HOUSE OF ASSEMBLY

Thursday 12 November 1981

The SPEAKER (Hon. B. C. Eastick) took the Chair at 2 p.m. and read prayers.

ESSENTIAL SERVICES BILL

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I have to report that the managers have been at the conference on the Bill. We there delivered the Bill together with the resolution adopted by this House and thereupon the managers for the two Houses conferred together. It was agreed that we should recommend to our respective Houses that amendments as agreed be circulated.

PETITIONS: PRE-SCHOOL COSTS

Petitions signed by 90 concerned residents of South Australia praying that the House urge the Government to provide sufficient funds to cover all pre-school operating costs were presented by the Hon. D. J. Hopgood and Mr Slater.

Petitions received.

PETITION: MAGILL HOME FOR THE AGED

A petition signed by 1 790 residents of South Australia praying that the House urge the Government to retain the full range of activities at Magill Home for the Aged was presented by Mr Trainer.

Petition received.

MINISTERIAL STATEMENT: SAMCOR LAND

The Hon. W. E. CHAPMAN (Minister of Agriculture): I seek leave to make a statement.

The SPEAKER: Is leave granted?

Mr Millhouse: No.

The SPEAKER: Leave is not granted.

The Hon. D. O. TONKIN (Premier and Treasurer): I move:

That Standing Orders be so far suspended as to enable Ministers to make Ministerial statements before Question Time.

Mr MILLHOUSE (Mitcham): I oppose this motion. I made it quite clear in the letter which I wrote to the Premier a couple of days ago that I would oppose the giving of leave for Ministerial statements and therefore as a corollary—

Mr Ashenden: Tell us something new.

The SPEAKER: Order! The honourable member for Mitcham.

Mr MILLHOUSE: —I oppose the suspension of Standing Orders to get around Standing Order 136 until I had an assurance on several matters. That letter has been read into *Hansard* by the Leader of the Opposition.

So far I have not had a reply from the Premier. All I have had is a very unsatisfactory conversation with the Deputy Premier last evening in which neither of us got anywhere as far as I can tell. I point out to honourable members that under Standing Order 136 leave can be denied to a Minister to make a Ministerial statement and that Ministerial statements are supposed to be on matters relating to Government policy or public affairs. It is because we have got away from that in these statements and they have gone to inordinate length that I have protested in this way.

I make it quite clear that I propose to continue to protest, as is my right under that Standing Order because it has got to be by leave of the House that a Minister may make a statement, until the Government shows that it is prepared to mend its ways.

Mr Hamilton: Don't hold your breath.

Mr MILLHOUSE: I can tell the member for Albert Park that, if he and his colleagues had supported me in this on Tuesday and Wednesday, it would already have happened. It is only because of the weakness of the Labor Party in not supporting me on this—

The SPEAKER: Order!

Mr MILLHOUSE: —that we are still going on like this.

The SPEAKER: Order!

Mr MILLHOUSE: There are many honourable members on this side who know it, too.

The SPEAKER: Order! The member for Mitcham will cease talking when the Speaker is on his feet. I point out to the honourable member, as I did yesterday, that, in talking to this particular motion, he is talking on the suspension of Standing Orders for the giving of Ministerial statements this day, and not berating other persons within the House for any past actions on which there has already been a decision of the House.

Mr MILLHOUSE: Yes, Sir, I take your point and apologise if I transgressed at all. Certainly, I did not mean to transgress, but I was provoked by the honourable member for whatever he is.

The SPEAKER: Order! The honourable member will come to the point of the motion.

Mr MILLHOUSE: Yes, Sir. Under Standing Order 460, I am entitled to object to this motion to suspend Standing Orders, and I do so. I have now given my reasons, and I will go on giving my reasons until I get a satisfactory response. As I say, I have had no response whatever from the Premier to my letter. I will go on doing this until we come to some satisfactory solution to the problem, which has arisen primarily because of the Ministerial statement made by the Minister of Industrial Affairs a fortnight ago.

The SPEAKER: The question before the Chair is that the motion for suspension moved by the honourable Premier be agreed to. Those in favour say 'Aye', those against say 'No'.

Mr Millhouse: No.

The SPEAKER: There being a dissentient voice, there must be a division. Ring the bells.

While the division was being held:

The SPEAKER: Order! There being only one member on the side of the Noes, I declare that the Ayes have it.

Motion carried.

The Hon. W. E. CHAPMAN: Yesterday, the member for Florey referred to a public meeting at Enfield that was called to discuss the future use of Samcor land which had passed from the corporation to the Department of Lands upon the financial reorganisation of Samcor. The meeting referred to was held on 3 March. The honourable member referred to promises of consultation with local bodies represented at that meeting and suggested that the Government had ignored such undertakings. It is true that an undertaking was given by the Minister of Lands and myself that the local people in the community would be consulted before a final decision on the use of the land was made by the Government. This commitment still stands.

For the information of the member for Florey, the process of consultation approved by the Government and conveyed in a letter from the Premier's Department to the Enfield and Salisbury councils dated 27 October 1981 is that submissions will be invited from interested parties, including

the two councils, local interest groups and private developers, on the Government's preferred option for the use of the land. I point out to the honourable member that the Government has already received submissions from the Samcor Paddocks Action Group and the National Council of Women of South Australia Inc., which both want the land retained as open space, as well as from other groups advocating various uses for the land.

Mr O'Neill: Very interesting, but not relevant. You promised you would consult with them.

The SPEAKER: Order!

The Hon. W. E. CHAPMAN: The Government's consultation plan put forward to both councils allows all groups who wish to do so to participate. To suggest that local opinion has been ignored or will not be sought is quite misleading.

Mr McRae: You have never spoken to me.

The Hon. W. E. CHAPMAN: I have given you copies of the correspondence today that you asked for yesterday. That correspondence is dated 27 October this year. It is weeks old. If your local people do not want to let you know, that is your problem.

The SPEAKER: Order!

The Hon. W. E. CHAPMAN: Mr Speaker, I apologise for diverting from the Ministerial statement.

An honourable member: You ought to apologise to the members, too.

The Hon. W. E. CHAPMAN: I therefore conclude that the undertakings given by my colleague, the Minister of Lands, and I on 3 March at a meeting of the honourable member's constituents have been rigidly upheld by this Government. We look forward to continued co-operation with all of the parties involved and preferably without the petty Party politics which unfortunately were displayed by the member for Florey in this Parliament yesterday.

QUESTIONS

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

QUESTION TIME

EMPLOYMENT

Mr BANNON: Is the Premier aware that such limited employment growth as has occurred in the State over the past 12 months has been wholly accounted for by the agriculture and services to agriculture industry sector, and that, if there are not good rains and a good season next year, this State could be in an even more serious economic position? What contingency plans does the Government intend to put into effect to prevent a further deterioration next year? The Australian Bureau of Statistics has just released employment figures for each industry up to August 1981. Over the 12 months to August, employment in agriculture and services to agriculture grew by 7 500 while total employment in the State rose by only 5 900, implying a net loss of jobs in all other industries combined. This also indicates a fall in metropolitan area employment. Agricultural production and employment has of course risen as a result of three good seasons in a row which even the present Government cannot claim credit for. Of particular concern is the fact that the State's vital labour-intensive manufacturing industries lost 1 500 jobs over the 12 months to August.

The Hon. D. O. TONKIN: I am very pleased indeed to be able to take the question that the Leader of the Opposition has asked and use the opportunity, first, to pay tribute to the primary producing sector of our community.

Mr Bannon: Thank God we've got it.

The Hon. D. O. TONKIN: I am pleased to hear the Leader say so. He and his Party so often ignore the rural community that I am pleased to hear of this change in attitude. I thoroughly welcome it. I am pleased that the Leader of the Opposition has finally come to see the value of those worthwhile citizens in our rural community.

The Hon. J. D. Wright: Who knocked their land tax off? We did.

Mr Becker: Who asked you to?

Members interjecting:

The SPEAKER: Order! The honourable Premier.

The Hon. D. O. TONKIN: I could answer the interjection by asking the Deputy Leader who refused to remove succession duties. In spit of the Deputy Leader's flippancy—

The Hon. J. D. Wright: I'm serious.

The Hon. D. O. TONKIN: In spite of the Deputy Leader's seriousness in this matter, then, I want to answer the question asked by the Leader of the Opposition, because I believe it is a particularly pertinent question. Let me say once again that we can pay tribute to the primary producing sector of our community which has done a first-class job for South Australia for longer than has any other sector of the community. As I did recently at the Royal Show luncheon, I pay tribute to them again for providing the backbone of our economy. We have had good seasons and, as a result of those good seasons and good management, we have had a first-class result in employment. The success of the agricultural implement producing sector of the agriculture service industry has also done remarkably well. It is very pleasing indeed to remind members that the Shearer factory that was located in Queensland has since closed and come back to South Australia since this Government took office.

Members interjecting:

The Hon. D. O. TONKIN: Indeed, it is very good equipment, and it is a South Australian firm of which we can be very proud. The Leader said that there had been a net fall in employment in manufacturing industry. That, of course, is quite correct. The Leader would know perfectly well that for the last three to four years, because of market situations and because of what he has frequently called the very fragile nature of our white goods and automobile industries (and I tend to agree with him), we have had to rationalise and restructure. Again, it gives me an opportunity to pay tribute to those firms such as Simpsons, Mitsubishi and Holdens, which have undertaken a restructuring programme, have increased productivity enormously and, indeed, are continuing to do so. It was either a question of do that or go out of business. I am afraid that, if the Leader suggests that it would be better that those firms close down completely, with a massive loss of employment, I cannot agree with him.

That restructuring, which has made our productivity such that we can compete properly on Australian and overseas markets, was well worth while. Again, I congratulate the industries concerned for taking that course of action.

The Leader referred to contingency plans and asked what we are going to do. I would refer the Leader (and this is the first thing that comes to mind as being quite obvious) to the banner headlines in today's *News*. There, with an $800 000 000 announcement (the approval, in fact, of the e.i.s. statement for the Stony Point pipeline), we have an example of the sort of projects that this Government has been following assiduously over the past two years.

It was noticeable at Moomba that the Santos people showed quite conclusively, by way of graphs and investment

profiles, that investment in that development had fallen off because confidence had been lost during the latter part of the 1970s. They were hit particularly hard by the Connor regime, and they did not receive any encouragement from the State Government of the day. Since this Government has come to office it has continued to give every possible assistance to the Stony Point development, to development in the Cooper Basin, and it will continue to do so, because it is only by doing that, and by taking those positive actions, that we will begin to see some worthwhile results in the unemployment figures and further increases in the employment figure.

I rather take the inference from the way in which the Leader asked the question that he thinks there is something wrong in that the major part of the increase in employment has occurred in the agricultural sector and the agricultural services sector; that was the clear indication that he gave. I do not think there is anything wrong in that at all; indeed, I would like to believe now that, with the announcements of projects for which we have been waiting for a long time, and which are now coming to fruition, we will now see those necessary increases in employment, not only in the mining resource industries but in the supporting manufacturing industries, too.

COOPER BASIN

Mr SCHMIDT: Will the Minister of Mines and Energy inform the House with regard to the latest developments in the Cooper Basin liquids project?

The Hon. E. R. GOLDSWORTHY: The question follows on and is supplementary to—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: We could not have got a better Dorothy Dixer from the Opposition if we had asked for it; it follows on quite well from what the Premier has been saying. This week the Leader, thrashing around in comments he made to the *Advertiser*, sought to denigrate this Government, and me in particular, for not having been assiduous enough in developing the hydrocarbon resources of this State. This was done in the context of the Opposition's trying to denigrate the Roxby Downs development. I would like to report to the House, as the Premier has indicated, that the e.i.s. has been approved for both the pipeline and the Stony Point site. This is as a result of the initiatives taken by the Government, since we came to office, in co-operation with the producers. For the Leader of the Opposition to suggest that the Government has not been enthusiastic in its development of this resource is patently nonsense, because, within a month of our coming to government, I made a speech to the House in which I outlined some of the aims of the Government in this area. In October 1979, I said, among other things:

> The Government is also looking into the question of the early establishment of a pipeline from the Cooper Basin which would make l.p.g. available to allow the development of this important market.

On the same occasion I also went on to say in Parliament (but the Leader obviously had his ears shut):

> L.p.g. reserves in the Cooper Basin are estimated to amount to about 90 000 000 barrels, which, if developed over, say, a 20-year period, would supply on an annual basis over 10 times our current annual consumption of l.p.g. Overall, the crude oil and condensate of the Cooper Basin constitutes 5 per cent of Australia's liquid petroleum reserves.

As a result of that aim of the Government the *News* was able to announce today—

Members interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: The Government is able to announce and the *News* to report that the e.i.s.—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: If that comment lightens the day for the Opposition, let it so be lightened. It is obvious that it is the only joy that Opposition members will get out of the situation, because the fact is that the e.i.s. went off to Canberra. It was announced that it had been accepted, and the Minister for the Environment gave a press conference this morning and it has been announced that the project will go ahead. That project, which this Government initiated, has come to fruition.

Members interjecting:

The Hon. E. R. GOLDSWORTHY: The facts speak for themselves. This Government entered into negotiations with the producer companies and, as a result of those negotiations, we hope to present to this Parliament before it rises for the Christmas break an indenture ratifying the arrangements to which the Government has agreed. It may be interesting for the Leader, and his unnamed informants, with whom he has had some conversations suggesting that the Minister of Mines and Energy is rather slothful in his approach to these matters (the unnamed informants he mentioned in his statement to the *Advertiser;* maybe it was the member for Elizabeth, if the Leader was talking to him, or maybe members of his staff), to know that they do not agree with the Chairman of Directors of Santos. I would have thought that the sorts of people with whom the Leader ought to have had discussions about the efforts of the Government to bring on these liquids would be the people who know the scene, such as the Chairman of Santos, Mr Carmichael.

Mr Bannon: I was with the Chairman of Santos yesterday for over an hour.

The Hon. E. R. GOLDSWORTHY: That is interesting. I met him the night before; after the House rose on Tuesday I had discussions with Mr Carmichael from about 8 p.m. to about 11 p.m. I have had similar discussions with him weekly. I suggest that the unnamed people who tittle-tattle to the Leader, and who suggest that the Minister of Mines and Energy has been a bit slothful, should have a conversation with Mr Carmichael, because this is what he stated publicly at a recent luncheon in relation to the indenture:

> There are problems to overcome. There are differences of position to be reconciled and I must say—

Mr Carmichael felt compelled to say—

> that I have been very pleased—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: Of course, the Leader does not want to hear this, because it gives the lie to him and his unnamed informants and what they are saying. It gives the lie to the statements of the Leader and his unnamed informants. Mr Carmichael said:

> I have been very pleased with the relationship with the State Government, not that they have always agreed—

which was one of the weaknesses of the former Administration; it was a sucker for any deal put to it—

> not that they have always agreed with us—

Mr Bannon: This is unreal.

