motion carried.

LEGAL SERVICES COMMISSION ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendment:

Page 2, lines 12 and 13 (clause 5)—Leave out "(not exceeding three years) specified in the instrument of his appointment" and insert "of three years".

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

That the Legislative Council's amendment be agreed to.

Motion carried.

DOOR TO DOOR SALES ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments.

No. 1. Page 1 (clause 4)—After line 13 insert—

"book" means any book, engraving, lithograph, picture or any other like matter whether illustrated or not:

No. 2. Page 1, lines 16 and 17 (clause 4)—Leave out "of the prescribed class" and insert "for the sale of books".

No. 3. Page 1, line 22 (clause 4)—Leave out "of the prescribed class" and insert "for the sale of books".

No. 4. Page 2, line 18 (clause 4)—Leave out all words in these lines.

No. 5. Page 3, line 5 (clause 4)—After "subsection (2)" insert "and inserting in lieu thereof the following subsections:

(2) The Governor may, by proclamation, exempt any persons, or persons of a specified class, from the provisions of this Act to such extent as may be specified in the proclamation, and the operation of this Act shall be modified accordingly.

(3) The Governor may, by subsequent proclamation, vary or revoke a proclamation under this section.

No. 6. Page 3, line 38 (clause 5)—Leave out "consent" and insert "request".

No. 7. Page 3, line 42 (clause 5)—Leave out "consent" and insert "request".

No. 8. Page 4, lines 23 and 24 (clause 6)—Leave out "of the prescribed class" and insert "for the sale of books".

No. 9. Page 4, lines 27 and 28 (clause 6)—Leave out "of the prescribed class" and insert "for the sale of books".

No. 10. Page 5, line 8 (clause 6)—Leave out "of the prescribed class" and insert "for the sale of books".

No. 11. Page 5, line 16 (clause 6)—After "section" insert "unless it is in the form prescribed".

No. 12. Page 5, lines 22 and 23 (clause 6)—Leave out "of the prescribed class" and insert "for the sale of books".

No. 13. Page 6, line 35 (clause 6)—Leave out "non-confirmation or".

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

That the Legislative Council's amendments be agreed to.

Motion carried.

REAL PROPERTY ACT AMENDMENT BILL (No. 3)

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1 (clause 4)—After line 21 insert the following subsection:

(1a) A person is not qualified for appointment as Registrar-General unless he has had at least 10 years experience—

(a) as an officer in the Lands Titles Registration Office; or

(b) in the administration of the laws of some other State, territory or country relating to the registration of titles to land.

No. 2. Page 1, line 22 (clause 4)—Leave out the words "Subject to subsection (3) of this section the" and insert the word "The".

No. 3. Page 1, lines 24 and 25 (clause 4)—Leave out all words in these lines.

No. 4. Page 3 (clause 6)—Leave out the clause.

No. 5. Page 3 (clause 7)—Leave out the clause.

No. 6 Page 3, line 14 (clause 8)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 7. Page 3, line 24 (clause 10)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 8. Page 3, line 38 (clause 12)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 9. Page 4, line 5 (clause 14)—Leave out the words "a form which he approves" and insert the words "a form prescribed by regulation".

No. 10. Page 4, line 8 (clause 15)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 11. Page 4, line 12 (clause 16)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 12. Page 4, lines 25 and 26 (clause 18)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 13. Page 4, lines 29 and 30 (clause 18)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 14. Page 4 (clause 19)—Leave out the clause.

No. 15. Page 4, line 43 (clause 20)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 16. Page 5, lines 5 and 6 (clause 22)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 17. Page 5, lines 10 and 11 (clause 23)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 18. Page 5, line 13 (clause 23)—Leave out the word "before" and insert the words "not later than one month after".

No. 19. Page 5, lines 20 and 21 (clause 25)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 20. Page 5, line 28 (clause 26)—Leave out the words "approved by the Registrar-General" and insert the words "prescribed by regulation".

No. 21. Page 5, line 36 (clause 28)—Leave out the words "approved for that purpose by the Registrar-General" and insert the words "prescribed by regulation".

No. 22. Page 6 (clause 29)—Leave out the clause.

No. 23. Page 6, line 11 (clause 30)—Leave out all words in this line and insert the words "prescribed by regulation".

