HOUSE OF ASSEMBLY

Wednesday 2 December 1981

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

CONSTITUTION ACT AMENDMENT BILL (No. 2)

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

PETITIONS: CASINO

Petitions signed by 43 residents of South Australia praying that the House urge the Federal Government to set up a committee to study the social effects of gambling; and reject the proposals currently before the House to legalise casino gambling in South Australia and establish a Select Committee on casino operations in this State were presented by the Hon. D. O. Tonkin and Mr Oswald.

Petitions received.

PETITIONS: PRE-SCHOOL OPERATING COSTS

Petitions signed by 308 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. C. Wotton and Messrs Lynn Arnold and Schmidt.

Petitions received.

PETITION: STUDENT ASSOCIATIONS

A petition signed by 1 156 residents of South Australia praying that the House will not support legislation enforcing voluntary membership of student associations and that the existing autonomy of colleges of advanced education be maintained within the South Australian College of Advanced Education Bill was presented by Mr Lynn Arnold.

Petition received.

PETITION: EDUCATION

A petition signed by 56 residents of South Australia praying that the House urge the Minister of Education to revise the criteria used to accept students from Unley Primary School to Unley High School and/or Glenunga High School; and provide an adequate bus service to facilitate access to Glenunga High School and establish Greek and Italian classes at Glenunga High School in 1983 was presented by the Hon. H. Allison.

Petition received.

PETITION: UPPER SPENCER GULF

A petition signed by eight residents of South Australia praying that the House urge the Government to call for an independent inquiry into the social effects of further development of the Upper Spencer Gulf and reject the site of Stony Point as unsuitable for the proposed gas fractionating plant was presented by Mr Millhouse.

Petition received.

QUESTIONS

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

COOBER PEDY DENTAL SERVICES

In reply to **Mr HEMMINGS** (10 November).

The Hon. D. C. WOTTON: Dental services will not be provided in the new Coober Pedy Hospital. These services are already provided in the community health centre, which is located adjacent to the new hospital, and is in fact a part of the present hospital premises. The dental service is provided by a private practitioner and a suite of rooms is occupied in the health centre by Dr L. H. Henbest and Associates, for 2½ days a week. They also provide a service to the primary school at a fee per capita basis and that service is paid for by the School Dental Service. The primary school service is a pilot project and it is hopeful that it will continue in the future.

With regard to the proposed rating system, it will be similar to normal local government. However, greater flexibility has been provided. On the information presently available, an assessment of a combination of land and capital value will be used and a scale of charges used for varying assessment categories. It is envisaged that capital values will be used for the central area and land values for residential properties and vacant land. It is also proposed that a minimum charge be established. Any proposal for adoption by the Coober Pedy Progress and Miners Association requires the consent of the Minister of Local Government.

FISH DISEASE

In reply to **Mr GLAZBROOK** (17 November).

The Hon. W. A. RODDA: *Aeromonas salmonicida* is a bacterium which causes diseases in freshwater fish. One strain has been identified with an ulcer disease in a fish farm in Victoria and was apparently introduced into Australia in 1974. It is not yet clear if this strain produces furunculosis (boils or ulcers) identical to that found on goldfish and trout in Europe and North America. In those areas furunculosis is the principal problem in fish culture.

Until 1974 Australia had been considered free of all strains of *Aeromonas salmonicida*. If the strain now recorded from Victoria can infect trout, Australia can expect a serious decline in hatchery survival rates, and loss of valuable overseas markets for trout eggs. The unfortunate aspect of this whole business is that in 1972 the Australian Fisheries Council had requested a ban on goldfish imports because of disease risks. The Commonwealth authorities rejected this request then, supposedly because they considered the case unproven. They still will not apply a ban, but the reason given now is that the disease is established in Australia.

At present, we import 14 000 000 live fish into Australia each year—with only the most rudimentary checks on health and identity. The States—which manage Australia's freshwater fisheries—are so concerned at the risks from these practices that the Fisheries Standing Committee has commissioned a national fish health plan in an attempt to

compensate. It would have been far better if the Commonwealth had accepted the original request of 1972.

The controls which the States are seeking do not represent undue regulation. They would apply some of the basic controls which should apply to all movements of animals. They are much less restrictive than the existing controls on other pets such as dogs, cats and birds. The proposals would not deprive one person in Australia of the opportunity of keeping a wide range of fish as pets, and they would add a negligible amount to the price of a tank, fish and accessories. What the proposed controls would do would be to ensure that these fish remain healthy, and not break out into large open ulcers which are virtually incurable.

MINISTERIAL STATEMENT: RIVERLAND CANNERY

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 Ministerial statements to be made before the asking of questions without notice.

Mr MILLHOUSE (Mitcham): Just a moment ago, so that you would not hear, Mr Speaker, the Minister called across the Chamber, 'Why not, Robin?' He should not have said that, I know, but that is what he did say.

The SPEAKER: Order! The member for Mitcham will come to the point of the motion before the Chair.

Mr MILLHOUSE: Yes, and I am going to tell him, through you, Mr Speaker, why not, on this particular day. It is, I remind you, the right of any member under the Standing Orders to object to the giving of a Ministerial statement. It needs leave, and it is my right and the right of any other member to object to it. That is what I do, and I do it today particularly because of a letter I have had from the Minister of Mines and Energy, as Leader of this House, in answer to one that I wrote to the Premier, making certain suggestions about Ministerial statements. With your permission and assent, I propose to read part of the letter, because it is as unsatisfactory as it is insulting.

The SPEAKER: Order! I ask the honourable member not to comment. The honourable member has a perfect right to read from a letter those matters that are relevant to the motion currently before the Chair.

Mr MILLHOUSE: Right. I do so in further explanation, before I read the letter, because, if I had had a satisfactory reply from him, or even perhaps a conciliatory reply, I might not have needed to oppose the giving of leave. This is what he said. It is dated 20 November and starts off 'Dear Robin', which is my Christian name.

The SPEAKER: Order!

The Hon. J. D. Wright: That's a good start.

Mr MILLHOUSE: Yes, it is the only piece of conciliation in the whole thing. It reads:

Dear Robin,

I have been asked by the Premier to answer your letter regarding Ministerial statements.

He did not mention how old my letter to the Premier was, and how long it had taken for me to get any reply, so he left the date out, but that is how he started. It continues:

The Government did agree to provide copies of Ministerial statements as requested, although Standing Orders do not dictate that this should be done. It is not possible to accede to your latest request, namely, that Ministerial statements take no longer than three minutes. A guide is provided in the Standing Orders as to the time which could be used before further leave must be sought.

I point out that heaven forfend if the Ministers used that as the usual guide for the length of Ministerial statements. The letter continues:

I think you will agree that the latest Ministerial statement by Michael Wilson could not possibly have been condensed to three minutes and that the statement he made was a matter of public importance.

I notice that they waited to answer my letter until he had given that statement, which, if it had not been so long, would have been, in my view, quite permissible as a Ministerial statement. The letter continues:

As to whether information given is of a Party political nature is, of course, a matter of judgment. You state that your patience is again exhausted. Let me say that there are numerous occasions when your Parliamentary behaviour tests the patience of other members.

Members interjecting:

Mr MILLHOUSE: And finally:

Yours faithfully, Roger Goldsworthy.

Members interjecting:

The SPEAKER: Order! The House will come to order.

Mr MILLHOUSE: Not one point that I made in my letter to the Premier is answered.

Mr Mathwin: Not one kiss!

Mr MILLHOUSE: A client kissed me this morning.

Members interjecting:

Mr MILLHOUSE: It was a female, a girl of 19, so I am in good form this afternoon.

The Hon. E. R. Goldsworthy: What was his name?

Members interjecting:

The SPEAKER: Order! If there is a further interjection the member will be named without further warning, be he a Minister or another member of the House.

Mr MILLHOUSE: Excellent, Sir!

The SPEAKER: Order!

Mr MILLHOUSE: I propose, as I have said before (and I will not elaborate on this), to oppose the giving of leave until the situation in regard to Ministerial statements is cleared up. If the Labor Party had any spine at all, it would be supporting me in doing so.

The SPEAKER: The question before the Chair is that the motion be agreed to. Those of that opinion say 'Aye', against '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, the motion therefore passes in the affirmative.

Motion carried.

The Hon. W. E. CHAPMAN: It is appropriate that I inform the House and growers in the Riverland of South Australia of the present position with respect to the Riverland Cannery in the light of the imminent fruit season. Members will have read of the disastrous situation in which the canned fruit industry in Australia now finds itself and that the Federal Minister for Primary Industry, two weeks ago, informed the Conference of the Australian Canning Fruitgrowers Association that an Industries Assistance Commission inquiry into the industry would be commissioned forthwith.

It was disturbing, however, that the Federal Minister should inform the conference that there was nothing the Federal Government could do directly to help growers and others in the industry until it had considered the I.A.C. Report. Considering that an interim report on the nature and extent of short-term assistance for the 1982 season

would not be available before 31 March 1982, and a final report indicating whether assistance should be provided to growers and processors for the 1983 and subsequent seasons would not be brought down before 31 August 1982, the industry will face an extremely difficult time in the interim.

In June 1981, the receivers endeavoured to obtain information from the Australian Canned Fruits Corporation to enable them to undertake forward planning, but appropriate information was sadly lacking. However, on the information which the receivers could glean they assessed that the quota of the cannery for the 1981-82 season could be about 7 100 tonnes of fruit. At the time, some people in the industry felt that this estimate was pessimistic. As it turns out, it was extremely optimistic and, in fact, the expected quota will be little more than 3 000 tonnes, which is 25 per cent of anticipated total production available for canning. The receivers are most concerned about this low quota and the long time being taken by the corporation to reach conclusions on quotas. Processing of fruit in excess of anticipated quotas would be contrary to the objectives of the Australian Canned Fruits Corporation for the orderly marketing of deciduous canned fruits.

The receivers have advised that they will be processing no more than 500 tonnes of apricots this season and are notifying growers of their individual entitlements. Because of the seriousness of the position of growers and the Riverland community generally as a result of the depression in that industry, the Premier has made a strong case to the Prime Minister (as have I by following this up with correspondence to the Federal Minister for Primary Industry) for urgent assistance through the State Government to alleviate the most pressing and urgent difficulties in the industry.

The Premier has made the following requests of the Commonwealth Government:

(a) for funds to enable growers to be paid at Fruit Industry Sugar Concession Committee prices up to a limit of 7 100 tonnes (taking into account the direct payment by the cannery for the fruit processed); and

(b) for carry-on finance of up to $1 000 000 to assist cash flow needs. The State Government has agreed to make $500 000 available for this purpose on a matching $1 for $1 basis. This will assist growers in dealing with the surplus of product over 7 100 tonnes.

In addition, the Premier has signalled to the Federal Government that an approach is likely to be made for finance of between $5 000 000 and $6 000 000 to enable the cannery to process the 1981-82 fruit crop, or pending the interim findings of the I.A.C. inquiry into the industry. Although the Government is prepared to provide financial assistance to growers through the Rural Industries Assistance Branch of my Department of Agriculture, growers will need in their own right to make their own arrangements for disposal of fruit surplus to the tonnage outlined to be processed in 1981-82. The Department of Agriculture will be available to advise growers on the various management options available to them in order to maintain orchard hygiene. The Government is anxious that growers do not embark on a premature tree-pull scheme before the I.A.C. report is made.

QUESTION TIME

ROXBY DOWNS

Mr BANNON: My question is to the Premier. Is it true that there is a problem in negotiation of a price to supply electricity to the Roxby Downs project? Will the Premier give an unequivocal assurance that the electricity bills of householders, commercial and other industrial consumers will not increase as a result of tariffs charged for power supplied to the Roxby Downs project? The time of the introduction of the Roxby Downs Indenture Bill has been constantly deferred from the first announcement that it would be mid-November to 1 December (yesterday), to possibly this year. It has been suggested that one of the problems is the demand by the mining companies for electricity at far lower prices than the general rates. It has been said that, because the Government is relying politically on Roxby Downs as a symbol of its economic policies and a saviour of the State, it has weakened its bargaining power. The company, for its part, is attempting to obtain cast-iron guarantees to avoid a repetition of events following public reaction to the rates charged in connection with the Portland aluminium project in Victoria.

The Hon. D. O. TONKIN: No, Mr Speaker, and yes.