The Hon. E. R. GOLDSWORTHY: It is not unreal; it is a fact. Mr Carmichael continued:

> because they have not, but they are and I am determined to reach proper conclusions.

That was in the context of the Leader's seeking to downgrade the potential of the Roxby Downs desert—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: —the Roxby Downs development—

Members interjecting:

The SPEAKER: Order!

The Hon. E. R. GOLDSWORTHY: It was done in the context of the Leader, suggesting that it was a mirage in the desert—that Roxby Downs is a mirage in the desert, that it was pie in the sky. All I can repeat is what I said to the House last night when the Leader was not here. I understand that he and a group from the Labor Party visited Roxby Downs, and I was told that he was suitably impressed, but I have been—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: Members of the Opposition get great amusement out of this, because they seek to divert attention from what I am putting before them. If the Leader believes that what he saw there was a mirage, if he looked at the camp site, the core yard, the large workshop for repairing and attending to heavy machinery, the laboratory facilities which have been established for the analysis of the cores, the camp, the permanent houses that have been built, the head frame and the mine shaft, and if he calls them a mirage in the desert then either he was suffering from blindness or myopia, or he was incapacitated to the extent that he could not see anything.

Mr Keneally: You said that last night.

The Hon. E. R. GOLDSWORTHY: The Leader missed it, so I will repeat it for him. I have been advised by the Leader to pursue the establishment of something like a petro-chemical plant. That certainly proved to be a mirage in the case of the Labor Party. When it announced such a project on the eve of the 1973 election (or was it 1974?), it did not even have a letter of intent. It has been announcing and reannouncing it *ad nauseam* ever since.

This Government is supposed to turn its back on the mirage in the desert where there is tangible evidence of a lot of activity and chase a petro-chemical plant, which is not a mirage in the desert, but where nothing tangible has appeared since 1974 under the reign of the Labor Party. How can one give any credibility to the statements of the Leader of the Opposition in these circumstances?

UNEMPLOYMENT

The Hon. J. D. WRIGHT: Will the Premier consider revising the answer he gave me yesterday concerning unemployment in South Australia in the light of the A.B.S. employment figures released today and, if not, why not? The A.B.S. today released figures which showed that 49 100 persons, or 8 per cent of the labour force, are without a job in this State compared with the national jobless rate of 5.4 per cent. In two years since October 1979, which was one month after this Government took over, unemployment has risen in South Australia by 5 100, while it has fallen in Australia by 16 500. Over the past 12 months, contrary to the distortions that the Minister of Industrial Affairs has been peddling, unemployment has risen in South Australia by 2 500, compared with the national fall of 4 400. Yesterday, in answer to my question concerning the average length of time that South Australians are out of work, which is 47.7 weeks, compared with an average throughout Australia of 35.1 weeks, the Premier said:

> I would also make the point to the honourable member that the figures for unemployment are 2 300 lower now than they were 12 months ago, and that also shows a trend in the right direction. There is no question but that we have turned the corner and we are around the bend.

The Hon. D. O. TONKIN: First of all, let me say that the figures showing September to September were accurate, and they were accurate yesterday, according to the A.B.S. figures. If the Deputy Leader of the Opposition thinks he can suddenly, because new figures have been released today, accuse me of misleading the House and say that the figures are wrong, all I can say is that he does not really understand what it is all about.

The Hon. J. D. Wright: They are your words, not mine.

Mr Bannon interjecting:

The SPEAKER: Order! One question, please.

The Hon. D. O. TONKIN: I find it difficult, Sir, because the Leader of the Opposition seems determined to answer the Deputy Leader's question, and goes on and on. It is very difficult. First, the Deputy Leader should be well aware, as I am sure he is, that the monthly unemployment figures fluctuate, sometimes most significantly, and, in fact, if he looks at the October unemployment figures which he has just quoted, he will see that they almost completely contradict the September figures and the underlying trends. Obviously it is not wise to take monthly figures as indicating a trend until we have the overall 12-month trend, and if we look at that we will see that there is certainly a big change in the position in South Australia as it was then—

Mr Bannon interjecting:

The Hon. D. O. TONKIN: Does the Deputy Leader want the question answered? If he does, I suggest he sit on the Leader of the Opposition and we might get somewhere.

Members interjecting:

The Hon. D. O. TONKIN: No, I withdraw that; it would be far too unfortunate and painful. The A.B.S. figures are preliminary estimates, they are based on a sample survey, and it is the trends that are important. I think it is important that we do look at the trends. First, I make the point that increasing numbers of people are leaving school and seeking work before the end of the school year, because of the high level of unemployment. We expect in the next two or three months to find these going up. The trend, since this Government came to office, and this is in spite of the puffing and huffing, the doom and gloom coming from the Opposition benches, is that 19 400 jobs have been created, to the end of September 1981.

In the last two years of the Labor Government, something which the people of South Australia will always remember, 20 600 jobs were lost. There is no way that the Labor Party can get around that stark figure. When we consider that, although unemployment is still unacceptably high, with which I think we all agree and that when we took office unemployment was increasing at a fast rate, we can see that this Government has dramatically slowed the rate of increasing unemployment. If job creation continues, we will start to see reductions in the real level of unemployment.

It is quite amazing that the Deputy Leader of the Opposition, who I know is genuinely concerned about these things, unlike some of his colleagues, who are concerned only with the politics of it, in the face of his expressed concern about the high level of unemployment is still prepared to deny to this State major projects, and to do things to impede those projects that will create employment and prosperity for South Australia.

There is no question that South Australia has the opportunity, with the Cooper Basin projects, for instance, to increase employment quite dramatically in the next two or three years. But, what did we hear when the route for the Stony Point pipeline was first announced? A spokesman on the Opposition benches got up and said it ought to be delayed, that there was another path through the Flinders Ranges.

Members interjecting:

The Hon. D. O. TONKIN: I think it was deferred at one stage, it was said that there should be a moratorium on the issue, and that it should be held up until further notice. This was in spite of the fact that the pipeline is to be placed underground and will have very little environmental impact.

I notice that the member for Baudin, whose foolishness it was that was exposed in this statement, went very quiet very quickly. But, that is the sort of thing we face. We have a project of that magnitude, leading to major investment and development, yet it seems as though members opposite go out of their way to try to find excuses, ways and means of slowing down or stopping it. I do not intend to talk about Roxby Downs, it speaks for itself. But again, the same principle applies. South Australians have to make up their minds as to whether they believe that there is sufficient reason for creating those jobs and that investment, or whether they can afford to live with continuing high unemployment levels.

We cannot overlook, in the increase of 1 400 in unemployment from September to October 1981, that the entire increase is due to additional people seeking part-time work. That needs to be looked at. The numbers seeking part-time work are up 1 700 on September, and there was a decrease of 300 in the number of people seeking full-time work. Those figures tend to distort and to be inflated. The overall rise, compared with a year ago in South Australia, did not apply to 15 to 19-year-olds looking for full-time work. Their numbers fell from 15 000 in October 1980 to 13 500 in October 1981. That is similar to the Australian improvement, and highlights what I said to the Deputy Leader of the Opposition yesterday, that it is now the younger people who tend to be getting the jobs. People who are already unemployed tend to stay out of employment longer. That is not a desirable thing, and it is something at which we should work very vigorously indeed to overcome it if we can.

SMOKY BAY WATER SUPPLY

Mr GUNN: Is the Minister of Water Resources in a position to inform the House when his department will be able to construct a new water main for the township of Smoky Bay, and also when his department will be able to connect a number of blocks which currently do not have services? The Minister will no doubt recall that, when he visited that part of my electorate some time ago, he was shown sections of the main that were in very poor condition. He did have discussions with the District Council of Murat Bay in relation to this matter, and I would be pleased if he could give me an up-to-date report.

The Hon. P. B. ARNOLD: Some time ago I had the opportunity to inspect the section of the main between Smoky Bay and the Tod main. There is no doubt that this main does need replacing, and the development of additional residential allotments in Smoky Bay will not be possible until the main has been replaced. The Engineering and Water Supply Department has looked at a number of options for the upgrading of the main, and it has been decided that the only satisfactory approach is to replace the whole main. It has been decided that this will be undertaken in three stages. On today's costs the replacement cost of that main is estimated at $1 900 000. The first stage of the replacement would cost in the vicinity of $470 000. The department and the Government give this project a high priority. It was anticipated that we would be able to make some progress on this first stage in this current financial year but that has proved to be impossible. It is hoped to be able to fund the first stage during the following financial year.

THEBARTON HIGH SCHOOL

Mr PLUNKETT: Will the Minister of Education press upon the Minister of Public Works the urgency of upgrading classroom conditions at the Thebarton High School, and will he press in Cabinet for the publication of the options for the school which are currently being considered by the Budget Review Committee? The conditions at the Thebarton High School are a disgrace. I have received a telegram from staff and parents of students at Thebarton High School expressing their concern that the cuts in education spending may jeopardise the upgrading of the school. That telegram states:

> Continued cuts in funds creating inadequate classroom conditions—degenerating environments due to no school repairs and maintenance—unsanitary staffroom—no hot water—inadequate telephone service—continuing broken promises re new school.

I share their concern, Mr Speaker, but when I wrote to the Minister I was not even given the courtesy of a letter from him in reply. Instead, I received a note from a staff member who advised me to ring another staff member, Mr George Forbes. When I rang Mr Forbes, I was told that the Minister's office was not aware that it was a matter of urgency, and I was spoken to in a manner that underlined the Minister's lack of interest. Will the Minister of Education intercede on my behalf?

The SPEAKER: Order! I call upon the honourable Minister of Education to answer that portion of the question which is within his competence as a Minister of Education—

Members interjecting:

The SPEAKER: Order!—and does not embrace the request made to weigh heavily upon another Minister. The honourable Minister of Education.

The Hon. H. ALLISON: Thank you for your direction Mr Speaker. The answer would in any case have been that the Minister of Education and the Minister of Public Works are working in very close collaboration without the need for any pressure being exerted in either direction, not as the honourable member suggests doing nothing, but having initiated not simply an inquiry into Thebarton High School (which is an urgent programme), but an inquiry into five schools along that transport corridor between Adelaide and the coast. I suggest that it was appropriate, in view of the vast amount of public funds that might have been spent unwisely, to initiate just such an inquiry, for the simple reason that we have in Adelaide a number of areas where we are simultaneously thinking that we are losing too many students from a number of high schools and, at the same time, considering spending money in refurbishing or largely reconstructing other schools in the same vicinity. Common sense surely dictates that public funds should not be spent unwisely without some sort of initial inquiry. Of course, that has been a sound recommendation from committees such as the Public Accounts Committee.

Mr Plunkett: If you don't upgrade the school it's natural that you are going to lose students. That's what you are up against.

The Hon. H. ALLISON: Well, the P.A.C., which is a bipartisan committee and comprising members of both sides of the House, has strongly recommended that the Education Department err on the side of caution in the number of new buildings, the nature of repair and renovation, and on questions, first of all, as to whether schools might work better in close collaboration. We have had that inquiry and we find that we are not looking to close one of the five schools that we considered, and that there are three or four possible options for the honourable member's school of interest, Thebarton High School. I suggest that, rather than criticise the Minister of Public Works, under whose jurisdiction this matter was not immediate (it is an education matter, first and foremost), I have to decide. Having not criticised the Minister but having understood that a late inquiry implied that the matter was really being well inves-

tigated, he may have found that an early inquiry would have given him an inadequate answer. He will get an adequate answer in the near future without any pressure being exerted on the Minister of Public Works.

CONSTRUCTION INDUSTRY

Mr LEWIS: My question is directed to the Minister of Public Works. Was the statement in the *Sunday Mail* recently attributed to the Minister concerning uniform conditions of contract made by him in respect to requests and representations made to the Government by the private sector of the construction and contracting industry? Were A.F.C.C. and M.B.A. the parties making those representations? If so, were these requests for uniform conditions of contract a reiteration of requests that I (among others) made to both the Labor Government and the Opposition in 1978, which he and his colleagues now in Cabinet accepted at that time but which the then Labor Government rejected and ignored? Has the construction industry responded to this statement somewhat more accurately than the regrettable assertions attributed to them about the capital works allocation in the State Budget?

The Hon. D. C. BROWN: I thank the honourable member for the question. I know the extent to which he has been personally involved in representations, certainly before coming to this Parliament, to make sure that there were uniform contracting procedures within Government. It has been a 12 to 14 year campaign, but 9½ very frustrating years under the previous Administration. The construction industry has told me that absolutely nothing was achieved whatsoever except that a series of committees were set up and meetings held where promises were made but nothing whatsoever was delivered. Earlier this year we set up the Construction Industry Conference. It is a fairly unqiue sort of conference, bringing together some 33 different parties in the construction industry. It respresents bodies like the Master Builders Association, the A.F.C.C., the major trade unions involved in that area, all the subcontractors, the professionals in area, including architects, engineers and quantity surveyors, as well as specialist outside bodies such as Bisco and the Building Science Industry Forum.

We held the first conference in April this year and certain targets were set as to what we would like to achieve and what subjects should be discussed. Along came the old perennial, that is, the construction industries' belief that there is an urgent need for uniform contracting procedures within Goverment. Within six months of that request being put to Government, at the second conference, the Government was able to inform the Construction Industry Conference that, in fact, Cabinet had agreed to that request and that the standard for the uniform contracting procedures was to become the National Public Works Standing Committee, Edition No. 3, Standard Contract, which has already been adopted by the Public Buildings Department, and all other Government departments and statutory authorities have agreed to adopt that standard contracting procedure by early 1983. Therefore, something that could not be achieved by the previous Government during the 9½ years of its fumbling administration was achieved quite simply by this Government within a period of six months.

The matter goes beyond that. There was also a lack of uniformity as to how tenderers were notified once the tendering date had been closed. We found that some Government departments did not notify the tenderers whether or not they were successful until three or four weeks following the closing of tenders. This left the tenderers in an unfortunate position, because, although there is a certain amount of pub talk immediately after tenders have closed about what the prices might be and about who might be the successful tenderer, tenderers are never in a definite position until notified by the appropriate Government department or statutory authority. Therefore, a standard letter has been prepared, either notifying the tenderers that they have been unsuccessful or likely to be unsuccessful, or that they have been successful. Again, it has been agreed by all Government departments and statutory authorities that that letter is to be sent out within five days of tenders closing.