No. 24. Page 6 (clause 32)—Leave out the clause.

Amendment No. 1:

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

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

I point out to honourable members that the amendments and the proposed amendments that I am about to read to them are the result of informal discussions between members of another place and the Government.

Motion carried.

Amendments Nos. 2 and 3:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendments Nos. 2 and 3 be agreed to.

Motion carried.

Amendment No. 4:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 4 be disagreed to and that the following amendment be proposed in lieu thereof:

Clauses 6, page 3, line 5—Leave out the word "ordinary" and insert the word "certified".

Motion carried.

Amendment No. 5:

The Hon. PETER DUNCAN: I move:

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

Motion carried.

Amendment No. 6:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 6 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 8, page 3, line 14—Leave out the words "a form approved by the Registrar-General" and insert the words "the appropriate form".

Motion carried.

Amendment No. 7:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 7 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 10, page 3, line 24—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 8:

The Hon. PETER DUNCAN: I move:

That the Legislative Council amendment No. 8 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 12, page 3, line 38—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 9:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 9 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 14, page 4, line 5—Leave out "a form which he approves" and insert "the appropriate form".

Motion carried.

Amendment No. 10:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 10 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 15, page 4, line 8—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 11:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 11 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 16, page 4, line 12—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 12:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 12 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 18, page 4, lines 25 and 26—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 13:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 13 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 18, page 4, lines 29 and 30—Leave out "a form approved by the Registrar-General and insert "the appropriate form".

Motion carried.

Amendment No. 14:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 14 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 19, page 4, line 40—After the word "encumbrance" insert the following words "or be deposited in the General Registry Office or in any other public registry in the State".

Motion carried.

Amendment No. 15:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 15 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 20, page 4, line 43—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 16:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 16 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 22, page 5, lines 5 and 6—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 17:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 17 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 23, page 5, lines 10 and 11—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 18:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 18 be agreed to.

Motion carried.

Amendment No. 19:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 19 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 25, page 5, Lines 20 and 21—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 20:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 20 be disagreed to and that the following amendment be proposed in lieu thereof:

Clause 26, page 5, line 28—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 21:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 21 be disagreed to, and that the following amendment be proposed in lieu thereof:

Clause 28, page 5, line 36—Leave out "a form approved for that purpose by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 22:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 22 be disagreed to, and that the following amendment be proposed in lieu thereof:

Clause 29—page 6, lines 3 to 7 inclusive—Leave out these lines and insert—

(3b) If a requisition made under paragraph (3a) of this section is not complied with within two months the Registrar-General may serve on the person lodging the instrument and the parties to the instrument notice that he intends to reject the instrument, and if, after the expiration of two months or such further period as the Registrar-General may allow, the requisition is not complied with the Registrar-General may reject the instrument if, in his opinion, it cannot be registered under this Act, and any fees paid in respect of any rejected instrument shall be forfeited.

Motion carried.

Amendment No. 23:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 23 be disagreed to, and that the following amendment be proposed in lieu thereof:

Clause 30, page 6, lines 10 and 11—Leave out "a form approved by the Registrar-General" and insert "the appropriate form".

Motion carried.

Amendment No. 24:

The Hon. PETER DUNCAN: I move:

That the Legislative Council's amendment No. 24 be disagreed to, and that the following amendment be proposed in lieu thereof:

Clause 32, page 6, line 19—After the word "by" insert the word "certified".

Motion carried.

The Hon. PETER DUNCAN: I move:

That the following consequential amendments be proposed:

Clause 3, page 1, line 10—After the word "amended" insert:

(a) by inserting before the definition of "Assurance Fund" the following definition:

"appropriate form" in relation to an instrument means a form that conforms with section 54a of this Act: and

(b)

New clause:

That the following new clause be inserted after clause 8:

8a. The following section is enacted and inserted in the principal Act after section 54 thereof:

54a. Every instrument—

(a) that is lodged or issued before the first day of January, 1981, must be in a form

approved by the Registrar-General; and

(*b*) that is lodged or issued on or after the first day of January, 1981, must be in a form prescribed by regulation.

Mr. GOLDSWORTHY: The last amendment makes the matter clearer. Why is it necessary for the Registrar-General to do the job in the first instance? Why are the original Legislative Council amendments not acceptable, with the forms being prescribed by regulation? This is a compromise; the Registrar-General will do it for a couple of years, and then it will be done by regulation, as requested by the Legislative Council amendments.