EMPLOYEE RETRENCHMENT

Mr SCHMIDT: Did the Premier notice the report on the proposal approved by the Labor Party convention at the weekend which involved requiring six months notice before an employer can retrench an employee, and what would be the effect of such a policy on the business community? The press reported that the Labor Party convention (and members opposite, by their murmuring, are obviously embarrassed by this) last weekend approved a proposal requiring employers to give minimum notice of six months before an employee can be retrenched. I understand that the proposal also involved reimbursing moving expenses and any loss on the sale of a home to the employee by the employer. This proposal, if implemented, would certainly have an impact on the business community.

The SPEAKER: Order! The honourable member is now commenting.

Mr SCHMIDT: With due respect, Mr Speaker, these are comments made to me by small business men who have spoken to me about this. As late as last night, some small business men told me that if this proposal was implemented it would have an effect upon them as small business persons, and we know that we are heavily reliant upon the small business sector for our employment rates in South Australia.

The Hon. D. O. TONKIN: Yes, I can understand members opposite being very embarrassed about the proceedings of last weekend; indeed, it will be a continuing millstone around their necks for many years to come. The policy that the honourable member refers to was only one of a number of disastrous anti-business and totally non-productive policies passed at their convention, and it will have a devastating effect on the South Australian economy. Obviously, the introduction of a minimum of six months notice for retrenched workers would be a major disincentive to employment, and it would be a major disincentive to industries thinking of either coming to establish or expanding in this State.

The situation basically is quite simple and straightforward, and anyone with a little common sense could see what the effect of such a policy would be. It would simply be that employers would not take on any new staff at all until they were absolutely forced to do so. There is no question that jobs and job opportunities would be lost as a result of this policy and some of the others that have been brought in. I cannot for the life of me understand the shortsightedness of both trade union leaders and members of the Opposition, who must be reasonably intelligent and sensible men having the interests of the workers at heart, when they

agree without any protest at all to a policy which obviously they must know is going to cost their workers their jobs.

To pay off a redundant or an unsatisfactory worker in this way would be enough to send some small businesses to the wall. Again, that is something which the Labor Party obviously does not care about. Fears have been expressed, too, that protection of this type could contribute to an erosion of productivity levels because employees would know that they were even more secure than they are at the moment in their jobs. That is a very real fear that has been expressed to me. In any case, to retrench them with six months notice, together with the other factors which are already encompassed in that policy, that is, the liability on the employer to make good any capital loss incurred by selling a home, would make it most difficult for small to medium size businesses to retrench employees as their needs changed, either seasonably or from time to time.

The point would be that they would do without additional workers for as long as they possibly could. Not only would workers lose their jobs, but I repeat that, as a State, we would lose the overall benefits of industries wanting to come and establish in South Australia. Already we find that, because of our central position and the rising cost of transport, South Australia is being accepted as a central position, a very valuable position for industry to come and set up in, mainly because we are in that position where we can supply not only the Eastern States markets, which until recently formed the bulk of our export markets, but also markets in the west and the north.

There is no doubt that, with the release of the Strategies Development Report, we must look very carefully indeed at supplying markets in South-East Asia and, once again, we are in an ideal position to do that. That advantage that we have been building up over the last few years (and certainly that advantage was growing during the latter part of the 1970s) is being totally outweighed again, as it was in the latter years of the Dunstan Government, by the enormously anti-business and interventionary policies of the Labor Party which were put into operation then. The answer quite clearly is 'Yes, the effect of that policy would be to cost jobs', and it would cost jobs because it would cost development. The answer to the policy is simply that we cannot allow any prospect of such a policy, or any of the other anti-business policies that have been propounded over the weekend ever to be put into operation in South Australia.

EMPLOYMENT FIGURES

The Hon. J. D. WRIGHT: Can the Premier say what was the factual basis for the claim he made yesterday that 19 000 new jobs have been created in this State over the past two years, and whether the latest official employment bulletin undermines his claims? In a signed document yesterday, entitled *A Report from the Premier of South Australia*, issued by and signed by the Premier, presumably at Government expense, the Premier claimed that 19 000 jobs had been created in South Australia. I have no information as to how many people this official document was sent to, or whether it was in direct response to *Opposition Report*. However, I think that some attention should be given to the accuracy of the information put out by the Premier.

Last week the Australian Bureau of Statistics issued new information for October 1981, showing a 7 400 job reduction, compared with the previous month. It appears that the Premier may have ignored this new information when he made his claim about employment. For the period October 1979 to October 1981, only 8 700 new jobs were created in South Australia and clearly most of those were created in the agricultural industry. However, the number of people available for work during that time grew by some 14 000.

The Hon. D. O. TONKIN: I am not too sure whether we decided that the Deputy Leader of the Opposition was 'doom' or 'gloom' in the pair of doom and gloom.

Members interjecting:

The Hon. D. O. TONKIN: He is obviously delighted to pull out some figures that show that the employment situation in South Australia was not as good in October as it was when measured in September.

The Hon. J. D. Wright interjecting:

The Hon. D. O. TONKIN: The Deputy Leader knows very well that the figures quoted in that document are September 1981 figures, and I totally agree with him: in fact, if he had been listening to the answer I gave him yesterday he would have known that, but apparently he was not listening, because he was too concerned about the plans for the walk-out going wrong, as I remember—that most cynical sideshow that blew up in their faces yesterday.

Members interjecting:

The Hon. D. O. TONKIN: The Deputy Leader was so concerned about the failure of that little stage management plan that he did not listen to the answer. I suggest that, as he did not listen, he should check *Hansard* as soon as he gets the opportunity; that is, if he bothers to read it. I would suggest that he will see there that I mentioned that the figures from month to month show quite a considerable variation, that 19 000 was the figure for September 1981, and that it had fallen to 12 000 in October. I think he should just listen to what goes on in this House and to what is said. He knows perfectly well that the document is quoting September figures.

I do not know how often he is going to keep coming back for punishment. Let me now reiterate what has happened since this Government has come into office, and he can talk about the figures going up and down as much as he likes. In the last two years of the Labor Government in this State, 20 000 plus jobs were lost. Since we have come to office (and the Deputy Leader himself has quoted this today), there has been an increase of 12 000 jobs. That seems to me to be a pretty good record, whatever the monthly variations might be. There is no doubt that a net—

The Hon. J. D. Wright interjecting:

The SPEAKER: Order! The Deputy Leader will remain silent.

The Hon. D. O. TONKIN: Thank you, Mr Speaker. The net loss, let us get this quite clear, in the last two years of the Labor Government of 20 000 jobs has been turned around to, on the latest figures available (October 1981), a gain of 12 000 jobs since this Government took office, and that is a fact with which the Deputy Leader cannot quarrel. It has happened, and there it is. Just let me remind the Deputy Leader that, when we came into office, we also inherited the highest unemployment rate in Australia and it was increasing at the most rapid rate of any State in Australia. That is a situation from which we are still recovering.

COOPER BASIN INDENTURE

Dr BILLARD: Will the Minister of Mines and Energy outline to the House the time table for the passage of the Cooper Basin indenture in 1975, when Parliament ratified that indenture, and what was the attitude of members on that occasion, the last occasion on which an indenture of some importance came before the House?

Members interjecting:

The Hon. E. R. GOLDSWORTHY: I thought it might be—

Members interjecting:

The Hon. E. R. GOLDSWORTHY: I admit that I suggested to the honourable member that that would be useful information for the House. In 1975, the former Government introduced the Cooper Basin indenture to provide a basis for the rational exploitation of the basin's natural gas reserves; that was the phraseology used. I might point out that the Bill was much more complex than is anything that Parliament has been asked to consider in the last few days. That Bill was complex indeed. In introducing the Bill, the then Minister of Mines and Energy, Hon. Hugh Hudson (who is sadly missed by the Opposition, but who was with us on that occasion), explained that its early passage was necessary because of financial arrangements which had to be made for the project. In this House on 29 October 1975, quoting from *Hansard* at page 1536 of that date, the Hon. Hugh Hudson said:

> It is necessary, for general reasons related to financing the project, to ensure that all these processes are carried out prior to the end of this portion of the session.

In 1975, it is interesting to note, all members of the House co-operated fully with the desires of the former Government. During the debate on 29 October the present Minister of Industrial Affairs, Hon. D. C. Brown, as spokesman for the Opposition, said:

> I have had these documents to examine closely for only 24 hours, but I do not criticise the Minister for that, as I understand there has been much negotiation, that there has been little time, that the indenture must be considered by this House and dealt with by a Select Committee, and that it must be considered in another place before the adjournment of Parliament . . .

The Bill was referred to a Select Committee on 29 October.

The Hon. D. C. Brown interjecting:

The Hon. E. R. GOLDSWORTHY: I suggest that it indicates that things can happen with even more complex Bills. The Select Committee reported on 6 November and the Bill was passed by the Assembly the same day. The Bill was passed by the Legislative Council on 12 November, at all stages with the full co-operation of the then Liberal Party Opposition, in all in a period of a fortnight.

ONKAPARINGA SEWER CROSSING

The Hon. D. J. HOPGOOD: Will the Minister of Water Resources say when he intends to have the Engineering and Water Supply Department clean up the mess left by the abortive attempt to cross the Onkaparinga River with a sewer main? When will the work be recommenced? Can he give the House and my constituents some assurance that, when it is recommenced, we will not be left with the same mess next time as we have right now?

The Port Noarlunga South and Seaford area is currently being sewered, which involves the laying of a trunk sewer north along Commercial Road, across the Onkaparinga, and so on into the reticulation system, which ends at the treatment works at Christies Beach. Late in the winter an attempt was made to lay the main across the Onkaparinga.

It has been put to me that the Engineering and Water Supply Department was unfortunate in this respect. There was a lot of rain and a high river, the coffer dam was completely washed out, silt was deposited up and down the stream, and eventually the attempt was abandoned when only half completed. I am also told that the Engineering and Water Supply Department intends to return in the new year to continue the job. In the meantime, there has been considerable silting of the channel.

I inspected the Onkaparinga on Sunday evening. It was high tide, but, despite that, in the middle of what was originally the channel one could clearly see debris emerging from the water surface, suggesting that there had been considerable blocking of the channel. I imagine that the Minister has had representations from the Noarlunga council and from people involved in conservation societies and other such areas of interest. I will be interested to hear his answer.

The Hon. P. B. ARNOLD: The member has indicated that he is aware that crossing the Onkaparinga River is part of a $5 500 000 project of this Government to sewer the Noarlunga South area. It is a major project. Work commenced last year to cross the Onkaparinga. That was at a time when the capacity of the Mount Bold reservoir was only 16 per cent. In view of the reservoir's content then, it was estimated to be a reasonable risk that the work could be completed, going on past experience, considering the very low capacity.

As the member would probably recall, last winter was exceptionally wet, quite out of character with most seasons. During the process of that work, Mount Bold filled to capacity and spilled. Considerable water flows came down the Onkaparinga, which meant that work could not be completed. The work to date has proceeded exactly according to plan. It is a difficult engineering proposal to cross a river of that nature. The member would probably be aware, if he has looked at the project, that it is being approached from each side, north and south. An earthen raft is built across and consolidated, well pointing is put in on each side of that embankment, and then a trench is cut through the embankment to the required depth.

At the bottom of that trench a concrete base is poured on which the pipes are laid, and a concrete cover is then placed over the top of those pipes. From an engineering viewpoint, the operation has been extremely good. It was not possible to foresee, or contend with, the rapid filling of Mount Bold reservoir. I think most South Australians, particularly in the metropolitan area, are grateful for that rapid filling. We had an exceptionally wet winter, which meant that the reservoirs completely filled.

The work will proceed on this section, and it is hoped that, as soon as the conditions are such as a result of the summer, work will commence. It is just a matter of when the optimum conditions again occur, and the work will be completed. Comment has been made by various persons in relation to the silting of the Onkaparinga River. One must take into account that there are a number of reasons for that. The principal reason for the silting which has occurred and for the need in the longer term for dredging is the building of Mount Bold reservoir. The normally significant winter flows that used to come down the Onkaparinga River and naturally scour out the river, particularly in that area, no longer occur.

An honourable member: Mount Bold has been there for a long time.

The Hon. P. B. ARNOLD: That is right, and it is a deteriorating situation, as the member would see if he looked at the records of the silting over a long period of time. Yes, it has been aggravated by the earthworks that it was necessary to construct for the laying of that sewer main across the river. However, the work will be completed during the summer months. Once it is completed, the total $5 500 000 project will be of enormous benefit to the people of that area.