I do not believe that that is all that needs to be achieved; it needs to go further than that. We need to make sure, for instance, that statutory authorities adopt standard tendering procedures. Under the previous Government, a number of statutory authorities did not bother to go to tender at all. I think we are all aware that statutory authorities were used by the previous Government as a deliberate means of getting around the Public Works Standing Committee—something that this Government is looking at. We are looking at amendment to the appropriate Act.

The Hon. J. D. Wright: If you're going to do it, you'd better hurry up and get it in, because you will not be there much longer.

The Hon. D. C. BROWN: I can assure the honourable member that they will be in, and we look forward to his support for them. I simply highlight what has been so successfully achieved by way of the Construction Industry Conference in achieving uniform contracting procedures within government for the first time.

INTERNATIONAL AIRPORT

Mr PETERSON: Will the Premier say whether the announcement of international airport facilities for Adelaide has affected his attitude towards the establishment of a gambling casino in South Australia? In the statement made yesterday about the airport, the following was said:

> The boost in our tourist industry will be significant for it will be all the easier to publicise our many attractions overseas and encourage people to visit here.

On the basis of that, it would seem that South Australia is about to step into a new era of international tourism, and it is logical to offer to these world travellers facilities that they expect.

The SPEAKER: Order! The honourable member has sought leave to explain his question, not to comment.

Mr PETERSON: Yes, Mr Speaker. To explain the question, it would seem that world travellers do expect facilities of world standard when they reach a point in the world to which they are travelling. The Premier's attitude to legislation covering this matter will reflect the Government's policy concerning the attraction of tourists. Many people in South Australia are awaiting the outcome of legislation in this House, and a commitment by the Premier on it would clear up the situation.

The Hon. D. O. TONKIN: I am not really able to give an answer to that. I do not think that the announcement yesterday, which was remarkably good for South Australia and our tourist potential (and I think it is something that we all welcome very much indeed), depends or impinges very much on whether or not we have a casino in South Australia.

I doubt very much that the world travellers to whom the Leader refers will be coming to South Australia simply because we have a casino. I think that they are much more likely to come to South Australia because we have international facilities and because they will be able to fly directly to Adelaide rather than having to transship at Melbourne, Perth or Sydney. That sums up my attitude at this stage.

I suppose it could be said that of the many attractions that we have to offer we should be offering one more that is available in other cities, namely, a casino. That may well be a point of view that the honourable member is trying to promote. I can understand his interest in this matter. However, I do not believe that whether we have a casino or not will make any difference to the fundamental impact that the establishment of international facilities at Adelaide Airport will have by itself. That promises very great things for tourism, and those facilities will allow us to show off our State. More than anything else, it will mean that we can hold up our heads and say that we have a State and a city of which we are proud and to which we are proud to welcome tourists, and that we have here everything that we need for them.

I am afraid that the honourable member will have to wait until another matter comes before this House to be voted on before he finds out what may attitude is. So far as a casino is concerned, I am watching with great interest the reaction in the community at this stage. Certainly, a great deal of interest seems to be being shown in it, and I will watch developments with great interest.

MEAT INSPECTORS

Mr BECKER: In view of the rumoured further meat inspectors strike, can the Minister of Agriculture assure the House that he has his alternative meat inspectorial plan so far advanced as to implement the same in the event of another meat industry inspection stoppage occurring? I understand that earlier this week the Minister outlined an alternative plan for meat inspection in order to ensure that State domestic abattoirs continue in operation in the event of an export abattoirs inspectors strike, or one involving the Federal Court in isolation from the State.

The Hon. W. E. CHAPMAN: During the inspectors strike last week, I contacted the Secretary of the Department of Primary Industry Association representing the inspectors and put to him that our State-based abattoirs were being affected by an issue that really did not involve them and that we were being savagely disadvantaged during that strike. I also said that, unless his association could give our local processing abattoirs dispensation, we would have no alternative but to institute an alternative system of inspection at those premises. With Cabinet's approval, I set out to prepare such a plan.

I went further than that and instructed my officers to prepare a plan for an alternative State-based inspection system for South Australia. That would act in lieu of the much canvassed and favoured D.P.I. inspection system that we have enjoyed since 1965. The proposal put to the association Secretary, Mr Jock Craig, was not accepted by his group. As members are well aware, our State-based abattoirs were prevented from operating. I hope, too, that they are well aware of the impact on the industry that occurred as a result of that. This morning, I wrote to the Secretary confirming the State Government's position in relation to this alternative inspection system, and giving them one more opportunity to consider the plight that our industry was in, and could well be in the future, should that strike recommence.

I put to them once again the dispensation alternative that we had discussed in the previous week. I believe for the record that I should place in *Hansard* the contents of the correspondence that I directed to Mr Craig of that association, and I am pleased also to be able to incorporate his prompt reply. The letter to Mr Craig reads as follows:

Dear Sir,

Following the recent industrial action by members of your association which seriously affected the domestic meat industry in South Australia, I wish to put forward the South Australian Government's view on such disruptions. Because this State has a unified meat inspection service provided by your members, in contrast to the circumstances in all other mainland States except the Northern Territory, the industry in South Australia was unduly penalised.

Meat at domestic abattoirs in Victoria and New South Wales continued to be processed by State inspectors, and was used by South Australian merchants to make up the shortfall in the domestic kill caused by the action of your members. It is iniquitous that a State that has championed a unified meat inspection service, which is of benefit to your members, should have been the hardest hit by your actions.

Such disruption to the State's meat industry bears heavily upon the whole chain from the paddock to the place, including the standing down of fellow unionists. I have instructed officers of my department to prepare plans for a State meat inspection service to replace the services of Department of Primary Industry inspectors in our abattoirs which cater for the domestic market.

However, such a drastic move would be unnecessary if your association would agree in future to provide inspectorial services for such domestic processors if and when you have an industrial dispute which involves your principal employer, the Commonwealth Government.

A survey by my department has indicated that a maximum of 46 inspectors would be needed to cater for the local abattoir trade. I point out that if we proceed with the plan to re-institute a State inspection service, this would mean the loss of 46 positions for members of your association and indeed I consider it would be a retrograde step for all concerned and only caused by a lack of appreciation of the advances and benefit so far achieved in this State.

No longer can the South Australian abattoir industry be victims or potential victims of disputes over which they are not a direct party. Hence my need to recognise their unanimous demand for either a State inspection service or alternatively the dispensation as suggested. In the light of the above factors, I would appreciate your comments on providing a dispensation for domestic meat processing in the circumstances detailed.

Yours sincerely,
Ted Chapman, Minister of Agriculture

Just prior to the meeting of Parliament today and following in the interim period personal discussions with Mr Craig, the Secretary of the inspectors association, and his President, he furnished me with the following reply:

Dear Mr Chapman,

I acknowledge receipt of your letter dated 12 November 1981 wherein you have stated the alternative meat inspection procedure proposal for South Australian domestic abattoirs in the future. On behalf of my association I cannot support the proposal to institute a State inspection system in lieu of our Department of Primary Industry procedures.

I do, however, recognise the importance of maintaining State processing at domestic level during strikes or stoppages involving the export trade and Federal orientated disputes. On that basis, my association agrees to your proposal to have a standing dispensation apply wherein the required Department of Primary Industry inspectors remain on duty at domestic abattoirs in order to maintain the processing of meat for local consumption during such disputes.

Yours sincerely,
J. Craig, Secretary

Despite the progress that we have made in the general plan to provide for an alternative State inspection, we have at this stage achieved co-operation from the inspectors association and have its agreement in writing to provide for sufficient inspectors at local meat abattoir level should there be a dispute in the future. A rumour was circulating among some people yesterday and last evening that this dispute is likely to blow up again pending some anticipated break-down in negotiations at Federal level. I am delighted to report to the member for Hanson and the House that the alternative arrangements have been agreed to by the parties involved so that we in this State will not be victims of such a scene as occurred in South Australia last week.

The SPEAKER: I call on the honourable member for Elizabeth.

The Hon. PETER DUNCAN: Thank you for the call, Mr Speaker. I almost got a shock—

The SPEAKER: Order!

The Hon. PETER DUNCAN:— after that answer. I find that I am becoming a little rusty at—

The SPEAKER: Order! The honourable member will resume his seat. I call on the honourable member for Mitcham.

POLICE INQUIRY

Mr MILLHOUSE: I am sorry about the member for Elizabeth—

The SPEAKER: Order!

Mr MILLHOUSE: —but I am happy to ask a question of the Premier which, in normal circumstances, would go to the Chief Secretary. However, he has said that he does not know anything about this matter. As the Government is going slow on the internal inquiry into allegations against the police, does it propose that the inquiry should be completed and, if so, when? Since I mentioned in this place that Mr Cramond, who originally was one of the three members of the team, so-called, inquiring into this matter, had gone away to the Privy Council to represent the Government there, the Government has announced that Mr Michael Bowering, another officer of the Crown Law Office but an officer slightly junior to Mr Cramond, will take his place.

I point out with great respect to you, Mr Speaker, that it is quite impossible during the course of an inquiry for the inquirers to be changed, just the same as changing a judge half way through a trial or changing a Royal Commissioner half way through a Royal Commission. If one is making an investigation or an inquiry one has to be in it from the beginning, or the thing is a farce. This is precisely what the Government has done here. Therefore, either nothing is being done by those inquiring into these allegations or it has become entirely an internal police inquiry without anyone from outside taking an effective part at all.

The suspicion has been expressed that the Government does not want the inquiry to go on because the whole situation which has arisen in this State and out of which the allegations have come is part of an Australia-wide one that the Commonwealth and other States have asked the Government here to go slow on. In explanation of my question, I finally refer to the answer given in another place by the Attorney-General yesterday, when he said that no time limit had been put on the inquiry at all. It has now gone on for five weeks or more and the clear understanding which was given at the beginning, despite what he has said, was that it would take a fortnight, and certainly not nearly as long as this. There is no prospect apparently of the inquiry being finished. The whole thing has gone dead, as far as I can see, and that is why I ask the question.

The Hon. D. O. TONKIN: The inquiry is not going slow. It is a fact that Mr Bowering, who has taken over from Mr Cramond, was given ample notice of the change and had been working closely with Mr Cramond before Mr Cramond's departure for overseas. The inquiry will be conducted in such a way as to get to the truth of the allegations that have been made. Any inquiry which will be made will be made as fully and completely as possible. I have a feeling, because of the way in which the member for Mitcham is behaving at present that, if the results were handed down very quickly, he would complain bitterly that that was not sufficient and that not sufficient time had been given to it. Alternatively, if the report had not been given, as it has not yet been given to the Government, the honourable member now complains that nothing is happening. The member for Mitcham is obviously out to make political capital from this, and nothing more. It is rather disgraceful.

Mr McRae: He is a politician, though.

The Hon. D. O. TONKIN: He is a politician. Unfortunately, he is all politician, and not much else. That is a matter to be regretted.

HEALTHY STATE CENTRE

Mr RANDALL: Can the Minister of Health advise the House on plans for a shop facility, known as the Healthy State Centre, which I believe is to be established by the South Australian Health Commission? When will the centre open, and to what use will it be put? I seek your leave, Sir, and that of the House briefly to explain my question.

The Hon. Peter Duncan: Question!

The SPEAKER: Order! Will the honourable member please resume his seat?

The Hon. JENNIFER ADAMSON: I am delighted to advise the House of the Healthy State Centre, which is to open tomorrow. It is located in the east end of Rundle Street on the ground floor of the car park on the corner of Rundle and Pulteney Streets. A young man named Adam Finlayson, a 12-year-old, will open it. He is South Australia's contestant in the National Ginger Meggs Competition. The purpose of the centre is to provide basic health information to all South Australians.

The centre is particularly relevant to children, and that is why it is being opened by a child. Its concept is very exciting indeed. In effect, everyone will be able to take a trip through the human body. An opportunity will be provided to examine various organs of the human body in what I was about to call a 'Disneyland-like' fashion. This will enable children to understand those organs. I visited the centre two or three weeks ago and walked through a reproduction of a human capillary, in a way that showed how it works when it is in a healthy state, and how it works in an unhealthy state. I also had an opportunity to examine how a human lung of a smoker operates, and how that of a healthy non-smoker operates.

An honourable member: Nonsense!

The Hon. JENNIFER ADAMSON: I hear the word 'nonsense' from the other side of the Chamber. I would have thought that every member of this House would be extremely interested in this centre. We all know that politicians need stout hearts, healthy lungs, firm backbones, and all the other qualities, including broad shoulders, to enable them to accept their heavy responsibilities. All of us have something to learn from this Healthy State Centre:

Mr Mathwin: Is it manned by professionals?

The Hon. JENNIFER ADAMSON: Yes, it is manned by professionals. Its purpose is to ensure that everyone who seeks sound basic health information can have easy and ready access to it. Also, because both the Government and the Health Commission want to encourage participation of voluntary bodies in the health services, we will give an opportunity to certain voluntary bodies to have a stand in the centre. The first of such groups will be the Anti-Cancer Foundation, which will shortly launch Anti-Cancer Week. Also, the National Heart Foundation plans a stand, and various other voluntary bodies will have the opportunity to put their material before the public.

I am sure that the member for Hanson would welcome the opportunity for the Epilepsy Association to hand out its material to interested bystanders. The media will be invited to the opening, as will representatives of health authorities. I cordially extend an invitation to every member of this House to attend. If members come at 9 a.m., they will be offered a light and healthy breakfast. At 9.30 a.m. young Adam Finlayson will open the centre. Those attending will then be given an opportunity to test their stress reactions.

Members interjecting:

The Hon. JENNIFER ADAMSON: There will definitely be no smoking. People will be given an opportunity to listen to tapes explaining the working of the body.

Mr KENEALLY: I draw your attention, Mr Speaker, to the fact that the time for questions has ended. I wondered whether you had noticed that.

The SPEAKER: There is no point of order. I am quite convinced that the staff is capable of ringing the bell when it is due to be rung. It is now past due, because of the intrusion by the honourable member for Stuart.

PERSONAL EXPLANATION: SAMCOR PADDOCKS

Mr O'NEILL (Florey): I seek leave to make a personal explanation.

Leave granted.

Mr O'NEILL: I am forced to seek leave to explain, because of the statement made by the Minister of Agriculture today. He misrepresented the terms of the question that I asked him yesterday. The only thing I asked him was in reference—

The SPEAKER: Order! The honourable member has sought leave to make a personal explanation and may not embark on a debate.