The Hon. PETER DUNCAN: The whole series of amendments dealing with these forms or the amendments in the Bill dealing with these forms are intended to facilitate the introduction of so-called new panel form type documents. At the moment, there is probably power in the Act to enable the Registrar-General to introduce these forms, but we want to make it quite clear that that is the case, and that is the reason for the amendments.

The new forms will be introduced, and there will be many of them. It is hoped that we can introduce them over a period of time, with the Registrar preparing a form and slowly introducing it in consultation with the people who regularly use the Lands Title Office, to ensure that the new forms can be introduced in an orderly fashion, in consultation with the appropriate groups in the community, such as conveyancing solicitors, land brokers, land agents, and so on.

It is likely that, in the initial stages of introducing these forms, it will become apparent that changes to them are necessary and desirable to ensure that they are satisfactory to all those users of the Lands Title Office to whom I have referred. The flexibility that will allow the Registrar to draw the forms is most desirable in the initial stages. Once the framework of the new panel forms has been basically worked out, that flexibility will not be necessary, and some form of regulation-making power to prescribe the forms will then be quite satisfactory.

Motion carried.

The following reason for disagreement was adopted:

Because the amendments would produce a Bill which would not provide an effective system for registration of land titles.

Later:

The Legislative Council intimated that it did not insist on its amendments Nos. 1 and 5, and that it did not insist on its amendments Nos. 4, 6 to 17, and 19 to 24, and agreed to the alternative amendments made in lieu thereof and the consequential amendments made by the House of Assembly.

PUBLIC ACCOUNTS COMMITTEE REPORT

The Legislative Council transmitted the following resolution in which it requested the concurrence of the House of Assembly:

In view of the tabling of the Public Accounts Committee Report on financial management of the Hospitals Department, this Council expresses its grave concern at the gross mismanagement in Government departments and the waste of taxpayers' funds which has been clearly shown in the evidence presented to the Public Accounts Committee.

The Council expresses the opinion that further inquiry should be undertaken by a body independent of the Government and the Public Service into some of the facts revealed in the report and a full-scale inquiry into the policies of the Health Commission.

EDUCATION ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments.

No. 1. Page 6 (clause 9)—After line 3 insert paragraph as follows:

(*aa*) by inserting before the definition of "child of compulsory school age" the following definition: "approved non-Government school" means a non-Government school approved by the Minister in accordance with the regulations:

No. 2. Page 6, lines 10 to 15 (clause 9)—Leave out all words in these lines.

No. 3. Page 7, line 31 (clause 16)—After "amended" insert—

—

(*a*) by striking out from paragraph (*a*) of subsection (1) the passage "non-Government school" and inserting in lieu thereof the passage "approved non-Government school"; and

(*b*).

No. 4. Page 7—After clause 16 insert new clauses as follow:

16a. *Amendment of principal Act, s. 72—Records to be kept in non-Government schools*—Section 72 of the principal Act is amended by striking out from subsections (1), (2) and (3) the passage "a non-government school" wherever it occurs and inserting in lieu thereof, in each case, the passage "an approved non-government school".

16b. *Amendment of principal Act, s. 73—Inspection of non-government schools*—Section 73 of the principal Act is amended—

(*a*) by striking out from subsections (1) and (2) the passage "any non-government school" wherever it occurs and inserting in lieu thereof, in each case, the passage "any approved non-government school"; and

(*b*) by inserting after subsection (2) the following subsections:—

(3) Any person authorized in writing by the Minister to carry out an inspection under this subsection may, at any reasonable time, enter and inspect any non-Government school for the purpose of determining whether approval should be granted in respect of the school in pursuance of this Act, or an approval previously granted in respect of the school should be revoked.

(4) A person who prevents an authorized person from carrying out an inspection under subsection (3) of this section, or hinders any such inspection, shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

16c. *Amendment of s. 74 of principal Act—Schools and school districts*—Section 74 of the principal Act is amended—

(*a*) by inserting before subsection (1) the following subsection:

(1) In this Part—

"school" means a Government school or an approved non-government school.; and

(*b*) by redesignating the former subsections (1) and (2) as subsections (2) and (3).