HOSTELS FOR THE HANDICAPPED

Mr BLACKER: Will the Minister of Health tell the House whether the Government has any plans for the provision of hostel-type accommodation for handicapped per-

sons who desire to live as normal a lifestyle as possible, but who require some nursing assistance on a daily basis? I understand that there are approximately 13 000 handicapped persons between 15 and 35 years of age who may well be able to live in a home environment, for example, where three or four handicapped persons could live with house parents who were available to assist when needed.

This type of problem seems to be facing many country areas where persons are injured to the degree that they require assistance, but cannot always rely on assistance from their parents or immediate family. Particularly in the age group of 15 to 35 years, where people would like to be able to establish a lifestyle of their own, they are having extreme difficulty in doing just that. I can quote a couple of instances where constituents of mine have endeavoured to come to Adelaide in order to further job opportunities, or something like that, and have not been able to get any accommodation whatsoever. I seek advice from the Minister on whether plans are available for this type of accommodation.

The Hon. JENNIFER ADAMSON: I take it that the member for Flinders is referring to people who are physically handicapped rather than intellectually handicapped?

Mr Blacker: Yes, I'm sorry.

The Hon. JENNIFER ADAMSON: The distinction needs to be made. In respect of the latter, the Government and the Health Commission are certainly examining, in the light of the Bright Report and another report on intellectually handicapped persons that is shortly to be considered by the Government, the possibility of making provision for hostel accommodation for intellectually handicapped people so that they can live as normal and independent a life as possible.

In regard to the physically handicapped, I am not aware of any specific proposals that are under consideration, but I think it is an area that bears very close examination. I know it is one that the Attorney-General would have been examining, along with his committees established for the International Year of the Disabled Person. I think that the matter that the member has raised, especially in regard to country areas, is important. It is one that I will be pleased to take up with the Attorney-General and the Minister of Housing to find out what assistance can be given. I think that the most important form of assistance would be by facilitating through recognition of the need rather than by the establishment of Government hostels. I think that this is an area in which voluntary agencies would be ideally suited to participate. I will be happy to get a report and provide the honourable member with the information.

LOW ALCOHOL BEER

The Hon. PETER DUNCAN: Will the Minister of Health, representing the Minister of Consumer Affairs, say what steps the Government will take to ensure that hotels in Adelaide selling low alcohol beer on tap properly advise their customers of that fact, so as to ensure that no misrepresentation occurs? If misrepresentations are occurring, will the Minister undertake appropriate action to penalise those licensees doing this to ensure that they cease and desist from this practice? I have received a letter from a member of the community, in the following terms:

Dear Peter,
Recently . . .

Members interjecting:

I am sure it is appropriate to read the letter, as it was presented to me.

The SPEAKER: The honourable member is showing a great deal more recognition of the ways of the House than are some other members.

The Hon. PETER DUNCAN: I have always taken great interest in the ways of the House. The letter states:

Recently I have found a despicable practice being committed by certain Adelaide hotels, which I feel warrants urgent attention from the A.L.P., to make this blatant rip-off illegal. The situation is this: after paying an average admission price of around $5 to both the Arkaba Hotel and the Old Lion Hotel discotheques, the average person goes across to the bar and orders a drink. As you'd be aware most males usually consume beer. After paying 70 cents for a glass, one is handed the beer in a small plastic cup. He proceeds to drink his purchase.

As he hasn't had a beer all day, this is his first. After the first taste he thinks, 'That beer tastes funny.' He goes over to the bar and asks the barman if there is something wrong with the beer. He is informed there is not. After he has spent about $9 of his $20 he had allotted for his one night out a week, because that's all he can afford these days, he now has $6 left, after paying admission. He remembers a story a friend of his, who is a musician in a rock band that has been playing in Adelaide pubs for years, had told him once about this same practice occurring at the Marryatville Hotel, which I'll bring to light, further on.

He then approaches the barman again, and demands to know, once and for all, what's wrong with his beer, as he is still stone cold sober, and asks the barman at the Old Lion disco some five weeks ago if the beer he'd been drinking was in fact light ale. 'Yes,' replies the barman. 'But I asked for a flaming beer, not light ale. If I wanted light ale, I'd ask for it,' I tell the barman. 'Sorry, mate, boss's orders. That's all we've got.'

You see, Peter, the above story is true and correct in every detail, and I shall now relate the previous incident. About 18 months ago a person was at the Marryatville Hotel. Now, he, like most other people, likes his beer. He told me he ordered a beer in the disco section and noticed the funny taste. As he had been playing there in the band for a long time, he knew the pub manager quite well and said to him, 'This beer tastes a bit funny.' The pub manager's reply was. 'Oh, [and I delete the expletive] mate, don't drink that. It's L.A.'

Needless to say, he didn't drink the beer in that section again. The story I related to you earlier actually happened to me five weeks ago and I also know that the situation is the same at other hotels around Adelaide. I know people who've gone to a particular hotel and who are not aware of this blatantly deceitful practice and spend anything up to $30 in the night and can't work out why they don't even feel a bit merry at the end of it all. This practice by these certain Adelaide hotels, and who knows there could be many, many others, amounts to nothing more than a straight-out rip-off of people's hard earned cash. For a start, it's served in small plastic cups. Secondly, I believe about 90 per cent of people still have a little bit of faith in the world and, when they ask for a beer, they take it for granted that that is what they will get. West End draught and nothing else.

I might point out, Sir, that this letter was written to me by Mr Cooper, who I assure the House is no relation to the famous South Australian Brewing Company people. The letter continues:

Thirdly, and perhaps to some people the most abhorrent piece of this practice, is because this dishwater has little or no effect people tend to drink more of this because they are not aware what they are drinking, and therefore spend more money than they normally would, and who's bank balance benefits from that? Peter, what I would ask is . . .

I will not go on. This should give the Minister a clear enough indication of the concern that this person expresses. I am sure it is a concern shared by many other people.

The Hon. JENNIFER ADAMSON: The letter that the member has read by way of explanation demonstrates that there certainly is a great deal more to be done in terms of arousing community awareness of the fact that the principal purpose of drinking beer is not to get drunk. One can only assume that the member endorses the sentiments that were expressed in the letter, which clearly spelt out that in the mind of the writer the purpose of drinking beer is to get drunk. I think that that is a notion that every responsible member of the community would reject outright.

Mr Millhouse: That is typical of the attitude of the Liberal Party.

The Hon. JENNIFER ADAMSON: I am glad to know that the words I have just expressed are typical of the attitudes of the Liberal Party, which takes a responsible attitude to alcohol and which is concerned about saving lives and improving health.

Members interjecting:

The SPEAKER: Order!

The Hon. JENNIFER ADAMSON: I find it quite astonishing that there should be expressed on the other side of the House attitudes towards alcohol that are anything other than responsible. I include the member for Mitcham in my remarks in that regard. I shall certainly—

Mr Millhouse: I paid you a compliment. I think you're leading your Party by the nose.

The SPEAKER: Order!

Mr Millhouse: You are—

The SPEAKER: Order! I warn the honourable member for Mitcham for the last time today.

The Hon. JENNIFER ADAMSON: Fortunately, in respect of this particular issue, all members of the Liberal Party are as one in wanting to see a completely responsible attitude towards alcohol that permeates the community at all levels and is reflected in our laws, not only in practice but also in law. I would think the member for Mitcham, of all people, would be someone who would have very good reason to endorse that attitude. I will ask the Minister of Consumer Affairs to provide a report. If there is any question of misrepresentation, that is obviously a matter for consideration by the Minister of Consumer Affairs. I can only say that I know that publicans generally have been very impressed by the marked improvement in behaviour where low alcohol beer is drunk. I refer to the reduction in anti-social behaviour, the reduction in vandalism and, of course, the much improved road safety record that I believe will result from a package of measures recently introduced by members of the Government.

SCHOOL OF THE AIR

Mr GUNN: Is the Minister of Education aware that some of the services that have been provided to residents in the northern parts of South Australia by the Alice Springs School of the Air may be discontinued? I will quote from a letter received from a constituent of mine who lives in the Far North.

The constituents point out that owing to the cut-backs in the Education Department in the Northern Territory many of the services provided for South Australian residents living north of Marla Bore and others who are enrolled at the Alice Springs School of the Air may not be available in the future. My constituents also state that a number of these people have no alternative forms of education available to them. Will the Minister investigate this situation and have discussions with the Northern Territory Minister to see whether a workable arrangement can be entered into so as to make sure that these constituents of mine are not disadvantaged?

The Hon. H. ALLISON: The honourable member has brought to my attention a point which has already been raised similarly by his constituents with the Education Department. A small number of them in the Far North of the State, who are unable to receive the transmission signals from the South Australian School of the Air, have, as I have said, expressed concern, and it seems to be some indication from the Northern Territory Education Department that this may be discontinued. The first indication I had that this may happen was, in fact, in submissions received from the honourable member and his constituents, and the matter is currently under review by the Director-General of Education. I must admit that I am somewhat surprised at this manner of informing us, or lack of courtesy, in so far as until now there has been a high degree of co-operation between the South Australian Education Department and the Northern Territory department in a whole range of areas. They have made their School of the Air service available to South Australia, and we in turn have provided advisory services for the Department of Further Education and for secondary education, even providing public examinations for which the Northern Territory candidates have been pleased to sit under South Australian rules and conditions. I find the matter disturbing; it is being investigated, and I shall be pleased to bring down a report for the honourable member as soon as I have the correct information to hand.

PORTRUSH ROAD

Mr CRAFTER: Will the Minister of Transport say why residents of Norwood, Beulah Park and Kensington have not been formally advised of the Government's decision not to proceed with plans to widen Portrush Road between Magill Road and Kensington Road and to adopt an alternative traffic strategy? I understand that, about 10 days ago, the Commissioner of Highways formally advised the Mayors of Burnside and Kensington and Norwood that Portrush Road would not be widened and, among other things, that some 160 long established trees would be saved. In an unprecedented move earlier this year the Highways Department established a working party comprising representatives of the local councils and residents in an attempt to resolve the future development of this road, and the Minister of Transport admitted in Parliament recently that in fact the Highways Department had learnt a lesson from public participation that had evolved in this matter.

It now appears that both the residents and I, as the local member, have been cast aside in the resolution of the very real problem in this matter, and that concerns me. Concern has been expressed in a petition signed by some 950 residents, which I presented to this House. Further, the Minister would be aware of further concern in the community concerning this matter, as Portrush Road was not one of the roads referred to in his recent announcement regarding road widening discontinuances.

The Hon. M. M. WILSON: I will obtain a report on that matter for the honourable member. Negotiations were proceeding with the councils, and that was the latest information I had up until last week. I will obtain a detailed reply for the honourable member.

INDUSTRIAL MAGISTRATE

Mr RANDALL: My question is directed to the Minister of Industrial Affairs, and it should also be of interest to the member for Price and the member for Peake. Has the Minister of Industrial Affairs received a report following the allegations made in another place that an Industrial Court magistrate fell asleep during proceedings, and, if so, could he inform the House of the report?

The Hon. D. C. BROWN: Yes, I took up the matter with the President of the Industrial Commission, Mr Justice Olsson, who promised to investigate the matter and supply a report. I am pleased to indicate that the report is now available, and I think it is appropriate that I read to the House the report as conveyed to me by His Honour, as follows:

Following my discussion with you with regard to a question asked by the Hon. C. J. Sumner in the Legislative Council on 18

November last, I have caused a detailed investigation to be carried out with regard to suggestions that, during the hearing of the case of *Myles v. A.P.I. Traders*, an Industrial Magistrate appeared to be asleep on the bench.

The case in question was a re-employment application made pursuant to section 15 (1) *(e)* of the Industrial Conciliation and Arbitration Act. It came on for hearing before an Industrial Magistrate on 20 and 21 July and 4 August last. The applicant conducted her own case in person, whilst the respondent was represented by Mr J. Sulan of counsel. The whole of the proceedings were recorded on tape.

As I understand the question raised in the House, it is suggested that the applicant in the above case, during cross-examination, refused to answer a question until the magistrate woke up. I have caused all tapes of the proceedings to be played back and there is no record consistent with any such incident having occurred. On the contrary, the proceedings appear to have gone forward in the normal course. Moreover, the magistrate in question categorically denies that he was, at any time, inattentive or that any incident remotely of the nature referred to took place. All court staff and the recording staff on duty in the court on the days in question have been questioned on this subject and all of them verify the accuracy of what is said by the magistrate.

By way of independent cross-check, I have had the matter discussed with Mr Sulan, who also verifies that no incident occurred as alleged by Mr Sumner; and that he had no complaint whatsoever as to the manner in which the case was dealt with by the magistrate, who appeared to be alert throughout the case.