Mr O'NEILL: I have no desire to embark on a debate. I want to explain the point that I am taking in my explanation, which relates to the question that I asked the Minister about his attendance at a meeting of the Save the Samcor Paddocks Committee on 3 March 1981, and refer to the promise that he gave that meeting. I do not dispute anything that he said in relation to the press release made by the Premier or the letter to the City Manager of the Salisbury council. But, his answer to me quite clearly indicated:

> It is true that on that occasion both my colleague and I undertook to ensure that the community would be informed.

What he has not made clear to the House, and where he misrepresents me—

The SPEAKER: Order! I do not want to cause any difficulties for the member for Florey. However, it is not for the Chair, or for an individual member, to require of a Minister that he answer in any particular way which suits the opinion or requirements of the member initially asking the question. The honourable member is now debating the issue and the deficiencies, as he sees them, in the answer that he received. He is not, with due respect, giving a personal explanation. I ask him to give a personal explanation or the leave will have to be withdrawn.

Mr O'NEILL: I am sorry; I will try to accept your guidance, Sir. I am trying to make clear that the Minister has misrepresented me by saying that he did not make a promise. He clearly gave a promise to the Save the Samcor Paddocks people. He is talking about a working party being set up afterwards, which is an entirely different body. As far as I am concerned, what the Minister said today may have some relevance, except for the part where he tries to impute to me improper reasons for asking the question. The Minister made a promise to the Save the Samcor Paddocks people, which he has not honoured. That was confirmed to me this morning by a spokesman on behalf of that committee. The other point made was that not only did I not—

The SPEAKER: Order! The honourable member has made the point that the misrepresentation has caused him difficulty. He is now starting to embark upon a debate on the issue, bringing in further information relevant to the matter. It must be purely and simply a personal explanation, or I will have to withdraw the leave.

PERSONAL EXPLANATION: QUESTION CALL

The Hon. PETER DUNCAN (Elizabeth): I seek leave to make a personal explanation.

Leave granted.

The Hon. PETER DUNCAN: Earlier today I attempted to begin asking a question. In opening my remarks, I made a comment which was related to the length of time that it took the Minister of Agriculture to answer the previous question. I made the point that I hardly recognised the call because, in effect, it had been so long since the previous call that I had got a little rusty. I was not in any way, Sir, intending to reflect on you personally, or on your office. I do think that you acted rather hastily in failing to allow me to continue, or at least asking for a comment from me on whether or not I was reflecting. I think that is a perfectly reasonable position that I have just put, and I have been denied a question, which I resent very much.

The SPEAKER: I accept the explanation given by the honourable member for Elizabeth. The point was made only yesterday, and I make it again today, that in the heat of the moment people will make comments which have an ambiguous meaning. The very clear intention or thought taken by the Chair, having regard to the member's having been called to attention that it was a question required from him, and not further comment, upon which he then sought to embark, was that the rustiness related to the delay of the Chair in calling a member for some considerable time. The honourable member has now explained the situation satisfactorily to me, but I make the point very clearly to him and to other members that words can mean different things under the same circumstances, having regard to the general practices of the House.

An honourable member: 'Question' means only one thing, though.

The SPEAKER: Order!

An honourable member: You ought to know. Peter Lewis started it.

The SPEAKER: Order!

FORESTRY ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

> Page 2, line 15 (clause 4)—Before 'declare' insert 'for purposes relating to the conservation, development and management of land supporting native flora and fauna,'.

Consideration in Committee.

The Hon. W. E. CHAPMAN (Minister of Forests): I move:

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

It refers to an addition of words and applies to page 2, line 15, clause 4 of the Bill. When that subject was being debated in this House the member for Baudin moved an amendment to that line, and it was considered in this place. At that time I called on the Opposition to understand my reluctance to accept the amendment until consultation had been held with senior officers of my department.

That consultation took place subsequent to our debate and during the period in which the matter was under consultation in the Legislative Council. I understand that discussions took place between the member for Baudin and his colleague in the other place, the Hon. Anne Levy. Having regard to my remarks here and after further consideration by the Opposition, an alternative amendment was proposed. While the alternative amendment was to a degree more acceptable than was the one moved in this House, I further consulted the officers of my department, and we

prepared an amendment to clause 4 to take on board the desires and requests of both the member for Baudin and the Hon. Anne Levy. It was ultimately moved in the other place by the Hon. John Burdett and accepted in that Chamber, and on its return here I agree to have the respective words inserted.

That will bind the Governor of this State at the time of proclaiming a reserve to have regard to those points in the amendment. I think the replacement of the word 'preservation' with the word 'conservation' in this context will allow a degree of flexibility which is required by the forestry officers in the development and management of the land which supports that native flora and fauna. As far as I am aware, the member for Baudin and his colleagues accept the amendment moved on my behalf by the Hon. John Burdett. I look forward to the Opposition's support in this instance for its approval in this House.

Motion carried.

ESSENTIAL SERVICES BILL

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

Consideration in Committee of the recommendations of the conference:

As to Amendment No. 1:

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

Page 1, (Clause 2)—Lines 6 to 8—Leave out 'the health of the community would be endangered, or the economic or social life of the community seriously prejudiced:' and insert 'the safety, health or welfare of the community or a section of the community would be endangered or seriously prejudiced:'

and that the House of Assembly agree thereto.

As to Amendment No. 2:

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

As to Amendment No. 3:

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

Page 2, (Clause 4)—After line 40 insert subclause as follows:

(2a) No direction shall be made under this section unless it relates to the provision or use of proclaimed essential services.

and that the House of Assembly agree thereto.

As to Amendment No. 4:

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

The Hon. E. R. GOLDSWORTHY (Deputy Premier): I move:

That the recommendations of the conference be agreed to.

Members will recall that four amendments came down from the Upper House in relation to the Essential Services Bill. The first amendment sought to narrow the scope of the definition of 'essential service'. The amendment which has finally been agreed at a conference, it is thought, does that to some extent. I think members have a copy of the wording being suggested in relation to that amendment, that is, that the words 'the health of the community would be endangered or the economic or social life of the community seriously prejudiced' be left out and that the words 'the safety, health or welfare of the community or a section of the community would be endangered or seriously prejudiced' be inserted. Agreement was reached with the Upper House in relation to that change in the definition clause.

The second amendment related to the time that would be allowed to elapse before Parliament was recalled for a consideration of the essential service proclamation. The amendment sought was that the period of 28 days be shortened to 14 days. It was agreed at the conference that the House of Assembly would not insist on the period of 28 days, but would agree to 14 days.

The third amendment was in connection with an amendment carried by the Upper House which stated, in effect, that there should be no industrial conscription. The House of Assembly had some problems with precisely what was meant by 'industrial conscription'.

An honourable member: Some of them.

The Hon. E. R. GOLDSWORTHY: Fortunately, there was the traditional degree of unanimity among the Assembly members of the conference. Members on both sides of the House were most helpful in points of clarification, particularly the legal members of that conference.

An honourable member: That will not help you at all.

The Hon. E. R. GOLDSWORTHY: I am stating a fact. The traditional usages and practices of this House were admirably upheld by the managers for the Assembly. I state that categorically. The fact is that, after some debate in relation to this, it was agreed that those words in relation to industrial conscription would be replaced by a new subclause (2a) in these terms:

No direction shall be made under this section unless it relates to the provision or use of proclaimed essential services.

All that does is, in effect, reinforce what is already in the Bill. It confirms the fact that the proclamation in relation to essential services shall relate only to people who are actually involved in providing essential services. The last amendment, the fourth, relates to the ability to take the Minister to court and challenge circumstances relating to the proclamation. It was agreed that the House of Assembly would not insist on its disagreement and the removal of that provision from the Bill, which was the amendment from the Upper House.

So, all in all, after expeditious consideration of these matters, agreement was reached at the conference that these amendments would satisfy the managers. For that reason, I move that the recommendations of the conference be agreed to.

Mr McRAE: On a point of order, Mr Chairman, I seek your guidance on this matter. I am not necessarily saying that it is a wrong or incorrect procedure, but my recollection is that on past occasions when matters of this kind have come back to the Assembly we have considered the matters *seriatim*. On this occasion the Minister has chosen to move the amendments *en bloc*. If that is within the Standing Orders, so be it, but I seek your guidance.

The CHAIRMAN: The matter before the Committee is the motion moved by the Deputy Premier that the recommendations be agreed to. It is one motion, and I am advised that that is the normal course of action, so that the Committee has to either agree or reject the motion.

Mr BANNON: Mr Chairman, I was a member of the conference of the Assembly, together with my colleague the member for Playford. As the Deputy Premier has indicated, certainly we loyally, vigorously and effectively supported the House of Assembly's case in that conference. In fact, if there is any criticism, we felt that the Deputy Premier was probably a little too accommodating to the wishes of the Legislative Council, considering the strong views put by this House. Now that we have returned to this Chamber, I think we must speak from the point of view that we expressed during the passage of this Bill.

While it is fair to say that the recommendation as it comes from the conference in some respects improves matters, in others I think that, rather than improve them, it simply compounds the problems that we pointed to in the Bill originally. It is for that reason that we cannot support these amendments. It is a pity that we cannot consider them one by one, because I think that that would allow us to give a clearer indication of our attitude in terms of voting. If I could comment on each of them briefly: the change in the definition embodied in the recommendation

in amendment No. 1, in our view, still leaves the position far too wide. We believe that the phrase 'the essentials of life' that was contained in an earlier measure considered by the State Parliament back in 1974 sums up very appropriately the purposes of the Bill. If we are talking about the denial of essential services in linking back to the concept of essentials of life, it seems to make absolute logic and sense.

As this has come from the conference, an amendment has been made. We have certainly got rid of that quite repugnant concept of the social life of the community (repugnant in the legal sense; it means nothing). The problem with it is that it simply leaves an emergency measure far too wide and open to abuse by the Government. However, what has replaced it—the safety, health or welfare of the community, or a section of the community—really is not much better. Certainly, there has to be some flexibility in the definition, but we think that this is far too wide. It may be that particularly the word 'welfare' read in conjunction with 'safety and health' could be seen as limited, but there is no guarantee that that would be so. We would certainly much favour the amendment that was moved in this House and adopted in the Upper House. So, we oppose that.

As to amendment No. 2, the House of Assembly does not further insist on its disagreement. While the 14 days provided is not the same as the seven days that we moved in this place, we think that it is a reasonable compromise and that the acceptance of that has definitely improved the Bill. I will just skip over amendment No. 3 and say that we agree to amendment No. 4. We think that that was certainly a profitable result of the conference.

The real problem for members of this side turns on amendment No. 3. We believe that any Bill relating to essential services should not include some general power for the Government to use it in an industrial situation. There are tribunals already existing and well established which have as their whole purpose by an Act of Parliament the conciliation, arbitration and settlement of industrial disputes, and that is appropriately where disputes should be settled. We recognise that essential services legislation may be necessary; it may have to be invoked during the course of an industrial dispute but, again, if it is used as a weapon in an industrial dispute—if it is abused (which would be the case)—then obviously the legislation is dangerous legislation. Unfortunately, while the clause remains in the form that is recommended here, it can be used in such a way.

The Government argues, of course, that without this wide and general power to order people to do certain things, particularly groups of workers or trade unions, there is no way of making the legislation effective: that is not true. On the contrary, if this legislation is invoked in those situations it is more likely to make them worse, and it is less likely to be enforceable. This is aimed at overcoming problems of supply of essential services in particular emergency situations. They may be related to industrial matters, and industrial matters are certainly not excluded; there is not some sort of imprimatur in the proposals that we put into the Bill for the trade unions or their members, or anybody in the community, to do just what they like. We believe that it should be made quite clear in the Bill that it is not to be used to interfere in industrial disputes or to curtail the right to strike.

I find it ironic that today, for instance, the Premier (and I join with him in this) took part in an appeal to assist a relief fund for Poland in its current economic difficulties. In that matter, we hear a lot about the way in which the free trade unions in Poland are exercising their right to strike and about their activities. It is very much commended by people on the other side of the Chamber, yet they will insist on legislation in this place aimed completely in the opposite direction in steamrolling or eradicating that democratic right in our community. They are having it both ways, and I think that this really highlights it. I do not understand why the Government is not prepared to go a far greater distance than it has gone in amendment No. 3.

I cannot understand why it cannot go further than that and make it quite clear that the right to strike is to be preserved, that this Bill is not to be used in industrial disputation. However, unfortunately, despite all the argument in both Houses and despite the argument in the conference this morning, the Government will not bend on it; that is how it envisages this legislation being used, unfortunately, and it is insisting on it. It is for that reason, above all, that we believe that the legislation is repugnant; we would far rather that there be no legislation at all, and that each situation be dealt with by this place as emergencies arise rather than have a permanent measure on the Statute Book which could be abused in a flagrant way, affecting all our basic civil liberties, by a Government so intent in the future. Accordingly, the Opposition cannot accept the report as it comes from the conference.

The Hon. E. R. GOLDSWORTHY: The Leader of the Opposition is rather at odds with himself when he claims, on the one hand, that I was too accommodating in the conference, but that, on the other, I was quite unyielding in relation to this question of industrial disputation. In fact, that sums up the whole emphasis of the Government and the managers for the Government in this matter. The most critical of the amendments, so far as the Government is concerned, was whether we were to make some blanket exemption for the trade union movement; whether they were to be a race apart and receive protection from the compass of this Bill; whether its provisions would apply to every other citizen in this State except the trade union movement.

The Government would not have been prepared to accept the Bill if that was to be the case. That in effect was the amendment which was sought by the Opposition in relation to this measure. The Leader said that it should not be used for industrial disputes. There could be other circumstances in which it might be necessary to invoke essential services legislation, but certainly, in recent experience in Australia, the most likely circumstance in which it would need to be invoked would be during the course of an industrial dispute. It was an industrial dispute involving the Transport Workers Union that led to a very difficult situation in South Australia quite recently. It was an industrial dispute which led to a very serious situation in Victoria at which time comparable legislation had to be invoked earlier this year. To suggest that this legislation should never be used or should be written in such a way that it could not be used during industrial disputation situations would have made a nonsense, a toothless tiger, of the Bill.

The Government did not insist on two of the other amendments because, when we got the matter into perspective, it was quite clear that the basic argument was going to hinge on amendment No. 3, which we are discussing. The Leader talks about this divine right to strike. The Government is not attacking the basic premise that there should be a right to strike, but it is not an inviolable right that people can strike and cause other people's health and safety to be jeopardised. There is not a right to strike that cannot go unmodified when it is depriving the community of the essentials for its safety and health.