16d. *Amendment of principal Act, s. 81—Evidentiary provision*—Section 81 of the principal Act is amended by striking out from subsection (1) the passage "government or non-government".

No. 5. Page 8, line 7 (clause 17)—After "of" insert "approved".

No. 6. Page 8, lines 36 to 38 (clause 19)—Leave out all words in these lines.

The Hon. D. J. HOPGOOD (Minister of Education): I move:

That the Legislative Council's amendments be agreed to.

They are Government amendments, which were moved in another place, and, therefore, they are eminently sensible and designed to improve the working of the Act. The principle incorporated in the Act by these amendments more clearly incarnates the Government's original intention in this matter which was that the regulations brought down under the Act relating to the registration of non-government schools were the only way in which the Minister could exercise his authority.

There should be no reserve power in the Bill where the regulations were disallowed by either House, or in the event of no regulations being brought down. The system can operate only where the regulations are in operation. Should they be disallowed, the system would no longer operate. A committee is in the process of being set up, consisting of a majority of people from non-government schools, whose task it will be to frame suitable regulations.

Motion carried.

ROAD MAINTENANCE (CONTRIBUTION) ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, line 16 (clause 2)—Leave out "is concerned in" and insert "has".

No. 2. Page 3 (clause 5)—After line 9 insert new subsections as follow:

(3a) Where an order has been registered in pursuance of this section, a director of the body corporate may apply to a magistrate in chambers for an order—

(*a*) forbidding the issue of a warrant of commitment against the director;

or

(*b*) setting aside a warrant of commitment issued against the director.

(3b) Where, upon an application under subsection (3a) of this section, the magistrate is satisfied that—

(*a*) grounds for the issue of a warrant of commitment against the director under this section do not exist;

or

(*b*) the director exercised reasonable diligence to ensure that the body corporate would meet its obligations under the corresponding law,

the magistrate shall make an order forbidding the issue of a warrant of commitment, or setting aside a warrant of commitment, against the director.

(3c) Where an order is made in pursuance of subsection (3b) of this section, a director on whose application the order was made shall be discharged from liability under the registered order.

No. 3. Page 3 (clause 5)—After line 31 insert new subsection as follows:

(5a) Where a director or former director of a body corporate discharges a liability under a registered order he is entitled to contribution from the other persons who were directors of the body corporate when the liability to which the order relates was incurred, or the offence to which the order relates was committed.

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

That the Legislative Council's amendments be agreed to.

These amendments attempt to protect directors of companies who may be in a different State from where summonses are issued. If it can be shown that they are unaware of what is happening, proceedings cannot continue against them. The whole of the Bill (and these amendments are no different) attempts to try to solve a legal problem in relation to straw companies. I am assured that the amendments moved by the Legislative Council are an improvement on the Bill. On that assurance, I accept the proposition.

Motion carried.

[Sitting suspended from 11.40 p.m. to 4 a.m.]

WHEAT INDUSTRY STABILIZATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

NORTH HAVEN TRUST BILL

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN GAS COMPANY'S ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ROAD TRAFFIC ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

WATER RESOURCES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

PREVENTION OF POLLUTION OF WATERS BY OIL ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 5 (clause 7)—After line 34 insert paragraph as follows:

(*ba*) resulted from the carrying out, or an attempt to carry out, a direction of the Minister;.

No. 2. Page 6, lines 7 and 8 (clause 7)—Leave out "in relation to the provision or maintenance of lights or any other navigational aid".

No. 3. Page 7, line 14 (clause 7)—Leave out "driver" and insert "person in charge".

Amendment No. 1:

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

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

The amendment adds another defence to a charge of an offence against the Act if the defendant proves that the alleged offence resulted from the need to save life, and so on. The Legislative Council's suggested amendment provides a defence where the offence occurs from action carried out or attempted to be carried out at the direction of the Minister.

Motion carried.

Amendments Nos. 2 and 3:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendments Nos. 2 and 3 be agreed to.

Motion carried.

RAILWAYS ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

ALSATIAN DOGS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

UNAUTHORISED DOCUMENTS ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, line 18 (clause 2)—Leave out "or" and insert "and".

No. 2. Page 2 (clause 2)—After line 14 insert subsection as follows:

(4) This section shall not prevent or derogate from the continued use of the Royal Arms in accordance with any law or any established custom or usage.