In the above circumstances it would appear to me that there is no substance whatsoever in the allegation made. Apart from the independent verification which has been possible from a number of sources, I would have thought that the continuous taperecording would have been quite conclusive of the matter. If an incident occurred as alleged then I would have expected that it would have been recorded. In the circumstances I have no alternative but to conclude that the present complaint, which appears to have been made by the Working Women's Centre, is nothing short of mischievous and grossly unfair to the magistrate in question.

As to the earlier case of Dr Coulter, which dates back as long ago as the latter part of 1980, I have already earlier reported to you and have nothing further to add with regard to it.

In conclusion, I would merely wish to add that the magistrate in question has worked extremely hard over a long period of time. Without his assistance it would have been impossible for me to arrange for the due discharge of court business in the magisterial area, due to the absence on leave and secondment of other magistrates.

That ends the report prepared by Mr Justice Olsson. I believe that it shows that the allegations made by the Hon. Mr Sumner in another place are entirely false. I believe that it is now appropriate for that honourable member to apologise both to the President of the Industrial Court and to the magistrate involved, and to apologise to the other House for making such a false accusation in Parliament.

CHILDHOOD SERVICES

Mr LYNN ARNOLD: Will the Minister of Education say when the recommendations of the Burdett Inquiry into Childhood Services will be made public and, if they will not be released, why not? The review into childhood services by John Burdett that the Minister announced on 27 October was to have been completed by 30 November. I am informed that the report is complete and that it has been forwarded to the Minister for his consideration. Whether or not that is the case, and as the Minister chose to give some public exposure in this House and through the media to the setting up of that review, and as a result created some expectation and anxieties amongst those concerned with all aspects of the work and coverage of the Childhood Services Council, it had been assumed by many people that they would be able to assess the import of that review when it was released publicly.

I have recently been informed that there are some indications that the Government does not now intend to release the findings. One person concerned with this area has complained to me that, if that happens, then it will have been a case of an issue having been beaten up for political advantage only rather than for the real benefit of childhood services, and then slipped out through the back door when its political purposes had been served. That person went on to say that, as a result, childhood services in this State were in great danger of being destabilised.

The Hon. H. ALLISON: The honourable member is misinformed. I have not yet received the report, although I expect to receive it soon. Decisions as to the publication or implementation of the report will be made when I have had a chance to peruse it.

SMALL BUSINESS

Mr OLSEN: Will the Minister of Industrial Affairs ensure that funds provided by the Government for the development of small business in South Australia will be equitably distributed between country and city business enterprises? Numerous reports have highlighted the need to provide bridging development finance for small business operators in South Australia and, further, tight monetary policies and wage escalation have eroded liquidity and thus seriously impaired their future.

Constituents have apprised me of the further aggravation in country areas resulting from the merging of trading banks. They advise that competition has been eliminated in many areas and thus banks have channelled funds to the more lucrative sections of finance lending. Their current concern, whilst lauding the Government's initiative, is whether there will be an adequate network to service country areas and whether those funds will be equitably shared between metropolitan and country areas.

The Hon. D. C. BROWN: Yes, I can give an assurance that that finance for small business will be made available throughout the entire State, and not just in the metropolitan area. I was pleased to make that announcement on Sunday, indicating that initially up to $5 000 000 would be made available for loans or for finance to small businesses or medium-sized businesses, because the loan could be up to $500 000, or even more if the case warrants it.

The banks have co-operated fully with the Government in responding to the request of Government that this extra finance be made available. The Government is concerned about the matter. It has looked at the financial situation of small business and our assessment is that, with the high interest rates, where one borrows finance now is critical and, if a business is unable to obtain an overdraft loan of less than $100 000, then some banks are referring their clients to their finance companies. In those cases a small business could be faced with an interest rate payment of up to 18 per cent or 21 per cent. They have also found that a number of small companies are being asked to place enormous securities with banks before any significant loan is made to them.

The Savings Bank of South Australia and the State Bank of South Australia have both undertaken to assist the Government in making sure that suitable banking and financing facilities are available for small business. The money will be made available both in the city and the country. I understand the Savings Bank has approximately 145 branches throughout the State (please do not hold me to that exact figure), many of them in small country towns.

I have the assurance of the Chairman of the Savings Bank of South Australia, who was involved in the discussions on this matter, that they will make money available through those banks. One key part to that as far as the Savings Bank is concerned was the passing in another place of legislation which, when I made that statement on Sunday, had not been passed but which I understand has now been passed. This would allow the Savings Bank of South

Australia to sell commercial bills, and in selling commercial bills it will raise additional finance to make available to small business.

I can assure the honourable member that, in my discussions with both the State Bank and the Savings Bank, every effort is being made to make sure that that finance is available, irrespective of where the small business is, and to make sure that no part of the small business sector in South Australia, especially in the country, is disadvantaged because of its location.

TOURISM

Mr SLATER: Will the Minister of Tourism say whether the announcement earlier this week by the Minister of Industrial Affairs, referred to in the previous question, that $5 000 000 would be set aside by the State Bank and the Savings Bank to boost lending to small business and tourist ventures is, in effect, the same announcement that was made by the Minister of Tourism in March 1981 that loan capital of $5 000 000 would be provided to develop tourist projects? Is it, in effect, the $5 000 000 previously announced being announced again?

The Hon. JENNIFER ADAMSON: No, it is not. An announcement by the Minister of Industrial Affairs for sums up to $5 000 000 to be lent to small businesses is separate from and additional to the up to $5 000 000 announced by way of loan capital for tourism projects. The honourable member will appreciate that many small businesses are in some way related to tourism. It would be inappropriate, and indeed impossible, to establish an expansion of loan funds for small business and in any way separate them from tourism businesses. But, as the original proposal was made with larger tourism operations in mind, in other words, loans exceeding $100 000, it was felt appropriate to include small tourism businesses in the scheme announced by the Minister of Industrial Affairs. I feel sure that tourism operators and would-be operators generally would appreciate the sensitivity which the Government has shown for the need to provide more effective tourism infra-structure through private enterprise. We are trying to do it through both these schemes. They are separate from and complementary to one another.

BEEF MARKET

Mr BECKER: Will the Minister of Agriculture say whether the beef market is depressed in South Australia? If so, why, and will this result in cheaper meat for housewives?

The Hon. Peter Duncan: Yes and no.

The Hon. W. E. CHAPMAN: My word, the member for Elizabeth is right again. He is demonstrating leadership material, is he not, Mr Speaker? He is right.

The Hon. Peter Duncan interjecting:

The SPEAKER: Order!

The Hon. W. E. CHAPMAN: The short answer is indeed 'yes' and 'no', but I think it deserves explanation. It is true that the beef industry in Australia is in a very depressed state, quite apart from the depression that surrounded the meat scandal emanating from Victoria involving export beef products in particular. That stigma has extended to the beef industry at local and domestic level. It is extremely disappointing that, as beef producers in Australia, we should suffer the sort of low-level prices that we are experiencing. Indeed, yearlings in this State are now selling at market centres for up to about $100 a head less than at this time last year. I largely blame the meat scandal emanating from the Eastern States for that situation.

As a result of a serious depression in the export industry the call for the range of beef available to domestic operators has, accordingly, widened. They have become extremely selective. Although prices being offered for livestock at market centres are, as I said, substantially less than at this time last year, despite the added cost to producers in the interim, the actual retail price of beef has not dropped accordingly. I concede that it is cheaper than it was at this stage last year, but not proportionately. I find it incredible that customer demand has waned to the extent that it has when there are no grounds in this State or at domestic abattoir level to justify any concern by consumers. I am amazed that, despite efforts by meat processors and meat merchants in South Australia to urge the housewife to buy more beef when it is, if not the best, extremely good value for the dollar now, at prevailing prices, unfortunately we have not seen the lift that would ordinarily apply during spring and the early summer months.

An honourable member: They haven't got the money because you are ripping them off.

The Hon. W. E. CHAPMAN: I do not propose to comment at length on or to respond to the honourable member, but I feel they have the money for other goods. I am surprised that there is not more demand for quality beef, a high protein product. I appreciate the question from the member for Hanson.

At 3.15 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

PAY-ROLL TAX EXEMPTION

Mr BANNON (Leader of the Opposition): I move:

That, because of the Government's failure to raise the general pay-roll tax exemption, this House censures it for its use of the hidden tax of inflation and calls on it to immediately raise the general exemption level so as to maintain the competitiveness of small business in this State.

There is no doubt that pay-roll tax is a very unsatisfactory means of collecting revenue. At a time when unemployment is at levels not experienced since the depression, it seems particularly illogical to apply a tax which increases its burden as more people are employed; a positive disincentive to employment. I think we all agree on that. The tax itself is largely the result of the previous Federal Liberal Government's attitude to Commonwealth-State financial arrangements, and the need to continue to collect it is totally the result of the present Federal Liberal Government's attitude.

The actual transfer of the tax to the States was made in 1971 and followed one of the regular series of clashes between the States and the Commonwealth Government over the distribution of revenue. The States wished to have a share of Federal income tax collections, and pointed out that the advantage of that would be that they would be in receipt of a share of a growth tax. That is something that would expand with the expansion of the economy, and of course allow the collection for the State to increase. As a result of those arrangements, worked out at the Premiers' Conference in June 1971, the States were denied access to the Federal collection, in a formula sense, but were given this so-called growth tax in order to administer totally themselves.

Since then a gentleman's agreement has operated between the States to ensure that increases in the rate of tax were uniform among the States. The temporary surcharge recently imposed by the Victorian and New South Wales Governments is framed in that way, and is not really a departure from this practice, as the intent of the agreement between the States was to ensure that basic rates were uniform. The States have also maintained the concept of a general exemption level below which no tax is payable. I believe it is important for what I wish to say later that the House understand that the present Liberal Government and the Premier are fully aware of these agreements.

To make it clear, I refer to the Government's own submission to the Commonwealth Grants Commission, dated February 1980, in the section in vol. II dealing with pay-roll tax, where we find the following statement:

> The general exemption has been a feature of pay-roll tax since its introduction by the Commonwealth in 1942 and was adopted by the States when the tax was transferred to them in 1971. All States have endorsed the principle of the exemption and have increased it from time to time in an attempt to preserve its real value.

So, the fact is that the Premier knows full well that the exemption must be regularly increased to maintain its real value, and that that has been past practice.

Indeed, in 1978, as Leader of the Opposition, he wanted to go a step further. On 7 November, speaking on the Pay-roll Tax Act Amendment Bill which had been introduced by the then Labor Government to increase the general exemption by 10 per cent and which at that time lifted the base rate from $60 000 to $66 000, he said:

> We [that is, the then Liberal Opposition] suggested that the basic exemption be increased to $72 000, that is by more than the allowance to cover inflation at that time. It is significant that, although the Government has increased the exemption to $66 000, it is still not enough.

Now that he is in a position to put into effect what he was suggesting as Leader of the Opposition, he has, in fact, done just the opposite. Instead of increasing the exemption beyond what is necessary to cover inflation he has in fact frozen it at 1980 levels, thus putting it way behind. It is well to note the date of that debate: 7 November. The Bill in 1978 had been introduced on 25 October. It was in fact introduced to ensure that South Australia's exemption level remained on a par with that in Victoria.

This was the fourth time it had been reviewed in as many years. The Budget had been brought down and a level had been struck in that Budget, but subsequent to that, following the change in the exemption level in Victoria, a new Bill was introduced into this place to make an adjustment. In other words, the former Labor Government constantly reviewed the level of pay-roll tax to ensure that small business at the lower end of the pay-roll scale was not being disadvantaged, and in particular to ensure that South Australian enterprises maintained their competitive position with similar companies in Victoria and other States. Of course, the emphasis is on Victoria because that State shares with us a similar type of manufacturing base and pattern of small business activity.

What has been the practice since the present Government has come to office? It is true that in both the 1979-80 and the 1980-81 Budgets the exemption level has been raised, in the first case from $66 000 to $72 000 and in the second from $72 000 to $84 000, but on each of those occasions the adjustment was made in the ordinary Budget presentation, and when the Victorian exemption rate was raised, it was in retrospect. It was not applied retrospectively by the State Government, but the budgetary amount was allowed to continue, so we lag well behind Victoria. It was not until the 1980-81 Budget that we corrected for the previous year, and our level of $84 000 set in 1980-81 should be contrasted with Victoria's $96 600, so in neither case in the first two Budgets of this Government did it make a proper or adequate adjustment.