However, that is the argument that the Leader is pursuing. He is seeking an immunity for the union movement from the compass of this Bill, even though this divine right to strike that he talks about may cause people's health, and indeed their lives, to be put in jeopardy. That is a complete

nonsense. One can think of many circumstances where this applies, for instance, during a power strike. I was in Queensland when a power stoppage occurred, and emergency arrangements had to be made for hospitals. People's health and their very lives were endangered. That situation was as a result of industrial disputation. To suggest that the provisions of the Bill will not apply in those circumstances is absolute nonsense. The Government would have been prepared to see the Bill go out of the window if the Opposition's view had prevailed in that regard. That is why I was intransigent in relation to that amendment and why I was accommodating in relation to a couple of the other ones, which paled into insignificance when compared with the importance of this amendment.

I well recall when other legislation promoted by the Labor Party came before this House, when the Labor Party sought to make the trade union movement a race apart in South Australia, with privileges and protections which no other section of the community would have enjoyed. It brought in a Bill for the maintenance of essential services, but no-one could touch the trade union movement; the provisions applied to everyone in this State except the trade union movement, all in the name of the right to strike.

It is absurd to suggest that the right to strike be there and that it cannot be touched, to the extent that it could endanger the health, welfare and indeed the very lives of members of the community. It is absurd to suggest that, but that is what the Leader is suggesting. The amendment was critical. If the managers for the Upper House had not been prepared to modify what we thought the amendment meant, the Bill would have gone out of the window.

I again pay a tribute to the common sense which prevailed at the conference. The emphasis was certainly in relation to this amendment. The other amendment, if we are talking about the order of importance, is amendment No. 1, in relation to definition. If the definition was so screwed down that the Bill could not be invoked in the circumstances envisaged by the group that the Leader was trying to protect, then the Bill would have been equally useless as far as the Government was concerned. With regard to the other two amendments, I indicated during the debate in this Chamber that the Government saw some value in those clauses in the Bill, but it would not have seen the Bill fall on the basis of those amendments. However, the Government certainly would have been prepared to see the Bill fall if it had to exempt the trade union movement. It would have made a nonsense of the thing, and we would not have been able to settle any of the disputes. The Victorians would not be able to settle their disputes with their essential services legislation.

As I say, the most likely circumstances in which the legislation would have to be invoked would be during a period of industrial disputation (although that is not the only circumstance). To have exempted that would have made the Bill a toothless tiger, and the Government would not have been prepared to pass it under those circumstances. What the situation amounts to is a difference in philosophy. We know that the Labor Party is controlled by the trade union movement. We know that the Labor Party wants to make it a race apart. For members of the Opposition to laugh shows just how false are their public statements. We know perfectly well that they are controlled by the trade union movement.

Mr Bannon: We do?

The Hon. E. R. GOLDSWORTHY: Yes, we do. They are controlled in Caucus by the trade union movement, let alone the outside interests. We know that the A.L.P., nation wide, is controlled by the trade union movement. It is the political wing of the trade union movement: that is what it is nation wide and State by State. The heat with which the Leader advanced his argument in seeking to make the trade union movement a race apart, to make the above the law in this nation, did not surprise me in the least. That was the critical point as far as the Government was concerned.

That is why I was quite intransigent and why the managers from this Party were intransigent in relation to the wording of that clause. Common sense prevailed in the end, and the fact that I was too accommodating, according to the Leader of the Opposition, in relation to the other clauses, was because there must be a bit of give and take in a conference. If one side will not budge, then obviously the Bill will be lost. That is what it is all about. To reach some accommodation, there must be some give and take. It is nonsense for the Leader of the Opposition to suggest, on the one hand, I was too accommodating, and that, on the other, I was not. We would not accommodate the Upper House in relation to the amendment by which, as far as the Government was concerned, the Bill could either fall or proceed. Let me say that the approach of the manager for the Upper House who moved a couple of amendments was entirely rational. We understand what he was seeking to do.

Mr McRae: You conned him pretty well, too.

The Hon. E. R. GOLDSWORTHY: No-one conned anyone. That is an insult to the colleague of the member for Mitcham.

Mr McRae: You did it brilliantly, Roger.

The Hon. E. R. GOLDSWORTHY: Nobody was conned. It is an insult to the member for Mitcham's colleague to say that, and indirect to the member for Mitcham, with whom his colleague has frequent discussions. We understood perfectly what was in the mind of the honourable member from another place and we sought to accommodate his wishes.

Mr McRae: I bet you did.

The Hon. E. R. GOLDSWORTHY: Because he was eminently reasonable—

Mr Millhouse: Like I always am, isn't that right?

The Hon. E. R. GOLDSWORTHY: I am not going to be subjected to blackmail or pressure from the member for Mitcham. What I am saying relates to his colleague in the other place.

Mr Bannon interjecting:

The Hon. E. R. GOLDSWORTHY: The members of the Opposition were only too happy to try to have the last say to the honourable member from the other place. They had the last say to him before the conference reconvened. They always like to have the last say, but the common sense and stability of that honourable member prevailed and, despite the last-minute pleas of members of the Opposition, although they had the last chew at his ear, his common sense prevailed and we came up with this agreement. The Leader is talking nonsense if he thinks that the Government is prepared to make an exception of the trade union movement so that this law would apply to every other citizen in the State but that, in industrial disputation, it could not be invoked. That would have made a nonsense of the Bill and we were not prepared to accept that.

Mr McRAE: I support the Leader of the Opposition. In so doing, I have one or two things to say about what the Deputy Premier has said. First, he kept on saying that the Labor Party and the Leader believe in the divine right to strike. We do not believe that divinity is involved in rights to strike, or rights to hire and fire. We are also quite certain that divinity is not involved in either communism or capitalism. We do believe in an inalienable right to strike, but not in all circumstances. There must be limitations on that right to strike, but they must be careful limitations. I turn to the point that the Deputy Premier took. My Leader indicated that, in one sense, the Deputy Premier had been too accommodating. That was in the context of the confer-

ence between the two Houses, and it must be seen that way.

Mr Bannon: It was a jocular remark.

Mr McRAE: As the Leader says, it was a jocular remark. I am sorry that, nearly 125 years after responsible government was established in this State, we still have that other place down the corridor.

Mr Millhouse: Come on!

Mr McRAE: My views on that are well known. I will not annoy the member for Mitcham any more at this stage, but I will annoy him a little later about something else. I am sorry to say that we still have that place, but we do. Granted that we still have it, I wish we could find some better way than the charade and fiasco that constitutes the current method of conferences. It is obvious to everybody involved that it is a political dispute and nothing more, and to have this charade, this fiasco, by which philosophical enemies become friends for the duration of the conference is quite artificial and stupid, and leads to misunderstanding on all sides.

Mr Randall interjecting:

Mr McRAE: The member for Henley Beach will have his turn to speak. Let me turn to the first amendment. In my view (although, of course, I disapprove of the whole measure), this is a great improvement. I say that only on the basis that I accept the view that, first, the word 'welfare' will be coloured by the presence of the words 'safety' and 'health'. Also, the whole paragraph will be interpreted in the light of the measure itself. I agree that the Hon. Mr Milne did everybody a service by insisting, and by the Council's insisting, that the period within which Parliament can be recalled be reduced from 28 days to 14 days. I most certainly agree that a great service was done by ensuring that the courts have an opportunity to look at the actions of the relevant Minister, particularly bearing in mind who the relevant Minister will be for the next year, I might say.

When I come to amendment No. 3, I am forced, I think, to annoy the member for Mitcham. If he had been at the conference I am sure he would have been angry indeed, because the situation was that originally, as I understand, the Hon. Mr Milne wanted to say what the Labor Party would say as a backstop measure. He made it quite clear, as the Leader said, that if you are going to have the measure in existence, there should be a measure which would stop compulsory dragooning of people. He used the words 'prevention of civil conscription' or words to that effect.

The Hon. E. R. Goldsworthy: 'Industrial conscription'.

Mr McRAE: Obviously he had in mind (probably through the member for Mitcham) section 51 (23a) of the Commonwealth Constitution, the social services section.

Mr Millhouse: That is exactly correct.

Mr McRAE: I am pleased to hear that. The sorry thing about the matter, and I do not blame the Parliamentary Counsel for this because he was carrying out instructions, is that the unfortunate Mr Milne was conned into this absurd clause. It has a Byzantine circularity about it.

Mr Millhouse: Haven't all compromises, anyway?

Mr McRAE: It is not a compromise; it is total capitulation. It means exactly nothing. If one looks at it in context it states that the Minister has only a right to do X and now the Minister shall do nothing more than X. If that has gained the honourable gentleman one iota, I would like to hear it. I am ready to be persuaded.

The Hon. E. R. Goldsworthy: It is reinforced by repetition.

Mr McRAE: I congratulate the Deputy Premier on the brilliant job he did in manoeuvring this so-called bargain, but I am very sorry for the Hon. Mr Milne. I am sure that, if the member for Mitcham had been there, he would have stiffened the back of his colleague and I am sure his colleague would have taken notice of his Parliamentary Leader (I hope he would have, anyway).

The Hon. E. R. Goldsworthy: The honourable member is being very rude to Mr Milne.

Mr McRAE: I am not being rude to Mr Milne. I am pointing out to him that on this occasion he was conned by the Deputy Premier of the State, and I hope that he will guard against that very closely in future, so that when he is approached by that menacing group, the Minister of Industrial Affairs and the Deputy Premier, he will be very careful. I hope that he will immediately be on the phone to his Parliamentary Leader in those circumstances.

Mr MILLHOUSE: There are one or two points I would like to take up of those points made by the member for Playford and the Minister in charge. The first relates to the conference procedure. It is a farce. I remember when I went on my first conference in, I think, 1956. The Hon. T. Playford, as he then was, Premier of the State, said, 'Look, Robin, what you have to do is, at least at the beginning, to champion your own House. Who wins the conference depends on which House can less afford to give way and lose the Bill.' That is very true. If the Government of the day must have the Bill it will give way on things that are suggested by way of amendments in the other place. However, if it can afford to lose the Bill, it will not give way at all, the Bill will be lost, and that will be that. That was good advice.

However, it is an absurd situation when one has the Leader of the Opposition urging the Minister to be stronger, and so on, at a conference and telling him that he is letting his House down, and all that sort of nonsense. We have all done that in our time. I say, in answer to the member for Playford, that I did volunteer my services to go on this conference, but the Government was not at all enthusiastic about having me there. I would have gladly gone, but they said I might have been in court and that they did not want to stop me earning a brief fee, so I missed out. I would have been a very valuable manager for this House; my very word I would have.

Having said that and having agreed broadly with that point made by the member for Playford, let me now say that I agree with one at least of the points made by the Minister a few minutes ago and that is (and I say it with due deference to my friends, my special friends, in the Labor party) that—

An honourable member: Special friends?

Mr MILLHOUSE: Yes, my special friends in the Labor Party. There is no doubt whatever that the Labor Party is dominated by the trade union movement. The Leader of the Opposition may be a very good chap and the member for Playford is a very good chap but, when it comes to the crunch, they are like puppets on a string, and every Labor Government is the prisoner of the trade union movement. That has been said many times, but of course within the past 24 hours it has been confirmed by a former member of the Labor Party, that nice chap Doug Lowe, who was chucked out yesterday as Premier of Tasmania. He said it last night; I heard him say it. He said that the Tasmanian Labor Party is dominated by a few trade union officials and, of course, it is the same here. It was his downfall, and it does not matter how able, how good a Labor leader may be: he must dance to the tune of the trade unions, and Doug Lowe has said so. Then he had the guts to resign from the Party, and I do not blame him at all for that. Let members on this side in the Labor Party remember what their former colleague has said. He said the truth, and we all know it. It was merely a confirmation of what we know.

The Hon. E. R. Goldsworthy interjecting:

Mr MILLHOUSE: Right. To that extent I agree with the Deputy Premier. When I first knew that there had been a compromise on this Bill, I was a bit disapointed. While my colleagues and I discussed these matters closely, the decisions which we make in either House eventually are our own and we do not always decide as the other one would. I was rather disappointed when I found that there had been a compromise on this Bill. Although, thank heavens, I am glad that the amendments Nos. 2 and 4 which the Legislative Council put in remained, and particularly that clause 11 of the Bill went out. That is a most iniquitous clause, and I hope that it will not be inserted in future in other Bills. That clause related to powers and jurisdiction of the court, and it was a disgraceful thing to put in.

My colleague did not discuss the other matters with me before the reports to both Houses. That would have been quite wrong and against all the rules of the game, but since then I have discussed the matters with him on which there has been a compromise, and there can be no doubt that he was the most effective manager from the Legislative Council, and probably the most effective manager at the conference.

An honourable member interjecting:

Mr MILLHOUSE: I bet he did. He is a Democrat, and for that reason—

An honourable member interjecting.

Mr MILLHOUSE: My very word. It means at the very least that he is of superior calibre to anyone else. There is no doubt from what I have heard in this Chamber this afternoon and from what he told me himself that he was by far the most influential of the managers at the conference, and the most effective, and full marks to him. It is just what I would have expected from him. Having discussed the amendments with him, I am quite satisfied with them. It would be, as the Deputy Premier said, a farce if the trade unions were exempted from this Bill, and that was in effect what the Labor Party wanted for the reasons that I have given. That is what they had to say they wanted, whether privately they did or not.

By and large, I am satisfied with the compromise that has been reached. I think that it is in line with the role which my Party plays both in the other place and, of course, down here as well. We are known for our good sense and our willingness always to see all points of view. I do not suppose there is a member in this Chamber who would deny that that is true of me.

Members interjecting:

Mr MILLHOUSE: It is gladly acknowledged by all members in the other place of my colleague, Mr Milne. I therefore support—

An honourable member: He sees all points of view.

Mr MILLHOUSE: My very word. I therefore support the compromise that has been reached on the Bill.

Mr EVANS: I support the report in relation to this amendment. I think any person who argues that every person has the right to strike, regardless of what effect it has on others, is being improper and immoral. I believe that we all have rights within a society as long as, when we exercise those rights, we do not interfere with the rights of other people. Once we start to do that there must be an area of responsibility and if, by exercising a right, we deny other people some rights, whether it be in relation to health care or the supply of food or essential services, there must be some way, through legislation if need be, to resolve the problem, not necessarily making it difficult or impossible for people who want to exercise their right to strike in an area where it would not adversely affect others.

If we take on jobs in places of employment upon which others are totally dependent for their health or even life or vital services to maintain a reasonable lifestyle, we must be even more conscious of the responsibility placed on our shoulders. We should consider striking as absolutely the last alternative. In fact, in some areas, we must accept that we should never strike.