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

That the Legislative Council's amendments be agreed to.

The effect of the first amendment is that, for it to be an offence for the emblem to be used, it must be used for any commercial purpose and in such a manner as to suggest that the document, material or object has official significance. If that is the case and there is no permission of the Minister, an offence is created in those circumstances. However, even in those circumstances, if permission of the Minister is obtained it is not an offence.

We do not object to the second amendment. If members in another place will feel happier with this provision inserted in the Bill, we are pleased to cheer them up.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2), 1979

Returned from the Legislative Council without amendment.

ROAD TRAFFIC ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

POLICE OFFENCES ACT AMENDMENT BILL, 1979

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN WASTE MANAGEMENT COMMISSION BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 4 (Clause 9)—After line 22 insert paragraph as follows:

(ab) one shall be an officer of a council selected by the Minister from a panel of three such officers nominated by the Local Government Association of South Australia;

No. 2. Page 4, line 23 (clause 9)—Leave out 'one shall be a person" and insert 'two shall be persons'.

No. 3. Page 4, line 24 (clause 9)—After 'management' insert 'of whom one shall be'.

No. Page 4, line 31 (clause 9)—Leave out 'four' and insert 'two'.

No. 5. Page 5, lines 1 to 4 (clause 10)—Leave out subclause (1) and insert subclause as follows:

(1) A member of the Commission shall be appointed—

(a) if he is one of the first appointees to the Commission—for such term of office (not exceeding three years) as the Governor may determine;

and

(b) in any case—for a term of three years, and, upon the expiration of his term of office, shall be eligible for re-appointment.

(1a) A member of the Commission shall be appointed upon such conditions as the Governor may determine.

No. 6. Page 9, lines 11 and 12 (clause 23)—Leave out paragraph (c) and insert paragraph as follows:

(c) regulating the type of waste that is to be accepted at the depot, and the quantities in which waste is to be so accepted;

No. 7. Page 9, after line 35 (clause 24)—insert 'and'.

No. 8. Page 9, line 39 (clause 24)—Leave out 'and'.

No. 9. Page 10, lines 1 and 2 (clause 24)—Leave out all words in these lines.

No. 10. Page 10, lines 12 to 14 (clause 25)—Leave out all words in these lines.

No. 11. Page 10, line 15 (clause 25)—After 'waste' insert of a prescribed kind'.

No. 12. Page 10, line 17 (clause 25)—After 'treat' insert 'and dispose of'.

No. 13. Page 10, lines 19 and 20 (clause 25)—leave out all words in these lines.

No. 14. Page 10, lines 36 to 40 (clause 26)—Leave out subclause (3) and insert subclause as follows:

(3) Where, after consideration of the application, the Commission is satisfied that—

(a) the grant of the licence would not prejudice proper wastemanagement in the State;

and

(b) the exercise of rights conferred by the licence would not, in the circumstances of the case, be likely to result in—

(i) a nuisance or offensive condition;

(ii) conditions injurious to health or safety;

or

(iii) damage to the environment,

the Commission shall grant a licence to the applicant.

No. 15. Page 12, lines 8 to 15 (clause 33)—Leave out

subclause (2) and insert subclauses as follows:

(2) Where the Commission proposes to establish a depot in pursuance of this section, the Commission shall, by notice in the *Gazette* and in two newspapers circulating generally throughout the State, give notice of the proposal and invite representations from any interested person to be made on or before a date fixed in the notice, being a date not less than three months after the date of the notice.

(2a) A depot shall not be established under this section unless the Minister after consideration of any representations made in pursuance of the invitation referred to in subsection (2) of this section, certifies that, in his opinion—

(*a*) existing facilities in the area in which the depot is to be established are inadequate for the purpose of proper waste management;

and

(*b*) the establishment of a depot is required in the public interest.

No. 16. Page 13 (clause 36)—After line 4 insert subclause as follows:

(1a) A contribution is not payable under this section in respect of waste received at a depot for the purpose of being transported to some further depot for disposal.

No. 17. Page 14, lines 9 to 14 (clause 41)—Leave out subclauses (4) and (5) and insert subclauses as follows:

(4) Where an appeal has been instituted, the Minister shall appoint as arbitrator (who must be a person holding judicial office under the Local and District Criminal Courts Act, 1926-1978) to determine the appeal.