Worse than that: this is now the third stage of what I would call almost a confidence trick on the smaller businesses of this State. In the 1981-82 Budget, it was frozen at the 1980 level. The effect of this decision by the Government means that a business in South Australia with a pay-roll of between $84 000 and $250 000 will pay more tax than its competitors in other States. For example, a business in South Australia with a pay-roll of $150 000 will pay 164 per cent more tax than a business of similar size in Victoria. A local business in South Australia, with a $200 000 pay-roll, will pay 29.8 per cent more tax than a similar business in Victoria. It also means that many businesses that previously did not pay tax at all will, under this pay-roll tax scheme, now be liable to do so.

Following a Question on Notice that I put to the Premier, the Government has now revealed that 280 businesses employing approximately 2 200 persons will pay tax for the first time this year because of the Government's cynical decision to freeze the exemption level. I still have on the Notice Paper question No. 243, which asks the Premier how many South Australian businesses have pay-rolls in the range $84 000 to $250 000 and will be affected by the Government's exemption freeze policy, and what is the total number of persons employed by those businesses. I have not had an answer to that question yet. I am still waiting, but my own research indicates that as many as 2 400 companies would fall within that range and that they would employ tens of thousands of people.

I give just one example. According to the Australian Bureau of Statistics, 140 businesses in the metal trades group alone, a key part of our vital manufacturing sector, fall within this pay-roll range. These businesses employ almost 2 000 people, and put into our economy each year over $18 000 000 worth of wages and salaries. We have no way of knowing the extent to which this extra tax slug will discourage small businesses from expanding their employment so that they will stay out of pay-roll range.

I have taken a number of steps to ensure that small business in South Australia understands what this Government is doing to it. I have written to organisations representing small and medium size companies. I will read that letter and some of the replies in a moment. I want to put my letter on record, because on 10 November, in answering a question I asked him on pay-roll tax, the Premier sought to totally and cynically misrepresent my actions. I wrote as follows on 28 September:

> I am writing to bring to your attention one of the major features of the 1981 South Australian Budget which will affect small business. In a departure from past practice, the State Government has not increased the general pay-roll tax exemption this year. The exemption has been frozen at the 1980 level, which had the effect of exempting from tax annual pay-rolls of less than $84 000. While the exemption has not been increased by Mr Tonkin, the 1981 Victorian Budget lifted the pay-roll tax exemption in that State to $125 000. In the New South Wales Budget, the exemption was increased to $120 000.
>
> Under previous South Australian Governments, the general pay-roll tax exemption was kept in line with the Victorian exemption in order to help local small businesses remain competitive. Now, a business in South Australia with a pay-roll of $150 000 will pay 164 per cent more tax than a business of a similar size in Victoria. A local business with a $200 000 pay-roll will pay 29.8 per cent more tax than a similar business in Victoria.
>
> The South Australian Budget forecasts a 14.7 per cent rise in pay-roll tax collections this year but little increase in employment, indicating that the increased value of pay-rolls will produce extra revenue. I am concerned that, as a result of this Budget, many South Australian small businesses will be liable for pay-roll tax for the first time. I would be particularly interested to hear the views of your organisation on these matters.

I got a very considerable response to that letter, and all the organisations, I think it is fair to say, were interested to read the position I put before them. Their reactions were varied, but I would like to read some of the replies that I have received. One, for instance, was from the Private Hospitals and Nursing Homes Association of South Australia and states:

It is refreshing to receive such an objective and accurate summation of the effect of the 1981 Tonkin Budget on the pay-roll tax payable by small businesses in South Australia. There is no doubt that business in general and small businesses in particular are adversely affected by impositions such as this, which in turn are felt in various ways throughout the community. Your office is to be complimented on the documentation, which is a very good example of an Opposition working in the community interest and not simply indulging in political point scoring. I look forward to seeing more examples of this excellent approach.

That was a very gratifying reply to my letter. From the South Australian Association of Restaurateurs, I received a reply that may interest the Minister of Tourism, given the importance of this section of our economy in the tourist industry. It states:

Naturally, the failure of the South Australian Government to follow the lead of the Eastern States in relation to pay-roll tax exemptions is viewed with concern by our industry. We are currently reviewing areas that appear to be leading towards an intensification of pressure on our industry and threatening our long-term viability.

The association goes on to say that another area of concern is cut-backs in funding for training programmes at both State and Federal levels, a disturbingly low percentage of the national tourist trade. The letter concludes:

In this climate the freezing of pay-roll tax exemptions is seen not only as a denial of some relief but also as another hurdle in our industry remaining competitive in the national arena.

The Pharmacy Guild of Australia may be of interest to the Minister of Transport. It said in its response:

The failure of the Federal Government and the State Government to recognise retail pharmacy's role in the community, combined with the effect of fierce competition from the large retail stores, has forced many retail pharmacies to make staff retrenchments with the result that there are only a few pharmacies with a pay-roll of more than $84 000 per annum.

Objections on their behalf have been made already to the State Government and any pressures you can place on the Government on their behalf and small business in general, to have the exemption increased, would be very much appreciated.

I am sure that the Minister of Transport would not plead special interest in this case, but he would be directly aware of the problem raised in that letter from the Pharmacy Guild. The letter from the Master Hairdressers Association of South Australia is as follows:

Further to your letter of 28 September, we advise that we discussed the content of same at our October committee meeting and would like to render our support for your lobby. Those hairdressers with a staff of 10 or more would certainly be affected by pay-roll tax. This constitutes approximately 25 per cent of our members. Thank you for your letter and we hope that your efforts in making a stand against pay-roll tax for small businesses are fruitful.

The National Hardware Institute of Australia, in fact, published the contents of my letter in their newsletter, which is circulated to all members of their industry. The Chamber of Commerce and Industry, in its *Journal of Industry*, had earlier congratulated the Premier on not imposing a surcharge. In other words, it thanked him for not doing something. We are suggesting that he should have gone further and that he should have positively done something. The chamber said:

One omission from the pay-roll tax treatment in the Budget was the failure to raise the limit from $84 000 in line with growth in wages over the past 18 months. In fact, the limit, to be equitable and not to place an additional burden on employment in South Australia, should have been raised to around $100 000 to keep it in line with other States.

I have given the more precise figures earlier. They are in excess of $100 000. The chamber continued:

The private sector would like to see this omission rectified without delay.

What has been the Premier's response? On 10 November, in this place, he said, referring to the letters I had written:

Let me get a few things quite straight. This is absolutely typical of the doom and gloom that the Opposition is spreading in this community at present; not only that, but it is another example of the dishonest misrepresentation currently becoming the practice of the Opposition. The Leader of the Opposition has said in his letters (and I have heard him say publicly) that the level of pay-roll tax exemption will be frozen in South Australia. He knows perfectly well that the level of pay-roll tax exemption is not changed until 1 January.

What an extraordinary statement! I suggest that this abuse and distortion is not going to help South Australian small business and it certainly fails to recognise the spirit in which I have raised this matter and written to the various associations concerned. As the House will see from my letter, the whole point of my action was to make this Government see that it had, in fact, to raise the exemption. That is a valid and fair point. As for the Premier's point that exemption levels come into effect on 1 January, that is true, but an amending piece of legislation is required and, according to our time table, we have only four sitting days left after today to get that legislation on the books.

The Premier's statement on 10 November and his earlier statements to the Estimates Committees are just simply attempts to muddy the water. If he was going to give some relief to small business, we should have had a Bill on the Notice Paper by now. After all, it is rather ironic to hear this particular Premier talk about distortions when he, as Leader of the Opposition, consistently tried to mislead the public by saying that South Australia had dramatically increased its level of taxation, refusing to concede that this was in large measure due to the transfer of pay-roll tax from the Commonwealth and the progressive increase of the rate of tax in line with every other State in Australia. He refused to recognise and give credit for the constant review under which that tax was held by the previous Government and its regular lifting of the exemption level, which he has signally failed to do in his time as Treasurer. I quote his remarks made on 10 November, as follows:

The South Australian Government will be considering what move can be made in relation to the exemption, and that decision will be made close to the time when this House gets up for the Christmas recess. I remind the Leader that the House will be sitting well into December. The decision will be taken and the House will hear about it in good time.

The Premier should now either admit that his financial incompetence makes it impossible for him to offer any relief to small business or say that he will be introducing an amending Bill. My motion places that responsibility fairly and squarely on the Government. If he cannot make a commitment to the small businessmen of South Australia he and his Government deserve censure for their cynical use of this tax and he owes it to business to come clean and make a clear statement to it about the position right here and now.

Mr EVANS secured the adjournment of the debate.

EARLY CHILDHOOD SERVICES

Mr LYNN ARNOLD (Salisbury): I move:

That a Select Committee be established to inquire into early childhood services in this State and to investigate the role of those bodies presently involved in this area with a view to ensuring the best possible provision of services to the children of this State.

In moving this motion for a Select Committee I am conscious of the fact that it is not a good policy to unnecessarily

create Select Committees for their own purpose. However, I believe that childhood services in this State have gone through a number of events in recents months that would justify a Select Committee providing a bipartisan, public and disinterested approach to the whole field. We have had in recent weeks the establishment of the Burdett inquiry, primarily into the Childhood Services Council, really, with a view to trying to squeeze another $200 000 or $300 000 to be made available to the kindergartens to make up for the money they lost in the Budget operating allowance grants. It was a cynical move to try to equate the running costs of one organisation with a shortfall of another series of organisations, and to attempt to fob them off with the implication that, if the one organisation was axed, they would receive that funding themselves. We do not know whether that will actually happen. We have not even been given the undertaking today by the Minister in the House about whether the findings of that review will be made public.

The Minister chose to beat up this review, not only in this place but also in the media, by mooting this inquiry into childhood services in this State as being a major one that would strip funds away from administration. He tried to score political points out of that. He is now possibly indicating that he is going to forget about the whole affair, shove it into a cupboard and ignore it. He has achieved his own political advantage and, now that the advantage has been eked out of it, he will go on and ignore it. That is not the way good government should operate.

I believe that there are good grounds for saying that there should be a review of childhood services in this State. In saying that, I remind the House that childhood services and the Childhood Services Council involve more than just pre-school education and the funding thereof. That is something that I wonder whether the Minister is aware of. In his statement to the House on 27 October he indicated that he had asked for a review of the present funding and administration of pre-school education in this State. Then, in saying that the focus of the review was the Childhood Services Council, he tended to imply that that council did nothing except fund pre-schools. We know that that is not the case. We know that the Childhood Services Council is also actively involved in child care, occasional child care, health and well being of young children, and a number of innovative programmes in this State. Of course, it should also be involved in research into childhood services. I say 'should be' regarding that last matter because, in fact, it has never been given adequate research capacity to live up to that aim.

The Keeves Committee of Inquiry spent some time considering early childhood services and, indeed, made a number of recommendations about what should happen. Some of those recommendations met with the unanimous agreement of all bodies that made submissions to the Keeves Committee, but not all of them did. For example, the Keeves Committee recommended that the Childhood Services Council of South Australia should be legally established under its own Act. I know that the Kindergarten Union made different recommendations regarding the Childhood Services Council, suggesting something along the line of a separate Department of Childhood Services. There are others who believe that the *status quo* should remain, with minor modifications, namely, that the Childhood Services Council should not become a statutory authority or should not somehow convert into a fully-fledged department but should remain (what it presently is) a somewhat informal advisory body to a troika of Ministers.

That in itself opens up a field of inquiry, a field worthy of some review. What we have seen happening is that an inquiry was established on 27 October consisting of one person (a public servant) who had unspecified terms of reference and who was initially asked to make his findings by 30 November—an incredibly short space of time. In fact, the Minister has now indicated that he has not completed it by 30 November, and I can fully understand why he has not. Yet those findings may never see the light of day. What sort of an inquiry will that be? Surely, if we are genuine about this, we need more than a one-man inquiry; we need an inquiry that consists of a number of people who can weigh up and consider between themselves the various arugments that have been put, and to that extent the Select Committee model is one of the best models available.