There will always be some problems in society when one person claims something as being justice because when we look over the fence the grass on the other side seems to be greener. That is human nature. I hope that we will accept that we cannot leave the opportunity for any group to place at risk another group's health, life or services vital to their lifestyle.

I am not as harsh as is the member for Mitcham on the Labor Party. I understand its position. I understand that to gain pre-selection under their system they must go with the union movement; we all acknowledge that that is their system. They are caught up in it and, while they belong to that Party and it has that present structure, they cannot get away from it.

We should not condemn them for that. We should accept that that is the course that they chose to take, and they knew the conditions when they took it on. They knew what would happen when a crunch like this came, regardless of what they think individually. I do not think they would support a strike that would put at risk other people's lives, their health or the availability of vital services, or that would put many other people's jobs on the line and place their homes in jeopardy because they could not make repayments if it was a long strike.

I do not believe that as individuals they would support that (perhaps the majority of them would not), but members of the Labor Party are bound to conform to whatever the trade union asks for. Naturally, if any leader of the trade union movement agreed to take away the right to strike in any area, that trade union leader would be in trouble, and some of them are in enough trouble these days without asking for any more trouble. They are not going to try to push the barrow to take away the right to strike in any area.

We could debate this matter all afternoon if we wanted to, but there is no likelihood of Labor members changing their mind. If they wanted to be re-elected to this Parliament, they would have to do so as an Independent, and the chances then would be more difficult, as their preselection would be more difficult.

Self-survival is more important, for many individuals, when it comes to a crunch like this than perhaps is the good of the community. If members opposite put into practice their philosophy on other issues in the long term, they would have to bow to some to whom they would not wish to bow. This happens to be one of them. I do not hold that harshly against Opposition members for opposing the amendment and seeking to retain the right to strike in all areas. That is a survival thing for them. We would waste our time debating this matter all afternoon, knowing that to be the position. Each of us knows, as does the community, that at times strikes are unfair to the rest of society. They are unnecessary, unwarranted and they place at risk people's health and other activities that should not be placed at risk. I ask the Committee to support the recommendations in this area.

Anyone who states that Joint House Committees are a failure and a farce is being unfair to this practice, and is not accepting the successes that have been achieved over the years. There is no way that sound commonsense discussion can take place when we are fighting across the Chamber about political philosophy. Our founding fathers believed that there was a way of doing this, namely, by setting up a joint conference with representation, evenly balanced, from both Houses. Over the years, we have had far more success than failure. If we did this more than we

have done so in the past, instead of trying to debate issues in this place, we would have more compromise, and a saner resolution of problems. As a result, this would be a much prouder Parliament. People would look up to us instead of down at us, as happens at times. I strongly support that system. Wherever there is compromise, there is usually common sense. I support the proposal, which shows common sense.

The Hon. E. R. GOLDSWORTHY: I should like to comment on one or two points raised by the member for Mitcham. As usual, he is very loud in his own praise. He asserted that, if he had been on the conference, he would have been the most effective manager. I liken it to whistling in the dark to keep one's courage up. No-one else seems to recognise his undoubted talents, so he has to proclaim it to the world loudly himself.

The second best was available to the Democrats, he says, in the form of the Hon. Lance Milne, who performed very creditably, as I said. But, the member for Mitcham has put his finger on the key issue in relation to the trade union domination of the Labor Party. He instances the recent sacking of that very moderate sensible Labor man from Tasmania, Doug Lowe, whom I have met on several occasions at conferences. He came to the mining conference.

Mr McRAE: I rise on a point of order. This is the second time this afternoon that the sacking of Doug Lowe has been referred to. I wonder what conceivable relevance that can have to the matter now before the Chair.

The CHAIRMAN: It is doubtful whether it has any relevance to this particular discussion. However, the Chair did permit the member for Mitcham to speak. No exception was taken to his comments. Therefore, I intend to allow the Deputy Premier briefly to refer to this matter.

The Hon. E. R. GOLDSWORTHY: He indicated that the Labor Party in Tasmania is under the heel of the union movement. That is the relevance of it, and that is what this amendment is all about. Mr Lowe got his letter in the morning saying that a group wished to move a vote of no confidence, and by the end of the day he was out of a job. I suggest that the Leader of the Opposition might be expecting his letter at any time. The other point raised by the member related to the Minister's immunity from prosecution. I remind him that precisely that clause is presently in the emergency petroleum Act, currently on the South Australian Statute Book.

The Committee divided on the motion:

Ayes (23)—Mrs Adamson, Messrs Allison, Arnold, Ashenden, Becker, Blacker, D. C. Brown, Chapman, Eastick, Evans, Glazbrook, Goldsworthy (teller), Lewis, Mathwin, Olsen, Oswald, Randall, Rodda, Russack, Schmidt, Tonkin, Wilson, and Wotton.

Noes (20)—Messrs Abbott, L. M. F. Arnold, Bannon (teller), M. J. Brown, Corcoran, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, McRae, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pair—Aye—Dr Billard. No—Mr Langley.

Majority of 3 for the Ayes.

Motion thus carried.

EVIDENCE ACT AMENDMENT BILL

The Hon. H. ALLISON (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Evidence Act, 1929-1979. Read a first time.

The Hon. H. ALLISON: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

Its purpose is to abolish the right of an accused person to make an unsworn statement of fact in his defence. The right of an accused person to make such a statement is a vestigial consequence of an old rule, long since abolished, under which an accused person was prevented from giving evidence in his own defence on the ground that, if he were permitted to do so, the temptation to commit perjury would prove irresistible. The right to make an unsworn statement represented a relaxation of the previous uncompromising rule, but when the rule was itself abolished the right to make an unsworn statement, rather anomalously, survived.

The unsworn statement has come under increasing criticism in recent years. Many observers feel that it is particularly unpleasant in cases involving allegations of sexual offences that, while the prosecutrix is invariably subjected to a searching and embarrassing cross-examination, a defendant is permitted to make an unsworn statement containing the wildest allegations and the most obnoxious imputations on the character of the prosecutrix without exposing himself to any risk.

The Mitchell Committee recommended that the right of an accused person to make an unsworn statement be abolished. The Government accepts this recommendation. The subsidiary recommendation that the character or previous convictions of the defendant should not be brought in issue by sworn evidence involving imputations on the character of the witnesses for the prosecution has also been accepted but subject to qualifications. The Government believes that the absolute protection proposed by the Mitchell Committee may in certain cases go too far. Unscrupulous defendants might be encouraged to fabricate evidence about the character of the prosecution witnesses, secure in the knowledge that their own bad character could not be exposed to examination. The Government therefore proposes to adopt the suggestions of the Mitchell Committee but to add a further provision to the effect that where the nature or conduct of the defence involves imputations on the character of the witnesses for the prosecution and the imputations go beyond what is germane to the proper presentation of the defence, the character of the defendant will be exposed to inquiry.

The proposals contained in the present Bill are in identical terms to those contained in a Bill laid aside in the previous session as a result of actions taken in the Legislative Council. Since the laying aside of that Bill a Select Committee of the Council has inquired into the subject of the unsworn statement and has recommended retention of the right of an accused person to make such a statement. The Government has carefully considered this report but finds the arguments advanced by the committee barren and unconvincing. Indeed, the report highlights the desirability of the proposed reform, because it clearly demonstrates how weak is the case that can be made against it. I hope that there will now be no further delay in its implementation.

Clause 1 is formal. Clause 2 amends section 18 of the principal Act. The amendments abolish the right to make an unsworn statement. They protect the character of an accused person from being exposed by cross-examination where his evidence, although casting imputations on the character of witnesses for the prosecution, relates to circumstances surrounding the matter, subject to the charge, the investigation of the charge, or proceedings consequent upon the laying of the charge. The clause contains transitional provisions relating to existing proceedings.

The Hon. R. G. PAYNE secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL

The Hon. M. M. WILSON (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act, 1961-1981. Read a first time.

The Hon. M. M. WILSON: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

At present, car parking on North Terrace, adjacent to Parliament House, comes under the authority of the Minister of Public Works under section 85 of the Road Traffic Act. The Constitutional Museum abuts Parliament House on the western side. However, car parking adjacent to the Constitutional Museum is presently controlled under the Local Government Act. Both areas are thus subject to entirely different administration, and the methods for prosecution of breaches and the consequent penalties vary considerably.

The Government believes that it is more appropriate for parking at both Parliament House and the Constitutional Museum to come under the one administration, and that section 85 of the Road Traffic Act (which currently regulates parking adjacent to Parliament House) should be extended to cover areas adjacent to, and within, the Constitutional Museum site. To facilitate this control, an effective system of prosecution and fines must exist. At present, the Messengers of the House may be placed in a difficult or embarrassing position when issuing 'tickets' on behalf of the Minister of Public Works, as members of the public tend not to view the messengers as an appropriate authority. It is considered desirable to give authorisation to the Police Force to prosecute breaches, with penalties being paid under the expiation fee (on-the-spot fines) method prescribed by the Police Offences Act. This system would enable the police officer who is stationed at Parliament House to issue expiation notices.

The sensitivity of this particular area makes it desirable that the maximum degree of flexibility is available in the administration of parking controls. Where offenders are to be proceeded against, it is also desirable that the administration of the system should be as simple as possible. In this context, the present system which requires the actual prosecution of offenders is undesirable. The present Bill is designed to make it possible to bring areas adjacent to, or within, the site of the Constitutional Museum within the ambit of section 85 of the Road Traffic Act. Subsequent amendments of regulations and by-laws will be made to accomplish the objects set out above.

Clause 1 is formal. Clause 2 amends section 85 of the principal Act to make it possible for the Governor to bring within the ambit of that section areas adjacent to, or within, the site of the Constitutional Museum.

Mr O'NEILL secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL

The Hon. M. M. WILSON (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1981. Read a first time.

The Hon. M. M. WILSON: I move:

That this Bill be now read a second time.

It makes major changes to Part IIIC of the Motor Vehicles Act, which relates to the tow truck industry, by repealing but then reintroducing the majority of the existing provisions in a logical sequence, making necessary amendments to other sections, and introducing new initiatives. The motor vehicle towing industry provides an important service to the motoring public. It is an industry which has had problems over the years with illegal and unethical practices, and a number of legislative changes have been made to try to deal with these.

The previous Government set up a working party into those problems and introduced legislation into the Parliament in 1979. This was referred to a Select Committee of the Legislative Council. Before the Bill could proceed beyond that point, Parliament was dissolved.

Since taking office, the present Government has given very careful consideration to this issue and has consulted extensively with all groups affected by it. The Government has been concerned to see that adequate and effective protection is provided for members of the public, while at the same time the regulatory burden placed on the industry is not excessive. I believe that this Bill strikes a fair balance between these objectives.

The major initiatives taken by the Bill are as follows: elimination of the need for the dangerous practice of tow trucks speeding to the scene of accidents, commonly known as 'accident chasing'; elimination of the present situation of an excessive number of tow trucks and drivers attending at the accident scene and unnecessarily subjecting accident victims to harassment; creation of professional standards for personnel, vehicles, business premises and practices for those who attend at accidents in accordance with an organised procedure; elimination of such unsavoury practices as 'buying and selling off the hook' (the process whereby a tow truck driver unethically disposes of a damaged vehicle to a motor body repairer, very often without the owner's knowledge) and 'accident spotting' (the payment of fees to people for passing on information about the location of an accident or damaged vehicle, thus leading to 'accident chasing' and congestion at accidents)—practices that create an unwarranted cost to the public; protection of both the industry and the motoring public by ensuring the payment of lawful claims for services rendered, but at the same time protecting the property and rights of the vehicle owner; creation of a tribunal to hear and determine matters arising out of the new legislative framework, with the tribunal being industry based so as to ensure that matters unique to this industry are judged by a body equipped to understand the problems; and the establishment of an accident towing roster, to provide for the rostering of qualified tow truck operators to attend accidents in sequence as supervised by the police but retaining the right of an individual to request that a particular tow truck operator of his choice be summoned.

The new initiatives in this Bill are based on consideration of overseas and interstate experience, as well as extensive reviews of the South Australian situation. I believe that the improved legislation will provide a basis for fair business practices within the industry and, therefore, acceptable level of service to the public. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1 is formal. Clause 2 provides that the measure

is to come into operation on a date to be fixed by proclamation. Under the clause, different provisions may be brought into operation at different times. Clause 3 makes amendments to section 5 of the principal Act, the interpretation section, that are consequential to amendments proposed to Part IIIC of the principal Act. Clause 4 repeals sections 98c to 98m of the principal Act and substitutes new sections 98c to 98ml. Proposed new section 98c provides a definition of 'inspector' for the purposes of Part IIIC.

Proposed new section 98d prohibits a person who does not hold a tow truck certificate from driving or operating the equipment of a tow truck within the declared area as defined by clause 3. Under proposed subsection (2), a person is not required to hold a tow truck certificate in order to drive or operate the equipment of a tow truck within the declared area if he does so in the course of a business conducted from a place of business outside the declared area and does not use the tow truck for the purpose of towing a motor vehicle within the declared area. Proposed new section 98e provides for applications for tow truck certificates to be made to the Registrar of Motor Vehicles and the manner and form in which such applications are to be made.

Proposed new section 98f provides that a person shall be granted a certificate if he is of or above the age of 18 years, holds a class 2 or class 3 driver's licence, is a fit and proper person, has an adequate knowledge of the legal requirements relating to tow trucks, and is proficient in driving and operating the equipment of tow trucks. Proposed new section 98g provides for annual renewal of tow truck certificates. Proposed new section 98h empowers the Registrar to impose conditions of tow truck certificates. Proposed new section 98i provides for the surrender of tow truck certificates. Proposed new section 98j provides that a tow truck certificate shall be suspended for any period for which the holder is not the holder of a class 2 or class 3 driver's licence.

Proposed new section 98k empowers the Registrar to issue temporary tow truck certificates. Proposed new section 98l provides for the form of tow truck certificates and temporary tow truck certificates. Proposed new section 98m empowers the Registrar to issue duplicate certificates. Proposed new section 98ma provides for the recovery by the Registrar of tow truck certificates or temporary tow truck certificates that have been cancelled or suspended. Proposed new section 98mb provides that the Registrar is to keep a register of tow truck certificates and temporary tow truck certificates.