(5) The arbitrator may confirm, vary or reverse the decision of the Commission to which the appeal relates and his decision upon the appeal shall be final and not subject to further appeal.

No. 18. Page 14, line 30 (clause 42)—After 'would' insert 'tend to'.

No. 19. Page 15, lines 36 and 37 (clause 49)—Leave out all words in these lines.

No. 20. Page 16, line 1 (clause 49)—After 'measurement' insert 'determination, estimation or assessment'.

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

That the Legislative Council's amendments be agreed to.

We have been able to discuss and to reach agreement.

Motion carried.

ABORIGINAL HERITAGE BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 4, line 13 (clause 11)—Leave out "at least three must be Aboriginals" and insert—

—

(*a*) at least three must be Aboriginals;

(*b*) one must be a nominee of the Board of the South Australian Museum;

and

(*c*) one must be a nominee of the Pastoral Board.

No. 2. Page 5—After clause 16 insert new clause 16a as follows:

16a. (1) The Committee shall, as soon as practicable after the thirtieth day of June in each year, present a report to the Minister upon the administration of this Act during the period of twelve months ending on that day.

(2) The Minister shall, as soon as practicable after his receipt of a report under subsection (1) of this section cause copies of the report to be laid before both Houses of Parliament.

No. 3. Page 5, line 40 (clause 17)—Leave out "persons who are" and insert "or other suitable persons".

No. 4. Page 7, lines 7 to 13 (clause 20)—Leave out subclause (2) and insert subclauses as follow:

(2) A declaration shall not be made under this section in respect of private lands unless the Minister has at least three months before the date of the declaration given notice in writing personally or by post to the owner and occupier of the lands.

(2a) A notice under subsection (2) of this section shall contain a statement to the effect that written objections to the proposed declaration may be made to the Minister by sending those objections to him at an address specified in the notice.

(2b) The Minister shall give due consideration to any objections made to the proposed declaration of a protected area.

No. 5. Page 8, line 13 (clause 24)—After "Aboriginal heritage" insert "not being a part of, or fixture to, land".

No. 6. Page 8, line 22 (clause 25)—Leave out "enter land" and insert ", after giving reasonable notice to the occupier of land of his intention to do so, enter the land".

No. 7. Page 8 (clause 25)—After line 24 insert subclauses as follow:

(3) An authorised person shall not enter land in pursuance of subsection (2) of this section unless before the date of entry he has given reasonable notice in writing to the occupier of the land identifying the land to be affected by the proposed excavation.

(4) The Minister shall make good any damage done to land by an authorised person acting in pursuance of this section.

No. 8. Page 8 (clause 26)—After line 26 insert subclause as follows:

(2) It shall be a defence to a charge for an offence against subsection (1) of this section for the defendant to prove that the Act alleged against him was neither intentional nor negligent.

No. 9. Page 9 (clause 30)—After line 23 insert subclause as follows:

(3) Where an Inspector seizes an item in pursuance of subsection (2) of this section, he shall forthwith make a report upon the matter to the Minister.

No. 10. Page 9—After clause 30 insert new clause as follows:

30a. Nothing in this Act prevents a person from collecting items from land, not being a registered Aboriginal site or a protected area.

No. 11. Page 10 (clause 31)—After line 12 insert subclause as follows:

(3) No regulation shall be made preventing watering of stock upon an Aboriginal site or protected area where there is no other reasonably accessible source of water in the near vicinity of the Aboriginal site or protected area.

Consideration in Committee.

Amendments Nos. 1 to 3:

The Hon. J. C. BANNON (Minister of Community Development): I move:

That the Legislative Council's amendments Nos. 1 to 3 be agreed to.

Motion carried.

Amendment No. 4:

The Hon. J. C. BANNON: I move.

That the House of Assembly disagree to the Legislative Council's amendment No. 4 but propose the following amendment in lieu thereof:

Clause 20, page 7, lines 7 to 13—Leave out subclause (2) and insert the following subclauses:

(2) A declaration shall not be made under this section in respect of private lands unless—

(*a*) the Minister—

(i) has at least eight weeks before making the declaration given the owner and occupier of those lands a notice in writing setting out the terms of the proposed declaration and informing them that they or either of them may, within six weeks after service of the notice, object to the proposal;

and

(ii) has considered the objections (if any) made in response to the notice;

or

(b) the Minister is of the opinion that the declaration is urgently required in the public interest or in the interests of Aboriginal people.