Select Committees have achieved a great deal of good in the past under various governments, because they have shown the capacity, despite political divisions, for a small group of people to weigh up evidence and consider the facts and the options. The other advantage is that a Select Committee is a public body; it receives evidence publicly and cross-examines publicly. Therefore, all groups can know exactly what arguments are being presented to that Select Committee and can, of course, give their own opinions likewise. Of course, a Select Committee is disinterested, in the positive sense of that word, in so far as it is removed from any close administration contact with the services that are being provided. Establishing the review on 27 October, the Minister said that the major purpose of the investigation would be to determine ways and means of directing more funds away from administration and directly into kindergartens and pre-schools. Does that mean that that is the only problem or the only area of debate that exists in pre-schools or, indeed, early childhood services generally? Of course, it is not. In fact, there are a number of others; if we but think for a few seconds we can make a great long list, but time precludes me from doing that now. However, I will relate some points of possible investigation that were raised in a Kindergarten Union document in August this year, highlighting the fact that current State policy on pre-schools in particular, is that all South Australian children who wish to participate in pre-schools are eligible to do so for 12 months before entry to school for four or five 3-hour sessions per week at a ratio of one member of staff to 10 children, acknowledging that that is the policy, albeit not the reality.

In so saying, the document indicated that a number of options were available. It stated that for children who did not have the opportunity to participate fully the options currently available included larger groups than 10 per staff member (we know that that has been considered by a working paper), fewer sessions than four or five weekly (we know that that is the case in a number of kindergartens or child-parents centres in this State, or pre-school for less than 12 months). They are options that need to be considered, not just the question of directing funds from one area to another. Further on in this document, the Kindergarten Union poses another series of questions, for instance: if no additional State funds are forthcoming, what options exist for the Kindergarten Union? It raises possibilities, including a change in the staff-child ratio, children who get the fewer sessions, and the Kindergarten Union going back to being a centralised fund raising body. Then the matter is raised of increased tuition fees, which were already up to $60 per year at the time that this document was written and which, of course, are much higher now as a result of the Government's action regarding budget operating allowance grants.

It is important that we remember that the Childhood Services Council is not involved only with pre-schools and the funding thereof: it has important obligations in the other areas of early childhood services, such as child care and the health of young children, occasional childhood care

programmes, and the like. They are in danger of being the babies that are going to be thrown out with the bath water as a result of this inquiry. They will be overlooked, or I fear that they will be overlooked, because the brief given by the Minister in his statement on 27 October paid absolutely no attention to that whatever. The danger therefore exists that in a desperate effort to find nearly $300 000 to give to the kindergartens and child-parent centres the body called the Childhood Services Council will be axed, and all its other non-pre-school functions will be lost. That will not stabilise childhood services in this State, and it will not advance them: it will make them anarchic. It will be a retrograde step that will take us back to a range of inadequate services that were presented in that field over 10 years ago, and I hope that we do not want to return to that.

I appeal to the Minister to reconsider this whole matter, first, to the extent that he give an undertaking that he will make public the findings of the Burdett Committee. I believe he owes that to the community, having raised the issue publicly. Once he has done that, I then ask that he consider broadening that inquiry by the appointment of a Select Committee that could look into these great many areas. I have had a large number of submissions given to me by a variety of organisations, and I know that the Minister probably has had them, too. They should be evidence enough of the need to expand that inquiry and to raise it to a much more public forum. I do not wish to continue on this matter now, as I know that we are under time constraints, so at this point I would urge the House to support my call for a Select Committee and hope the Minister will establish it as soon as possible.

Mr EVANS secured the adjournment of the debate.

PHYSICAL EDUCATION

Mr SLATER (Gilles): I move:

That this House condemn the actions of the Minister of Education for further reducing staff levels at the Physical Education Branch of the Education Department, thereby placing in jeopardy the health, welfare and safety of schoolchildren within the State.

As stated in the motion, I believe that condemnation of the Minister of Education and his Government is warranted, for despite all the assurances given previously the number of personnel in the Physical Education Branch has been substantially reduced. Physical education is one of the most important aspects of a child's education. Physical education has long been recognised as an integral part of a child's education, and research has shown that when physical education is undertaken an improvement in the standard of academic results take place. This Minister and this Government in their desire to reduce public spending in education are prepared to jeopardise the health, safety and welfare of children in this State. It is interesting to note that in the Adelaide *News* on 4 December 1980, a statement by the Minister of Education is reported under the heading 'Staff Levels to Remain' as follows:

No further reductions would be made in staffing levels in the Education Department physical education branch, the Education Minister, Mr Allison said. The P.E. branch officers and regional advisers had been gradually reduced by 10 over the past three years, he said. National Heart Foundation medical officer, Dr Margaret Moody, said the foundation already had made two submissions to Government authorities calling for mandatory P.E. programmes in all schools for all children each day. The reduction of the branch's staff by one-third and subsequently reduction of students' activity is a source of great concern, Dr Moody said. School years are the time when lifelong habits are established. The P.E. branch is actively encouraging children to see exercise, good eating habits and weight control as a normal part of life, she said. More importantly, research has proven that physically active children readily overcome many health problems and have increased academic performance.

Those comments indicate that, despite that assurance given in December 1980, we find in December 1981 that further reductions in staff personnel have occurred. In a letter of 4 November, the Minister has admitted this to me. The letter states, in part:

There will be a reduction in the number of seconded teachers at the Physical Education Branch from 4.5 by 2.

Despite assurances given previously, we now find that further reductions have taken place. This is certainly not acceptable to the people involved in the swimming and water safety lessons, in particular the Swimming Instructors Association and the many other people associated with school swimming classes. The swimming instructors believe that the reduction in staff will seriously affect both the vacation and term-time classes. The Government is prepared to put at risk a very highly successful water safety and learn-to-swim campaign that has been undertaken in the past. An indication of the success of the campaign is contained in a recent press article, and I want the Minister of Education to take note of the figures detailed in the article. The article, published on 18 November 1981 and headed, 'Drownings down: Our children safer', states:

The number of child drownings in South Australia has declined dramatically over the past 10 years because of the State's water safety awareness.

In 1972, 18 children under 10 drowned. Since 1979, however, there have been only three drownings in children in the same age group. The most dramatic drop was in the number of children drowned in home swimming pools.

In 1972, eight children died in this way. In 1980, there were no drownings in home pools. South Australia led the world in water safety, Mr Ken Richter, Chairman of the Water Safety Committee of the National Safety Council of Australia, and the man in charge of the Education Department's water safety campaign said today.

The statistics indicate how highly successful the water safety lessons and learn-to-swim campaign have been in South Australia. It is a pity that staff should be reduced, putting that safety aspect in great danger. Mr Richter, mentioned in the article, is Chairman of the Water Safety Committee of the National Safety Council of Australia, and he is the person who has organised and directed this highly successful campaign. He will be affected significantly by the reduction of staff in administration, in organising, and the general running of the water safety lessons in the future. Despite the assurances given by the Minister, there are certainly great apprehensions concerning the future of water safety lessons in this State. The apprehensions of the people directly involved have been best expressed in a letter forwarded to me by Vicki Murphy, who is Secretary of the Education Department swimming instructors. In that letter she indicates that the concern is not only in regard to current classes, but also about the damage that will occur in the long term. The points made by Mrs Murphy are as follows:

Lack of suitable personnel to receive and answer adequately phone calls on whatever question the instructors may have.

In-service conferences—very necessary to keep the instructors abreast of current methods—who will organise?

Training programmes for Instructors. How can they teach and control safely, swimming and aquatic activities if they have not been educated in the safest methods? Who will organise?

Consultation with Branch Personnel. Major and minor problems that can and do arise, between Instructor in Charge, instructor, pool manager.

Claim Forms—Who will process, etc.? Years ago instructors waited months for payment. Will this occur again? Many instructors support their families on this money, and even now with improved methods they wait weeks for their cheques.

Mrs Murphy concludes the letter by saying:

It has taken a number of years for this department to reach the level of efficiency they are now achieving.

How will they cope with the reduction of staff that will place them in some difficulty in maintaining the efficiency that they now achieve? Mrs Murphy further states:

The children and their families must be given some guarantee that the person in control of their children has sufficient qualifications and suitable training. The instructors must have communication readily available to them when necessary and not six phone calls and three weeks later.

That letter indicates that the instructors are very concerned about the future of water safety and swimming lessons in South Australia. Their anxiety and apprehension is based on the fact that they believe that the reduction of staff in the Physical Education Branch by the Minister will seriously affect those classes. Despite the assurances given by the Minister both in response to my questions in the House and by way of a letter to me of 4 November, I believe we ought to condemn the Minister and the Government for the action that they have taken in regard to this matter. I think it is rather penny-pinching that the Government should seek to save, as I understand, some $30 000 at the most by a reduction of staff, thereby placing in jeopardy a swimming lessons campaign in which an army of 50 000 children would be participating in January of next year. I believe that the Government should stand condemned for its action, the Minister in particular. I am not satisfied with the answers and assurances that he has given, and neither are the swimming instructors and people associated with the swimming campaign.

Mr EVANS secured the adjournment of the debate.

MULTICULTURAL EDUCATION

Mr LYNN ARNOLD (Salisbury): I move:

That this House expresses its concern that the previous positive initiatives of the former Labor Government with regard to multicultural and related educational programmes have not been maintained by the present Government and calls for the immediate upgrading of the status of those programmes and endorses that they are integral to the success of education overall.

I do not have much time before 4 o'clock. I shall read a series of pieces from a letter that I have received and leave those with members of the House while I seek leave to continue my remarks on another occasion so that in fact we can attend to other business on the Notice Paper. However, I want to have these points read into the record at this point, because I think they highlight the problem identified in my motion. The points are contained in a letter that was written by a primary school Principal to members of the State Multicultural Education Co-ordinating Committee. Members will know that that committee is there to advise the Director-General on a number of matters concerning multicultural education, and that, in turn, the Director-General advises the Minister.

The letter is of eight pages and it would be a waste of time to read it out in its entirety, but I would be pleased to show it to any member who wished to see the entire letter to see that I am not quoting out of context. In part, writing as a member of the committee, the letter reads:

You will appreciate that we have been working on a document with a view to that document being accepted as an Education Department policy on multicultural education. In the public sector the gains in providing multicultural education and community languages in particular have been hard won during the past 10 years or so with the greatest amount of development occurring in the past five years.

Coincidentally, that was during the course of the previous Government and my motion refers to the previous Government. The letter continues:

In the public sector a significant number of schools have now been advised that they will be obliged to accept cuts in 'negotiable' staffing. The effect of these cuts will be to cause individual schools to reduce their programmes or in some cases to jettison the programmes altogether. Attempts have been made by me on behalf of others at their request to organise a deputation to the Minister. The request was denied—

that does not surprise me; it is difficult to get a deputation to the Minister—

on what to me are quite specious grounds. The Minister suggested that we contact the Regional Director and if still dissatisfied that we should write to him as Minister. This seems a futile gesture when there are 10 Regional Directors, not one, and the Regional Directors can only allocate staff out of a reduced number of such staff consequent upon a Cabinet decision to reduce the funds available. It is Cabinet that makes such decisions, not the Regional Directors or for that matter even the Director-General.

He goes on to say that, since this is the case, there should be a call for action. The letter continues:

Whether we as individual members on the committee are drawn from ethnic communities or from other sectors of the community, I believe that each and every one of us should now determine whether we should remain silent and thus appear to be condoning action about to be taken as a result of State Government action or speak up and support all those in schools and elsewhere in the community that have spent years of hard toil in trying to make what little progress we have been able to make so far . . .

If multicultural education and community languages are not seen as important and not worth fighting for, then perhaps we should ask the Government to make a public statement that the programmes will be phased out of schools as rapidly as possible.

The purpose of my motion is to have a clear declaration by all members of this House, representing all Parties in this House, as to exactly where they stand on the priority of multicultural education. In explaining why he has written the letter to members of the committee, he says:

I have taken the action of writing to each member of the committee as I have because I fear that all we have striven for and all that others have striven for during the past 10 years—

coincidentally, the previous Government—

is being placed in jeopardy.

He then makes another reference to an indication of just how seriously various Ministers had taken multicultural education. He says:

If you examine your papers received after the co-ordinating committee was established you will find that the previous Minister—

that Minister is now the Opposition Whip—

stated that he regarded the members as his personal representatives and if the members were concerned he would be pleased for them to contact him.

He opened the door to contact and liaison with those members. The present situation is not so constructive. The letter continues:

You might like to contrast that with the fact that as yet the present Minister has not even met the members of the committee in any official capacity and when invited so to do we were advised that he would be far too busy for at least four months.

That letter was written last year, and we know what has happened since. Other points are made in the letter, which I will be pleased to make available to any member who wishes to read it all to see that I have not quoted anything out of context. I have much other evidence that I will present to the House in due course if I am able to continue this debate, but lest it be felt that I quote from a source determined and destined to attack the present Minister for some other advantage, I will read the last paragraph of the letter, which states:

To put the record straight, in case anyone might wonder whether what I have had to say has any Party political motivation, I can assure readers that I have been a Liberal voter at all State and Federal elections since 1972.