Proposed new section 98mc requires a tow truck operator to keep the Registrar informed of the tow truck drivers in his employment who are required to hold tow truck certificates. 'Tow truck operator' is defined by clause 3 to mean any person who carries on a business of or that includes towing motor vehicles. Proposed new section 98md provides that it shall be an offence for any person, for, or in expectation of, any fee, reward or benefit, to proceed to, or be present at, the scene of an accident that occurred within the declared area for any purpose relating to the towing, storage, repair or wrecking of a motor vehicle damaged in the accident. This is not to apply to the holder of a tow truck certificate who has been directed to the accident by the police in accordance with a rostering system which is to be established under the regulations. Under subsection (3) of this section, an inspector or member of the Police Force may give directions to persons present at the scene of an accident for the purpose of preventing undue soliciting or harassment.

Proposed new section 98me regulates towing at and from the scene of any accident occurring within the declared area. Under the section, the towing must be carried out by the holder of a tow truck certificate; the tow truck driver must be acting pursuant to directions of the police given under the proposed rostering system to the driver, if he is a tow truck operator, or to the tow truck operator by whom he is employed; the vehicle used for the towing must be a tow truck registered in the name of the tow truck operator; and the towing must be pursuant to a written authority to tow which must be in a certain form and be completed, signed and dealt with in the manner set out in the section. Subsection (2) provides that a tow truck operator or driver shall not be competent to give an authority to tow except where the vehicle to be towed is owned by that person or he was the driver or a passenger in that vehicle. Subsection (2) also provides that a person under 16 years of age shall not be competent to give an authority to tow. Subsection (3) requires the tow truck driver to tow the vehicle to the place specified by the person giving the authority to tow. Subsection (4) prohibits any person from preventing the vehicle from being towed to the place specified in the authority to tow.

Subsection (5) prohibits a tow truck driver from inducing the owner or person in charge of a vehicle to authorise removal of the vehicle to any place other than the registered premises of the tow truck operator directed to remove the vehicle. Subsection (7) prohibits any unauthorised alteration of any of the particulars of an authority to tow. Subsection (9) prohibits any person soliciting a variation or revocation of an authority to tow. Subsection (10) empowers an inspector or member of the Police Force to revoke an authority to tow that he considers has been improperly obtained or incorrectly completed or where he considers the vehicle should be preserved as an exhibit for any future court proceedings. Subsection (11) empowers an inspector or member of the Police Force to give reasonable directions requiring a tow truck operator or driver to tow a vehicle at or from the scene of an accident in order to remove any obstruction or danger. Subsections (13) and (14) regulate the manner in which the duplicate and triplicate copies of an authority to tow are to be dealt with. Subsection (15) provides that a tow truck operator shall be entitled to a fee determined according to the regulations for removing a motor vehicle in accordance with an authority to tow.

Proposed new section 98mf requires any tow truck operator, if he has agreed to provide the service of storing a vehicle for its owner, to store it at his registered premises and not at any other place. Subsection (2) provides that a tow truck operator shall be entitled to a fee determined according to the regulations for storing a motor vehicle that he has removed pursuant to an authority to tow.

Proposed new section 98mg provides that a vehicle that has been removed from the scene of an accident to the place specified in an authority to tow shall not be removed to any other place by any person for fee or reward, or in the course of a business, unless that person has obtained a written direction from the owner or a person authorised to act on his behalf authorising the removal of the vehicle to a place specified in the direction. Under the section the person into whose possession the vehicle has come as a result of being towed from the scene of the accident may remove the vehicle if he has made reasonable attempts to obtain, but has failed to obtain, a direction from the owner and the Registrar approves the removal of the vehicle to another place.

Proposed new section 98mh prohibits soliciting at the scene of an accident, or within 12 hours after an accident, for a contract, authority, insurance claim or other document relating to the storage, wrecking or repair of the vehicle damaged in the accident. Subsection (2) of this section provides that a contract for the repair, or for a quotation

for repair, of a vehicle damaged in an accident within the declared area, if entered into before the prescribed time, shall be unenforceable unless it is in a certain form and is confirmed not less than six hours nor more than 14 days after the making of the contract. 'Prescribed time' is, by subsection (4), defined to mean the time at which the vehicle's owner, or some person acting on his behalf, recovers possession of the vehicle, or the expiration of 24 hours after removal of the vehicle from the scene of the accident, whichever last occurs. Subsection (3) is designed to prevent any lien arising in respect of the cost of repair work or preparing a quotation unless the repair work or the preparation of the quotation is done pursuant to a contract entered into and confirmed in accordance with subsection (2).

Proposed new section 98mi requires any person who has possession of a vehicle damaged in an accident and removed by a tow truck to return the vehicle to the owner or a person acting on behalf of the owner when requested to do so and upon payment or tender of all amounts lawfully claimed in respect of the towing, storage or repair of the vehicle. Subsection (2) provides that no amount may be claimed for storage for a period exceeding 14 days unless notices required under the regulations have been given before the expiration of that period. Subsection (4) authorises an inspector to seize and remove a vehicle that he has reason to believe is being retained in contravention of the section. Proposed new section 98mj prohibits any person from entering into an agreement under which, for a fee, reward or benefit of any kind, he provides or receives information relating to the occurrence of motor vehicle accidents or the location of damaged vehicles.

Proposed new section 98mk provides that it shall be an offence for a person to give or receive a fee, reward or benefit of any kind for obtaining for himself or another person the work of repairing or preparing a quotation for repair of a damaged motor vehicle, permission to place a damaged vehicle into storage or possession or control of a damaged vehicle for any purpose related to its storage, repair or wrecking. Proposed new section 98ml requires the holder of a tow truck certificate to have his certificate fixed to his person in accordance with the regulations at all times while he is driving, operating or riding in a tow truck and, upon request by an inspector or member of the Police Force, to deliver it for inspection. Clause 5 amends section 98n of the principal Act which regulates the use of traders plates on tow trucks. The clause increases from $200 to $500 the penalty for an offence against that section.

Clause 6 amends section 98o of the principal Act, which regulates the persons who may ride on tow trucks. The clause increases from $200 to $500 the penalties for offences against this section. The clause also inserts a new subsection under which, in the case of a tow truck over five tonnes, a further person who is the holder of a tow truck certificate may ride in the tow truck with the driver. Clause 7 amends section 98p of the principal Act, which provides for the appointment of inspectors and sets out their powers. The clause amends this section so that it is an offence to fail to answer an inspector's question forthwith. At present, the section allows 48 hours for the answering of questions put by inspectors under the section

Clause 8 inserts new sections 98pa to 98pg. Proposed new section 98pa empowers an inspector to issue a written notice requiring a person to furnish information, produce a vehicle for inspection or attend in person to answer questions. Proposed new section 98pb provides that the Registrar shall, before refusing an application for a tow truck certificate or temporary tow truck certificate or before imposing a condition of a certificate, refer the matter to the consultative committee for decision.

Proposed new section 98pc provides for the establishment of a tow truck tribunal. The tow truck tribunal is to be composed of a District Court judge, special magistrate or legal practitioner who will be the Chairman, and two other members, one being a nominee of the South Australian Automobile Chamber of Commerce and the other being a nominee of the Minister. Proposed new section 98pd provides that the tribunal may inquire into the conduct of any person who holds or has held a tow truck certificate or temporary tow truck certificate and, where appropriate, discipline the person by reprimand or fine or by suspension or cancellation of his certificate. Proposed new section 98pe provides for a right to apply to the tribunal for a review of decisions or orders of the Registrar made under the proposed regulations establishing an accident towing roster system.

Proposed new section 98pf sets out the powers of the tribunal. Proposed new section 98pg protects the Registrar, the members of the consultative committee and the members of the tow truck tribunal from liability, for any act done or omission made in good faith in the performance or purported performance of any power or duty under the Act.

Clause 9 amends section 134a of the principal Act by removing the right of appeal to a magistrate against suspension or cancellation of a tow truck certificate. Clause 10 amends section 135, which provides for an offence of making a false statement to the Registrar, an officer acting on behalf of the Registrar or a member of the Police Force. The clause widens this provision so that it applies to false or misleading statements made in providing any information or keeping any record pursuant to the Act.

Clause 11 amends section 135a, which provides that it is an offence for a person acting in the administration of the Act to receive a bribe or for a person to give a bribe to such a person. The clause amends this section so that it extends to soliciting a bribe. The clause also increases the penalty to the level proposed for an offence against section 135 of making a false statement, that is, a maximum fine of $1 000 or imprisonment for six months.

Clause 12 amends section 138a, which provides for the provision of information to the Registrar by the Commissioner of Police relevant to the question whether a person is a fit and proper person to hold a licence, permit or tow truck certificate under the Act. The clause adds to this list of matters in respect of which information is provided the question of whether a person is a fit and proper person to hold a position on the accident towing roster proposed to be established under the regulations. Clause 13 amends section 139b, which provides for the establishment of the consultative committee. The clause provides for the appointment of a deputy of a member of the committee. The clause also inserts a new subsection designed to preclude argument that a breach of natural justice may arise where the Registrar, in accordance with the provisions of the Act, refers to the consultative committee the question of whether an applicant should be refused a tow truck certificate and then sits as a member of the committee.

Clause 14 inserts a new section 139c providing for the service of documents by post. Clause 15 amends section 140, which is an evidentiary provision related to information recorded in the register of motor vehicles and the register of licences kept by the Registrar under the Act. The clause widens this provision so that it applies to information recorded in any register kept pursuant to the Act. Clauses 16 and 17 make amendments providing for the facilitation of proof of certain matters related to the tow truck provisions. Clause 18 amends section 143 so that it is an offence to cause or permit a person to do or omit to do anything in contravention of the Act.

Clause 19 inserts a new section 143a providing that a member of the governing body of a corporation convicted of an offence against the Act shall be guilty of an offence attracting the same penalty unless he proves that he could not by the exercise of reasonable diligence have prevented the commission of the offence. Clause 20 amends section 145, which provides for the making of regulations. The clause provides for regulations to be made relating to the issuing of directions by members of the Police Force for tow trucks to proceed to the scenes of accidents occurring within the declared area. The clause provides for regulations providing for and regulating the administration of an accident towing roster under which the tow trucks of tow truck operators holding positions on the roster may be directed to proceed to the scenes of accidents occurring within the declared area. The clause goes on to provide for the making of regulations related to the accident towing roster system and the conduct of tow truck operators who hold positions on the roster.

Mr O'NEILL secured the adjournment of the debate.

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 11 November. Page 1867.)

The Hon. D. O. TONKIN (Premier and Treasurer): As I was saying last evening, this is very much a Committee Bill, and I think the answers that can be given to the questions raised by the Leader of the Opposition can mostly be given under that heading. However, the leader did make some remarks about prescribed officers, and I have some information that he may find of interest. The purpose of that measure is to assist both the bank and the Treasury in reducing the number of matters being submitted to Executive Council in relation to prescribed and classified officers. It follows an approach that was made to the board of trustees by the Under Treasurer, by direction of the then Premier in November 1977. So, it is of considerable standing.

Because other consequential amendments were overlooked at the time, the effect of the 1978 amendment was nullified. Before June 1981, there were 13 prescribed officers, including the General Manager, who were the subject of direct appointment by the trustees and without appeal by the officers of the bank. In addition, there were 466 classified officers, making a total of 479 classified and prescribed officers out of a total clerical staff of 1 833.

In June 1981 the trustees recommended that the number of prescribed officers be increased from 13 to 30, and correspondingly reduced the number of classified officers; in other words, the total remained the same but the number of prescribed officers was increased from 13 to 30. The trustees believe that manpower planning is essential to ensure that suitable officers are available for senior management positions within the bank, and they have sought the power to make appointments in that way to achieve that end. The Governor approved this recommendation in October 1981.

The effect of the current amendments does not alter the trustees' power to declare officers prescribed but it reduces the necessity for the Governor to approve them in certain cases where it is agreed between the trustees and the Treasurer that there should be consultation (obviously, in particular situations involving the positions of General Manager and Assistant General Manager, and so on).

I would like to take this opportunity of once again expressing my appreciation of the fine work done by the Savings Bank of South Australia and its officers and to say that I believe that South Australia has a bank, in the Savings Bank of South Australia, of which it can be truly proud.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—'Interpretation.'

Mr BANNON: I previously raised the problem of whether or not a definition of 'efficiency', which relates not just to qualifications and aptitude for the office to which the person is appointed but also to a higher office and the ability to carry out duties there, would act in practice as a sort of a discrimination against women and their opportunities within the bank.

The Hon. D. O. TONKIN: The definition as it is now redrafted does not vary greatly, certainly not in meaning, from the original definition. I take the point the Leader has made, and I do believe that there is no way that we can incorporate in this definition anything that would change the situation. Any discrimination or possibility of discrimination against female officers has to be dealt with in a broader context. I have made some inquiries, seeing that the Leader raised this matter and I am assured that the provisions proposed are not seen as discrimination against female officers in any way.

I think it is only fair to say that the banking industry and the Savings Bank of South Australia have a pretty fair record in keeping up to the provisions of the Sex Discrimination Act and, indeed, one only has to see the gradual (and I am afraid it is gradual, but that is a reflection of community opinion in the matter) introduction of more female officers in senior positions and progressing through the structure of the bank.

Clause passed.

Clauses 5 and 6 passed.

Clause 7—'Classification of officers.'

Mr BANNON: The matter that I wish to raise here is most clearly shown under paragraph *(f)*, where a new subsection is to be inserted after subsection (6). This is the one that allows the trustees to prescribe an office, and having so prescribed it, of course, eliminate the right of appeal to that office. From what I heard the Premier saying in his reply, he did detail a number of offices that have been prescribed, or are proposed to be prescribed. In the course of the second reading debate, I mentioned the considerable unhappiness of the Bank Employees Union, and I would say that in that they are certainly reflecting the views of their members. It is difficult to ascertain, but I would imagine that that concern would go quite a way up the officer levels and promotional positions of the bank.

It is understandable, because the insertion of an appeals provision was something that is not of long duration; it is something that has been fought for over many years and was finally inserted in 1973 and came into effect in 1974, I think. It is, as they see it, being progressively whittled down by the increasing number of positions prescribed under the old procedure, which meant that it had to go to the Governor for approval. Now the Act is being amended to leave it as a discretion of the trustees. In my discussions with the union my attention was drawn to the fact that this has been a matter of concern over the 16 additional positions to be prescribed. In fact, it is 17; 16 positions already existed, and one new position is being created, which the trustees in June decided to recommend under the previous approvals to the Governor.

This was taken up quite vigorously by the union, which expressed great concern with it; it had a number of meetings

with the General Manager, taking it up with him in the first instance. I have been shown some correspondence that indicates the way in which that concern has been expressed; as I say, first, taking it up with the General Manager, and following that concern with a detailed submission in which the union's points were made. I will just briefly summarise those points.