(3) Where a declaration is made under this section in respect of private lands without notice being given in accordance with subsection (2) *(a)* of this section, the following provisions shall apply—

(a) the Minister shall as soon as practicable after the date of the declaration inform the owner and occupier in writing that they or either of them may within six weeks after that date object to the declaration;

Motion carried.

Amendments Nos. 5 to 9:

The Hon. J. C. BANNON: I move:

That the Legislative Council's amendments Nos. 5 to 9 be agreed to.

Motion carried.

Amendment No. 10:

The Hon. J. C. BANNON: I move:

That the Legislative Council's amendment No. 10 be disagreed to but that the following alternative amendment be proposed:

Page 8 (clause 24)

Line 7—Leave out "A" and insert "Subject to subsection (2a) of this section, a"

After line 9 insert subclause as follows: (2a) Where a person discovers and collects items from land—

(a) being land included in a hundred;

and

(b) not being a registered Aboriginal site or a protected area, he is not, by reason only of so doing, guilty of an offence under subsection (2) of this section.

Motion carried.

Amendment No. 11:

The Hon. J. C. BANNON: I move:

That the Legislative Council's amendment No. 11 be disagreed to.

Motion carried.

Later:

The Legislative Council intimated that it did not insist on its amendments and that it had agreed to the alternative amendments made by the House of Assembly without amendment.

PROROGATION

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

That the House at its rising do adjourn until Tuesday 3 April at 2 p.m.

Motion carried.

The Hon. HUGH HUDSON (Minister of Mines and Energy): I take this opportunity on the last night of the session to express, on behalf of the Government, our very great appreciation for the work that has been carried out during the session by all officers of the Parliament. In particular, Sir, we thank you for your impartial methods of dealing with the business of the House, and we appreciate the work of the Clerks.

We particularly appreciate the unfailing tolerance of the *Hansard* reporters. Only an occasional expletive issues forth from the gallery when a sentence becomes almost impossible to write down. It is always remarkable, to my way of thinking, what good English one speaks as a member in this House after one reads it in *Hansard*. I would like to place on record the work that *Hansard* does in checking names and facts, and checking back with members. They do this work efficiently and with good grace, and we appreciate it.

The messengers who serve this House are always prompt in the service that they give, and are always cheerful and helpful. We thank them for what they contribute. The staff of the refreshment room and the dining room also deserve our particular thanks. They are probably under greater pressure at times to remain cheerful, particularly when the House sits late. They always succeed in doing that, and they always give very fine service.

The professional officers of the Library meet the requests of members efficiently and well, and we are very grateful for the quality of the library services provided. I am reminded of the debate that took place during the Budget when one member, who is now fortunately absent from the service of this House, made some rather disparaging comments about the Library staff, and I do not think it would hurt to mention again that all members of the House who use the Library services appreciate the willing co-operation received.

I have one particular task to perform, which is to pay special recognition to Mr. Les Martin. Les has been the caretaker of this House for as long as I have been a member and for some years prior to that. For many years, Les and his wife lived on the premises. More recently, when additional office accommodation was required, Les shifted to a house in a relatively nearby suburb, but he has continued to act as caretaker in an efficient, competent and helpful manner. I think every member is aware of Les Martin and greatly appreciative of the work he does.

Finally, and by no means least (we are building up to a cresendo), I pay a particular tribute to the Clerk of the Parliaments, Mr. Aub Dodd. Sometimes Mr. Dodd may become a little disturbed at the wishes of members to manoeuvre Standing Orders in a way that is probably inappropriate, but I would like to place on record that Mr. Dodd has performed his duties in an efficient, helpful and thoroughly competent manner. I am pleased to see Mr. Dodd without his wig. I think he is better looking without it, if I may be allowed to say so. We wish you, Aub, a very happy and long retirement and years ahead where you can look back on your years in this House with pleasure. You will remember the good times, and occasions when things have been a little difficult will fade from your memory. We hope it will be a very long memory indeed.