That, I may say, is the Principal of a school who in this House was slandered by a member of this place some months ago, when he was accused of all sorts of political cynical motives, and of being a member of Parties on the far left. I read that paragraph out because it indicates that

that is not the case. I was appalled at the time those allegations were made and I want to place on record now that those allegations are incorrect by that person's own statements. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ZONING REGULATIONS

The Hon. D. J. HOPGOOD (Baudin): I move:

That the Corporation of Noarlunga Planning Regulations under the Planning and Development Act, 1966-1980, relating to the Metropolitan Development Plan—Zoning, made on 30 April 1981 and laid on the table of this House on 2 June 1981, be disallowed.

I will not take up much time of the House, but this motion has been on the Notice Paper now for some time. I move it with some diffidence, too, because the regulations which would be otherthrown if in fact the House accepts the argument that I am about to put before it have some good points in them. It is part of the problem we have in dealing with subordinate legislation that this House is not in a position to be able to amend in any way; all it can do is to move for disallowance and hope then that the planning authority, in this case the City of Noarlunga, will come up with amended regulations. I should make the point which will be known to many members that in fact a similar motion was on the Notice Paper for quite some time from the Joint Committee on Subordinate Legislation, and I should briefly explain how that came to be there.

One of the contentions placed before me and before the Joint Committee was that the council and the Minister, in the gazettal of these regulations, had breached the Act. What had happened was that, having been drafted, the amending regulations had been put out to advertisement; then, having heard the objections, the council then made some changes. Those further changes were not advertised but were incorporated in the final draft, so the point was made that people who objected to the alterations did not really have any information that in fact the alterations were around the place. The Joint Committee considered this; it took advice from the Crown Law Department and from a private solicitor, which advice was that in fact there had been no breach of the Act, that what the council had done was in fact proper under the Act, and if there was any criticism it was in the nature of the Act itself, which was possibly deficient at that point.

The Joint Committee also took what I think is the proper attitude as a Joint Committee on Subordinate Legislation. It had no responsibility to get into the matter of what parts of Christies Beach or surrounding areas should be zoned in particular ways, and therefore had no reason for going on with its motion. That leaves my motion and leads to the fact that this House does have the wider responsibility to consider these matters. There are good features in the regulations and I would hope that, should my arguments be accepted by this Chamber, indeed they can be retained in any new set of regulations. In particular, the simplification of the zoning of the Beach Road area to a western end which is zoned 'local business' and an eastern end which is zoned 'local commercial' seems to me to be a big advantage.

However, the two changes to which certain of my constituents object are, first, the change of an area from 'residential' to 'local business' on Witton Road, Christies Beach, and also the change from 'residential 2' to 'residential 1' zoning along the western side of Dyson Road (almost immediately north of my electoral office), which business people there, existing as they do as 'non-conforming uses', believe will affect their ability to do certain things with their premises and therefore their businesses at a future time.

I have accepted these arguments. I do not in any way suggest that there has been anything improper in what has happened on the council. I once wrote to the Minister of Environment and Planning pointing out that there were allegations of impropriety which I rejected and which I believe, if the Minister were to take up, he would be running down a blind alley. In fact, there are only two matters to consider. One is whether he and the council had acted properly within the terms of the legislation. It is now clear that, whatever we think of the legislation, that was done. The second is whether on those two points, and on no others, the change from the *status quo* is one that could be supported by this Parliament. My submission to honourable members is that it should not and that they should vote to reject the regulations. I conclude with the point that it is unfortunate that the forms of the House dictate that this is the only method open to me, because there is a great deal of good and benefit in the regulations we have in front of us.

Mr EVANS (Fisher): My only comment is that I agree entirely with the member for Baudin's remark about not being able to take out part of the regulations at any time. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

SHEEP EXPORT

Mr LEWIS (Mallee): I move:

That this House condemns the Australian Council of Trade Unions for its support of the Australian Meat Industry Employees Union policy which demands that Australian exporters ship one deep frozen mutton carcass for each live sheep they supply to each country of destination and accordingly calls on the A.C.T.U. and the A.M.I.E.U. to reverse their ill-advised policy decision.

I have spoken on this matter before. I am concerned that, since I threw down the challenge on 22 September, not long after that policy was announced by the A.C.T.U. in support of the meat industry union, my remarks having appeared in *Hansard* that day at page 1085, nothing has happened. So far as we are aware, in the past 2½ months no response has come from either of those unions. I see it as not only lamentable on the part of the A.M.I.E.U., but deplorable on the part of the A.C.T.U., with its greater research resources, that it has chosen to ignore research of others, do no research itself and proceed to support that ill-advised policy.

On 22 September I called upon them to reverse it, which they have ignored. On the face of it, it seems that they have told the public that if they require one carcass to be exported for every live sheep exported, that would increase the number of sheep available for their members to kill. However, that is patently absurd; the facts show that that argument is quite wrong, and is unsustainable. It has no basis in logic. Figures given in previous speeches I have made show that any downturn there has been in the number of jobs available to meat workers in Australian abattoirs is in no way related to live sheep export from this country.

Furthermore, had it not been for live sheep export beginning in the mid 1970s, there would not have been that additional demand now from the Middle Eastern countries that have received Australian mutton for that mutton in the form of carcass meat. If you like, the live sheep export industry has blazed the trail for a substantial increase in overseas demand for Australian mutton. It has blazed the trail for a completely new market in the Middle East. In

deploring this ill-advised decision of the A.C.T.U. and its support of the A.M.I.E.U., I point out that apparently the meat industry unions think that there will be more meatworkers' jobs. This cannot be sustained in fact, nor will it be possible to force the customer countries to buy one deep-frozen carcass for every live sheep. They simply will not be bothered. They are already buying cheaper mutton from other countries.

It is a stupid policy, which can be best shown up by suggesting, by analogy, that Australia should force our grain customers to buy at least two frozen loaves of bread for every kilo of unmilled wheat, or that our orange customers overseas should buy 800 litres of juice for every tonne of fruit, that the Japanese should buy one 4-cylinder motor car from us for every four tonnes or so of coal, and one tonne or so of iron ore. Can anyone imagine anything more ridiculous or stupid? If there could ever be a way to hobble our export market proceedings for wheat, oranges, coal or iron ore, it would be to insist upon such stupid inane policies. It would not only lose the jobs of people in the industries supplying those commodities, but would end up losing the jobs of those people who supply the processed article, because of the proportional reduction in overall prosperity through reduction in economic activity in this country.

Customers know what they want and how they want to use it. If it pays Australia to sell live sheep to someone who wants to buy them, we should sell them the sheep alive. Even the argument about more jobs is wrong. Even if (and it is a big if) we could find customers who would pay the equivalent amount to farmers for these sheep as carcasses, which we could do for them as live animals, we would lose at least four jobs in the live sheep trade for every one extra job we get in the carcass trade. It may be as high as nine jobs lost for every one we get in the carcass trade. We would increase the number of meat workers required by only about 100 or so for a loss of 950 to 1 650 jobs of people who look after the live sheep export business.

That is because sheep have to be crutched and/or shorn. They require more stockmen to look after them. The cut lunches which have to go with them in the form of pelleted feed (mainly lucerne) to feed them not only on the way to the Middle East, but also after they arrive until they are transhipped to centres for slaughter, are largely supplied by South Australians working in those industries such as the feed industry. For members' interest, the live sheep industry began to grow in significance in 1975. The number of sheep slaughtered now, compared to then, is a little higher. So, there has been no loss in sheep slaughtermen's jobs. Because of the greater convenience for farmers in grazing sheep, the national sheep population has grown by 30 000 000 to 35 000 000 in that 6-year period.

There has also been an increase in the proportion of breeding ewes in the national flock from 40 per cent up to about 43 per cent. That means that we are only just capable of producing, in the confidence that the market remains buoyant, the live sheep export requirement of approximately 6 000 000 this year, because it takes about five years for the progeny of those ewes to get to the age at which they are sought by the Middle East market, and whereas the frozen mutton trade in the Middle East was insignificant prior to the live sheep trade, we now find that our oldest customers there are buying the equivalent of about 2 000 000 sheep as frozen mutton, and that this figure is almost exactly the number by which the number of sheep slaughtered in all our national abattoirs has grown in that same period. That is, the live sheep trade, as I said earlier, has blazed the trail for the development of the carcass trade.

There is a great deal more that I would like to say about this issue. I again call on the two organisations concerned—that is, the Australian Council of Trade Unions and the Meatworkers Union—to reverse their stupid, ill-advised, selfish, inconsiderate, ridiculous policy of requiring one mutton carcass for each live sheep. I seek leave to continue my remarks.

Leave granted; debate adjourned.

CRIMINAL COURT COSTS

Adjourned debate on motion of Mr Millhouse:

That, in the opinion of this House, costs should be payable to a successful defendant in the Criminal Court in the same way as they are payable to a successful defendant in a court of summary jurisdiction and calls on the Government to introduce legislation to give effect to this opinion.

(Continued from 11 November. Page 1832.)

Mr EVANS (Fisher): I oppose this motion, although I can see the intent of the member for Mitcham, and I think in a way that there is some principle in what he is advocating. A person who is successful as a defendant in the Criminal Court at the moment does not have any opportunity to claim costs, although in the court of summary jurisdiction he has. However, I point out to the honourable member that he has much knowledge of the law and has been in this field for a long time. Although he was Attorney in this State for some time he took no action on such a measure as he is requesting the Government to do now by introducing a Bill to pick up this area which is of concern to him and others.

It must be remembered that, in the Criminal Court, the vast majority of defendants are represented through legal aid and, therefore, their costs are met in the main by the Crown. In those cases, to allow people to claim costs would be to transfer money from one pocket to the other within the Government field of expenditure, so that there is no benefit to be gained from what the member is advocating.

In what, in the opinion of the Crown, would be borderline cases, it is fair to assume that, if the Crown thought that the case would be difficult to prove but, for the sake of justice to society, it should be tested, the Crown may, because of the probability of costs being awarded against it, not go on with the case. It would be detrimental to justice if that were an area of concern to those making the decisions, if a decision was made not to proceed in such cases.

There is a principle involved, and I can see what the honourable member is arguing, but, when costs are a problem to Governments in this country and in other countries across the Western world, any Government would hesitate to add an additional massive cost. The Government is saying that it is not prepared to accept the proposition that the honourable member is putting to the House at this time. The honourable member himself, I make the point, has a record as Attorney-General of the State and was not expressing concern about it publicly, to my knowledge, at that time, and I was in the same Government as he was.

Mr Millhouse: That was 12 years ago, of course.

Mr EVANS: I do not care how long ago it was; the principle is exactly the same. The position was then that those who were successful defendants in the Criminal Court had no way of claiming, and the honourable member knows that. I oppose the motion and state that there will be no support from me for it.

Mr ABBOTT secured the adjournment of the debate.

BIRD SMUGGLING

Adjourned debate on motion of Mr Millhouse:

That, in the opinion of this House, the Government should investigate the allegations made by the member for Mitcham when speaking in the Address in Reply debate relating to bird smuggling and concerning the actions in which officers of the Department of Environment and Conservation and officers of the Federal Department of Customs and others were involved from 1972 to 1978.

(Continued from 11 November. Page 1833.)

The Hon. D. C. WOTTON (Minister of Environment and Planning): The Government opposes this motion. In renewing his attack on the National Parks and Wildlife Service and its officers and officers of the Customs Department as well, the member for Mitcham has come to rely heavily on letters from and to Dr Andrew Black, President of the Nature Conservation Society of South Australia, for support for his by now rather bare argument. The honourable member attempted to place some significance on the fact that a letter of May 1980 was not answered till November 1980. He did not tell members that in the meantime Dr Black had been given the opportunity to discuss the situation at that time with the then Acting Director of National Parks and Wildlife Service, Dr Barker. Dr Black was reminded of this in the letter of November 1980 and was told also that, because some of the issues raised would compromise legal proceedings in the Field case which was then current, I was not in a position to comment on them at that stage.

Members will recall that the member for Mitcham subsequently considered this as a good reason why he did not make earlier comment on these matters and for his advising Field not to make a statement during the police investigation. Apparently, though, the member thinks this was not sufficient reason for me, as Minister, to refrain from comment at that time.