The union concedes that the bank has expanded since the appeal system came into being in 1973, but the concept of it, it argues, has not changed, and the arguments put forward for it in favour of its introduction still apply. So, in the union's view, and in practice, there are very few occasions on which an appeal has been successful, but in its view that right should remain. For instance, the union says:

> We have every confidence in the present selection committee, and as you are aware in any appeal the appellant must manifestly be much better than the nominee. Obviously, none of us can be right all the time, and the appeals committee is there as a safety valve not only for the staff but also for the board.

It goes on to point out that that *status quo* has applied without any problems to the workings of the bank or proper promotion procedures, and there does not seem to be any reason to declare new positions or, I would extrapolate, to free this up even more. I think an important point the union makes relates to the morale of the staff, the reassurance that in promotional terms in what is seen as a career industry, justice is seen to be done as well as being done. For instance, they say in one of their submissions:

> The Appeals Committee reassures all staff that the right man is in the right job.

They should change that sexist reference and refer to the 'person' in the right job. It continues:

> Even if an appellant fails at least he has been given the opportunity to state his case.

That is an important part of the industrial relations process of the bank. Again, unless the Board of Trustees or the Government, in moving this amendment, can demonstrate some patent way in which this appeals procedure has been going wrong, I find it difficult to understand why this change is necessary.

The concern of the union, of course, went beyond the General Manager right through to the Government, and in fact, the union wrote to the Premier requesting that, in looking at the recommendation made by the Board of Trustees, he take their arguments into account and understand their reason for supporting the *status quo* as it existed. I understand that it was quite a long time before the Premier responded, but he finally responded by saying that, having examined their arguments he supported the position adopted by the Board of Trustees, and that Cabinet would make that recommendation.

The union feels very strongly about this. A number of senior and junior classified officers of the bank have expressed their disappointment at the decision, and, ergo, at the decision of the Government to support that decision of the trustees. The union felt that the trustees arrived at their conclusion in the misguided belief that it would be for the betterment of the bank; but rather than to the betterment of the bank the union would suggest that, the resentment among the staff at this expansion of the number of prescribed positions would damage the bank's efficient working and the morale and wellbeing of the staff. They are not putting too strong a point on that. They are making what I believe is a very sensible point. Having won the right of appeal, obviously it is valued, and to see it reduced or frittered away in any way must be a cause of concern. That again redounds on the rank and file union membership and their confidence in the way in which the board and the bank are managing their industrial relations. They point out that members of the union are just as keen to see the Savings Bank prosper as the trustees are, or indeed, the State Government, that there is fierce, as they put it, almost bordering on the fanatical, competition now present between all banks. Certainly we are well aware of that. This Bill, of course, is one means of allowing the Savings Bank to more actively participate in that competition. They go on to say, I think very validly:

> Accepting this as a fact, the trustees and senior management would do well to heed the comments and requests of the union which have always been moderate and never taken in haste.

On this issue it was repeated again:

> It is totally unnecessary. There is no particular reason adduced in its support.

That brings me to the direct question to the Premier. We are not going to move an amendment on this. We will reserve our rights on that matter; in another place we may look at it again. At this stage we will not move an amendment, because, if we can get the sort of reassurances on this clause that would satisfy the Opposition, they may indeed satisfy the union as well, but those reassurances must be made. I would stress that the onus of proof surely is on the Board of Trustees and the Government. Why do they want to make this change? Why do they seek to expand the number of prescribed officers? Have there been some real problems, some complications, some issues that have made proper promotions difficult? If that is not the case, why not leave the matter as it is?

The Hon. D. O. TONKIN: I regret that the Leader of the Opposition was not in the Chamber when I dealt at some length with the question of prescribed officers. I think I dealt with the queries that he has raised. If I may I shall refer him back to the copy of those notes. Very briefly, the Government did consider very carefully indeed representations that were made by the union, and as the Leader pointed out, it did take a little time to do just that. In the long term the Government was persuaded by the view of the trustees and their desire to create a structure which would make it possible to prepare people for promotion into senior executive positions, because that is basically what the changes concerning the prescribed officers is all about. We believe that the trustees' desire for better and more flexible manpower planning was a very convincing argument indeed, and that, it would be in the best interests of all bank officers in the long term. I think the Leader himself has said that the bank officers are quite happy with the present situation, that they believe that the present provisions are not being abused in any way. I can assure them that there will be no abuse of those provisions.

I point out to the Leader once again that there are 1 833 members of the total clerical staff, and that this is an increase of only 17, as he has pointed out, from the previous 13. In other words, there were 466 classified officers, and there will now be 479 classified and prescribed officers out of that total number of clerical officers. I can understand some concern, but I do not think that concern is justified. I have had assurances from the trustees themselves that there will not be any abuse of the situation, and, indeed, they doubt very much whether there will be any real change in the way in which officers are appointed. I can say only that the Government relies very strongly on the advice given by the trustees. The trustees are a very effective, more than adequate, body, who have served the State well in the past and will serve it well in the future. I cannot really believe that there can be any significant change as a result of this, other than a change for the better.

One of the governing factors I would point out is section 19 *(a)*, which required that the Governor approve the salaries of all prescribed officers. As the Leader would probably remember from his time in Cabinet, this meant that appli-

cations had to go through the Treasury, to Cabinet, and to Executive Council. It seems that that is a relic from a long time ago when the bank was, of course, a very senior department of the Government, and the appointments were made in that way. In fact, the new provision will relieve the Government and the bank of that administrative requirement; I think that is the predominant reason, other than the one I have given for the introduction of this amendment.

I move:

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

Motion carried.

Clause passed.

Clauses 8 to 24 passed.

Clause 25—'Repeal of sections 31 and 31a and substitution of new section.'

Mr BANNON: Can the Premier say how much money the Savings Bank of South Australia lends on non-residential mortgages? This clause requires that at least one-half of the total money shall be for the improvement, etc., of residential premises. What is the non-residential component in practice at the moment?

The Hon. D. O. TONKIN: I will get those details for the Leader.

Mr BANNON: I move:

Page 6, line 4—After 'premises' insert 'in South Australia'.

The broad reasons for this amendment were canvassed during the second reading debate. I will recap briefly by pointing out that the primary aim of the lending programme of the Savings Bank of South Australia is to ensure that money invested in South Australia through the bank (lent to the bank, if you like) is reinvested in this State and has some economic effect here. This clause does free up the manner in which the bank can lend its funds. The Board of Trustees is given wide discretion, with the proviso that at least half of the total amount of money lent shall be for residential premise purposes, the range of housing business which has always been the bank's primary business.

If one looks at section 32, one finds that it talks about powers of the bank to invest in securities guaranteed by the Government, and it states that the trustees shall not invest in any security of or guaranteed by the Government of any State in the Commonwealth of Australia without first giving the Government of South Australia the option of selling its securities. In other words, in that area the bank is giving priority to investment in South Australian Government securities, yet, apparently in this area of real property, in terms of residential premises in particular, that proviso is not inserted. I mention that to set off what is being done in this Bill, because in the existing Act that proviso of investment in the State is also contained. I do not believe that, in writing this into the Act, we are in any way interfering with the fundamental purposes of the Bill, which are left untouched.

However, we are making a very important statement about the primary object of the bank in relation to residential premise lending. Heaven knows, in the current climate in South Australia, to see money, however lucratively it may be invested, going outside the State, particularly in this area of building construction, is not in our interests. The bank has lived with that proviso. I think that those words should be inserted and that it is appropriate that they be contained in the Act without interfering with the general objects of the Bill.

The Hon. D. O. TONKIN: This has always been the policy of the bank. It would be ridiculous to lend on residential properties outside the State. I have no objection to the amendment.

Amendment carried; clause as amended passed.

The ACTING CHAIRMAN: I inform the Committee that there is no clause 26 in the Bill tabled by the Premier. Having taken advice that there is not a clause missing, I intend re-numbering clauses 27 to 39 as a clerical alteration after they have been dealt with under their numbers by the Committee.

Clause 27—'Amendment of section 32.'

Mr BANNON: In relation to the power to take shares, debentures or other securities in a body corporate, is there any restriction on the bank's entering into partnership relations in these matters? If there is not, there is no need to follow up the point.

The Hon. D. O. TONKIN: That I am not able to say. There is no intention that that should be so. I will find out for the Leader.

Mr BANNON: In that case, I will place this on record, and perhaps the Premier could advise me before the matter goes to another place.

The Hon. D. O. TONKIN: I take it that the Leader wants to know whether the power is there?

Mr BANNON: Yes.

The Hon. D. O. TONKIN: There is no obvious restriction.

Clause passed.

Clauses 28 to 30 passed.

Clause 31—'Amendment of section 42.'

Mr BANNON: I refer to paragraph *(b)*, which allows the bank to accept, endorse, buy, sell and discount bills of exchange or promissory notes. Does that include a power for the bank to become a money market dealer in its own right? One interpretation of 'sell' would suggest that the bank could, in fact, issue such bills of exchange or promissory notes, but it is ambiguous and I would like it clarified.

The Hon. D. O. TONKIN: That is the meaning.

Clause passed.

Clauses 32 to 38 passed.

Clause 39—'Repeal of sections 61 and 62 and substitution of new sections.'

Mr BANNON: I move:

Page 8, line 35—After 'prepared' insert 'and audited'.

The intention of this amendment and subsequent amendments is clear. It was canvassed during the second reading debate. We feel that the amendments proposed by the Bill impose no time limit obligation on the bank within which to report to Parliament. This is contained in the existing legislation. We think it is desirable that it should be retained and the amendments drawn by the Parliamentary Counsel seek to achieve this and ensure that there is the same prescription on the presentation of the accounts to Parliament as is contained in the Act.

The Hon. D. O. TONKIN: This amendment seems to me to be an over-abundance of caution, because accounts as prepared and presented to any annual general meeting or to Parliament would of necessity have been audited in general business and commercial practice, and certainly in banking practice. I do not mind. If it makes the Leader feel any more secure, I am perfectly happy to agree to it, because they will be audited anyway. It is really writing in an additional piece of verbiage.

Mr BANNON: I am happy not to persist with that amendment. The Parliamentary Counsel thought that it would clarify it beyond doubt but, on hearing what the Premier said, I am happy not to proceed with it.

The ACTING CHAIRMAN: Is the Leader of the Opposition now seeking leave to withdraw that amendment?

Mr BANNON: Yes.

Leave granted; amendment withdrawn.

Mr BANNON: I move:

Line 1—Leave out 'as soon as practicable' and insert 'within 14 days'.

The Hon. D. O. TONKIN: The second amendment puts a time limit of 'within 14 days' instead of 'as soon as practicable'. Normally the accounts are presented in good time, but there is a fairly difficult work load on the officers of the bank in getting it out within 14 days, and it has been suggested that there should be a leeway. The intention of the trustees is that accounts will be presented as usual, as has previously been the case, but allowing for accidents is not a bad idea and 'as soon as practicable' with an institution with the reputation of the Savings Bank of South Australia means exactly that.

Mr BANNON: I would like to persist with this amendment. I understand what the Premier is saying, but I do not believe the requirement is an onerous one and the experience of Parliament in relation to the presentation of reports is that, if some time limit is not imposed, often those reports (or in this case accounts) do not come through.

In saying that, I am speaking as much from experience with the previous Government as from experience with the present Government. I think it is a perennial problem and it relates in part to the work load and the priority given to it. I believe that, in the case of an important financial institution, there ought to be some pressure and some requirement on the bank to produce that report. Too often, unfortunately, these things are allowed to lapse and days go by. Questions are asked about it and attention is drawn to the clause, which says that there is no time limit, that it is to be done as soon as practicable, and it is not yet practicable. I do not believe that is good enough in this case, and I would like to persist with the amendment.

The Hon. D. O. TONKIN: I am going to oppose the amendment. I would have thought that the remarks that have been made by the Leader could well apply to a large number of statutory authorities and I would agree totally with what he says in relation to some institutions, but I find it slightly inappropriate with the record held by the Savings Bank of South Australia. I am informed that there has as yet not been a report which has been late. It has always been delivered on time in a meticulous and absolutely impeccable condition. I find this amendment to be something of a reflection which I feel in this instance is certainly not justified. I cannot accept the amendment.

Mr BANNON: No reflection is intended. I simply believe that the statutory requirement should be there, and in a sense what the Premier has said reinforces the reason for it to be there. If the long-standing practice of the bank has been to produce these accounts in that prompt and impeccable way he suggests, and I do not doubt that it has, it is largely because there is a statutory requirement under the present Act that it do so. All we are seeking to do is to have it inserted in the Act.

The Committee divided on the amendment:

Ayes (17)—Messrs Abbott, L. M. F. Arnold, Bannon (teller), M. J. Brown, Duncan, Hamilton, Hemmings, Keneally, Langley, McRae, O'Neill, Payne, Plunkett, Slater, Trainer, Whitten, and Wright.

Noes (22)—Mrs Adamson, Messrs Allison, P. B. Arnold, Ashenden, Becker, Blacker, D. C. Brown, Chapman, Eastick, Evans, Glazbrook, Goldsworthy, Lewis, Mathwin, Olsen, Oswald, Rodda, Russack, Schmidt, Tonkin (teller), Wilson, and Wotton.

Majority of 5 for the Noes.

Amendment thus negatived.

Mr BANNON: In view of that result, the other part of my amendment is consequential, and I do not intend to proceed with it.

The Hon. D. O. TONKIN: I must say that I am pleased that the Leader has not persisted with the suggested amendments because, for the life of me, I could not see any difference between copies of the accounts being laid before each House of Parliament and forwarding copies—

Mr Bannon: I'd ask the Parliamentary Counsel.

The Hon. D. O. TONKIN: I am not able to refer to the officer of Parliament to whom the Leader has referred.

Mr KENEALLY: I rise on a point of order. Is the Premier permitted to speak to amendments that have not been moved?

The CHAIRMAN: The Premier is permitted to speak to the clause. Amendments which have not been moved are not before the Committee and, therefore, it is not appropriate to refer to them. The honourable Premier.

The Hon. D. O. TONKIN: You are quite right, Mr Chairman. I am referring to the following:

> *(b)* cause a copy of the accounts to be published in the *Gazette*.
>
> (4) Copies of the accounts shall be laid before each House of Parliament.

The officer to whom we should not refer in this Chamber will, I trust, take note of the exchange of words that has taken place.

Clause passed.

Title passed.

Bill read a third time and passed.

RIVER TORRENS (LINEAR PARK) BILL

Returned from the Legislative Council without amendment.

BUILDING ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

INDUSTRIAL SAFETY, HEALTH AND WELFARE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 5.17 p.m. the House adjourned until Tuesday 17 November at 2 p.m.