I conclude these remarks by saying that it is really remarkable that an institution like Parliament can be served by so many people in a willing and effective way. Without that help, the Parliament simply would not function. I do not know of any other institution where the degree of co-operation and help is of the order that it is in this House. We do appreciate it very much indeed.

Mr. GOLDSWORTHY (Kavel): On behalf of the Opposition, I support the remarks made by the Deputy Premier elect, or the heir apparent. I congratulate you, Sir, for surviving the session as well as you have done and for your efforts to see that fair play prevails in the House on all occasions.

I would like to refer to the Clerk of the Parliaments, Mr. Aub Dodd, who joined the Parliament House staff in 1948. He was appointed Clerk of the House of Assembly in 1972, and Clerk of the Parliaments in 1977. I think all members are aware that he has been honourary Secretary of the C.P.A. since 1977, and Secretary of the Parliamentary Bowling Club also since 1977. Mr. Dodd has travelled extensively overseas since his employment as Clerk of the Parliaments. I understand from the limited research I have been able to do in the past hour or so that he has been active outside the Parliament as honourary Secretary of the South Australian Amateur Football League for some years.

We would like to wish Aub Dodd and his wife every happiness and contentment during the period of his retirement. I would like to thank Mr. Dodd on behalf of Opposition members for the help that he has given and for the way he has provided that help in the best traditions of the Parliamentary system.

I would also like to refer particularly to Mr. Les Martin. Les Martin is respected by everybody in this place. He joined the Parliament House staff as Assistant Caretaker 28 years ago and will retire on 23 March. I am sure that all members and their wives will be sorry indeed to see him leave Parliament House. He has been most helpful—nothing has ever been too much trouble for Les, who is always obliging and courteous. We thank him most sincerely and wish Mrs. Martin and Les good health and good fortune for a long and happy retirement.

I, too, add our thanks to the Clerks and officers at the table. The messengers go about their task quietly and efficiently and make the task of members far easier and far more pleasant than otherwise would be the case. I would like to pay a special tribute to Miss Evelyn Stengert and her catering staff. I think that members have been extremely well served by Miss Stengert. I think that we would be hard pressed to get a more conscientious and helpful manageress. All of her staff are helpful and courteous on all occasions.

I also mention the reporting staff. As the Minister has said, *Hansard* is essential and most important. We thank them for their forbearance, their accuracy and for the editing which is part and parcel of their task. I also thank Stirling Casson and his staff, who have been most helpful. The Library research unit, which has grown over the years, has been a welcome addition, and we thank them for their efforts. We welcome the friendly association we have with the people of the press, who of course are all part of the Parliamentary system and the democratic Government of this State.

I also mention the telephonists, caretakers, and the staff of the Leader, and thank them for their continued support and assistance. I wish all members of the House well during the Parliamentary recess, and hope that it will prove a time of refreshment and recuperation, if needed, so that we can return in due season to take up the cudgels when we meet again. With those words, I have much pleasure in supporting the remarks of the Minister of Mines and Energy.

The SPEAKER: I appreciate the words of the Minister of Mines and Energy and the Deputy Leader of the Opposition. I think no-one works better than the people in Parliament House. I would like to pay a tribute to Aub Dodd, who has been an officer of the Parliament for many years and has seen many new Speakers and Chairmen of Committees. He has been a great help to me. As the Deputy Leader has mentioned, he has played a prominent part in the administration of sport. I am sure that Aub Dodd has many happy memories of his association with Parliamentarians over a long period of time. He has been a great help, I am sure, to all. I, like many others in the House, wish him a happy retirement with his wife. May everything go his way and may he enjoy the retirement.

I must also mention the Clerks of this House, who have performed so well during the course of the session. I think that the Minister and the Deputy Leader have covered a wide range of the staff. We have a wonderful loyal staff in this House who look after the members and go out of their way to do that. There is another fellow, a happy-go-lucky fellow who guides us on our way home at night, the policeman. Perhaps sometimes his job is arduous, but he does it excellently. I only hope that during the recess each and every member has a good rest and comes back with the same vigour and vitality that they have shown during this session. I must admit one thing: I think that at times honourable members have been very kind to me, and I thank them for what they have done.

ADJOURNMENT

At 5.1 a.m. the House adjourned until Tuesday 3 April at 2 p.m.