The member for Mitcham then quoted at length from the letter of 24 August 1981, again relying heavily on Dr Black's rhetoric for background before coming to Dr Black's questions. He asserted wrongly that these were the questions put in May 1980 and were still unanswered in August 1981. The true position, if the honourable member is listening, is that of the six questions in the May 1980 letter, five related to the trapping and selling of birds by National Parks and Wildlife Service, authorised by the previous Government as a means of controlling pest species in the fruit growing areas. Only one question related to Operation Uncle.

The question asked in Dr Black's August 1981 letter was different in nature and context. It would appear that the member for Mitcham is not particularly interested in listening to all this. Whilst some related to the trapping programme I have mentioned, the main inquiries were regarding matters arising out of Operation Uncle. They were not still unanswered; rather they were being put for the first time. Again, the truth is that I did reply to this letter on 8 October in what I consider was quite reasonable time, although the member for Mitcham seemed to think differently. Had I replied earlier he probably would have regarded it as cursory.

In dealing with my reply, the member for Mitcham referred to it as 'generalities', but did not tell members that it was a letter in which I dealt in some detail with six of the questions and only deferred answering the final three and I believe that I gave a good reason for doing that. In attempting to highlight the fact that the final three questions (Nos. 7, 8 and 9) were not answered in detail, the member for Mitcham made light of the fact that Dr Black was in fact advised that, because these questions related to matters that had been raised in Parliament and required further comment in this House, it was considered that those comments should not be pre-empted in any reply sent to Dr Black.

For the sake of the member for Mitcham, I will answer those questions now. I trust the House will have patience while I do so, because they were previously covered in my statement of 28 October. However, the member for Mitcham, as is frequently the case, was not in the House at the time and has chosen to ignore the fact that detailed information was supplied in that statement. In question No. 7 Dr Black asked the following:

What exactly was Operation Uncle? How official was it? How and at what level did the Commonwealth Customs Department agree to co-operate with National Parks and Wildlife Service in this project? What did the operation achieve in terms of detecting central figures in wildlife and drug trafficking? How many prosecutions resulted?

The answers are that Operation Uncle, originally referred to as Operation Cicero, was an operation in which the National Parks and Wildlife Service and Customs combined to obtain evidence against persons involved in illegal trafficking in protected native birds. It involved B. J. Field and a Customs officer named Peter Harris trapping and selling protected birds with the knowledge and approval of certain National Parks and Wildlife Service and Customs officers, ostensibly to identify and convict the principal illegal traders. For the purpose of the operation, Peter Harris was known as Peter Hedges and posed as Field's nephew. Members will probably notice the irony in this name because hedges are usually associated with a field. Field's code name was 'Uncle' and Hedges was 'Nephew'. By common usage of these names the operation became known also as 'Operation Uncle'.

The operation was official to the extent that at State level various persons from the Minister down had some knowledge of it and had explicitly or tacitly sanctioned it. At the Commonwealth level, various Customs officers, including Mr Geoff Morgan, referred to as the Director of Investigations, were also involved and discussion with these officers took place in both Adelaide and Canberra. Customs officers co-operated in the exercise by advising on the inauguration of the operation and on the tactics to be used. One was detailed for work with Field in an undercover role for a lengthy period, and others took part in surveillance and other supporting operations and assisted in disposing of some of the trapped birds. It is also obvious from a study of various papers connected with the operation that, although the National Parks and Wildlife Service originally recruited Field as an informer, Customs had more control of the overall operation and stood to derive more benefit from it. When it was decided that the National Parks and Wildlife Service would officially withdraw from the operation, Customs continued to negotiate with Field. Some National Parks and Wildlife Service officers knew of this and continued to assist in the operation.

It cannot be said that the operation achieved anything outstanding in detecting central figures in wildlife and drug trafficking. There was really no suggestion originally that the detection of drug offenders might result from the operation. This might have been hoped for, and has been suggested subsequently, but it does not appear to have been part of the original plan, nor can it be said that any major illegal wildlife trafficker was apprehended. The only prosecution of any kind occurred in South Australia when Alan Patrick Walker was apprehended on 5 March 1975 at Murray Bridge in possession of 170 birds purchased from Field shortly before. He was later fined $200 with an additional penalty of $3 180. During the police inquiry it was revealed that Walker was a regular customer of Field and made a number of journeys to South Australia to

collect birds. It was also shown that the National Parks and Wildlife Service and Customs officers were aware of this and were waiting for Walker on the night he was apprehended. It seems that Walker was apprehended on this occasion to make the operation look good.

When considering the number of prosecutions that resulted from the operation, it should also be remembered that the purpose of the operation was not to detect the low level and intermediate trappers but to trace the pipeline through which birds might be being smuggled out of Australia and to identify and apprehend the main offenders. The purpose of the South Australian end of the operation was to feed birds into the pipeline for the purpose of obtaining this information. After the birds left this State and the relevant information was forwarded through the appropriate channels, the operation became a Customs matter. It is not known whether Customs achieved any further results from the information obtained during this operation. Question 8 asks:

In his part in 'Operation Uncle' how many birds and of what species did Mr Bert Field trap? How many did he sell; to whom, and for what price? Considering the duration and staffing of the operation, why it is that more information has not been obtained out of the venture.

The answers are that, in a sworn answer to interrogatories for his examination in connection with his action against the State of South Australia, Field stated that he had taken 2 126 birds and submitted a schedule showing the dates, numbers and species involved. The species included, mainly: Adelaide rosellas, rainbow lorikeets, musk lorikeets and purple crowned lorikeets that could have come from the Adelaide Hills area; yellow rosellas, red rump parrots, regent parrots, mallee ringnecks, blue bonnet parrots and mulga parrots that could have come from the Murray River and Mallee areas; Bourke parrots and Port Lincoln parrots probably from the Northern parts of South Australia; and a variety of finches, hooded parrots, Northern rosellas, red collared lorikeets and varied lorikeets probably from the Northern Territory.

Field also stated in his answer that all the birds taken were retained by him until such time as a parcel of birds was made up for sale. He added that he cannot estimate the value of the birds taken, as they were usually sold for considerably less than their market value. As part of another answer he provided a schedule of all the birds he had sold, the persons to whom he sold them, and the amounts received for each transaction. The schedule showed the total amount received as $12 934. Field had made a different estimation of the proceeds of these sales in an earlier answer but the later details were supplied in response to a request for further and better particulars and are therefore probably more correct.

Field listed 17 separate transactions involving eight different persons. Since Field is the only person who has full knowledge of these details and the only records relating to them, they cannot now be disputed. In still another sworn answer, Field stated that any sale money or any other consideration received on the sale of these birds was used by him to offset and defray expenses incurred by him in the course of these activities.

The real significance of these sworn statements relating to both the number of birds trapped by Field and the amount of money received by him for the sale of the birds, is that they show that all the trapped birds have been accounted for and that Field received all the initial proceeds. This in turn dispels any supposition that large numbers of other birds might have been involved and that other persons might have made huge profits in the initial stage. Since the trapped birds were not traced beyond the first contacts made by Field, it cannot be shown now what profits any other persons made. Furthermore, it is also clear that, in view of the investigation already carried out and the results achieved, no amount of further investigation will alter that situation.

There was a reasonable amount of information derived from the operation but not much was done with it. This could have been due to the fact that the operation was aimed at identifying the major figures in the illegal bird trade and it was felt that those contacted by Field were not at this level; alternatively, it might have been due to the inability of those concerned to take advantage of this information. There is really no way of now determining why more information was not obtained. Question 9 asks:

How many separate investigations were undertaken in order to sort out the various aspects of legal, unofficial and illegal trapping and trafficking operations? In view of the very considerable public expense, would it not be the height of folly for the department ever to become involved in trapping and trading again? Is it true that the police are highly indignant that charges which were laid by them were withdrawn after the case was opened? Is it not evidence of a huge waste of public resources that such time consuming and expensive investigations should lead to so little? Or if it has led to more than we know, is the public not entitled to be informed or at least reassured?

The answers are that there have been two operations conducted in relation to various aspects of bird trapping and trading operations.

The first was conducted by a Crown Law officer and dealt with the trapping operations conducted by National Parks and Wildlife Service from July 1976 to December 1977, and some other internal matters. The results of this investigation were dealt with in this House in a statement by the then Minister on 22 March 1978. The second was conducted by the police and dealt with every conceivable aspect of Operation Cicero, or Operation Uncle as it became known. I described this investigation in some detail in my statement in this House on 6 August and referred to it again on 28 October. This investigation involved both State and Federal police and extended to most States of Australia. It is difficult to understand why anyone who is aware of the scope of this investigation could now reasonably demand yet another one. It is interesting to note that the member for Mitcham still does not appear to be taking much interest in this matter.

Mr Millhouse: Well, you're so dull.

The Hon. D. C. WOTTON: Well, it was the member for Mitcham who raised the matter in the first place, and I thought he might have been interested in the answer. On a matter of future trapping, Dr Black has already been told in my letter to him on 8 October 1981 that the Department is not at present involved in any trapping programme and has no plans for becoming involved in the future. The member for Mitcham is wrong in asserting differently unless he is referring to the isolated event in which the National Parks and Wildlife Service assisted in acquiring six pelicans for transfer from the Coorong to a bird park in Tasmania. This park is being established as a tourist attraction with the full knowledge, approval and co-operation of the Tasmanian Government and National Parks and Wildlife Service.

I really cannot comment on whether the police are highly indignant that the charges laid by them were withdrawn after the case had opened. There has certainly been no expression of indignation from the Police Department. I do not know what the attitude of the officers concerned was or whether it amounted to indignation. All I can say is that in my discussion with the Commissioner, Mr Draper, he advised me that in his view further investigation would be pointless. Dr Black's letter of 24 August 1981 then draws attention to the huge waste of public resources on such a time-consuming and expensive investigation that led to so

little. It is difficult to understand why this is quoted to support a motion that there should be another investigation which can only lead to the same result. The rest of the letter only reiterates what has already been dealt with and repeats that consideration should be given to the initiation of a further inquiry, which of course would be useless.

The member for Mitcham then came at last to my reply to these questions in my letter of 8 October 1981 and blandly dismissed it as generalities. What he did not say was that this was only part of a detailed letter giving quite comprehensive answers to six questions and only deferring answers to those three questions for the reasons given previously, that is, because I considered it proper as the Minister concerned that any remarks I had to make on matters that had been raised in Parliament should be made in this House before they were made to anyone outside the House. In the circumstances this was an adequate reply. The member for Mitcham also omitted to tell members that Dr Black was assured that if there were any matters still concerning him after I had made a statement in Parliament I would meet with him to discuss them further. The next comment by the member for Mitcham is something of a distortion of the facts. He said:

> The Minister, having said in his answer to me that he was going to have a full inquiry . . . but has persistently refused to do so.

What I did say on 5 August was:

> I will investigate the series of allegations made and bring down a report when appropriate.

I placed equal emphasis on the investigation and the report. I did not use the term 'full inquiry'. I have in fact done what I undertook to do. I conferred with representatives of the Police Department and the Crown Law on the extent of the previous investigation, the result achieved and the advisability of any further investigation, and on 6 August I made a statement to this House on these matters. On 28 October, I made a further statement in this House which should have satisfied anybody regarding these matters except those who simply refuse to be satisfied.

The member for Mitcham then referred to a letter from Dr Black to me dated 9 November. Members will recall that this was on 11 November, and I found it ironic that he should be quoting from a letter to me that I had not received by that date. It is a wonder he did not complain that I had not replied to it. In this letter Dr Black asked why (if nothing criminal did occur) it was necessary for police inquiries to be so huge when the lesser alternative of a few simple questions to Mr Broomhill might have been sufficient. I think this question partly answers itself. How else could it be decided whether or not something criminal had occurred without an inquiry? The holding of this inquiry and the scale of the inquiry were decisions of the previous Government. It can only be assumed that they felt that this was the only way to discover what had really happened. I must say that as thing stood then this was probably the best course. Mr Broomhill was a member of that Government, and any information he had would have been readily available, but apparently it was decided by that Government that questions to him alone would not supply the answers being sought.

Dr Black then wrongly assumes that the conspiracy charges arising from this inquiry depended entirely on the witness of one person. He is probably referring to Mr Field. The fact is that the prosecution brief for these charges included the statements of a number of persons other than Field, who up to that time had refused to make his evidence available on the advice of the member for Mitcham. Field's evidence would have been included in the prosecution brief had it been available, but even so the end result would have been the same.

The next quote from Dr Black's letter used by the member for Mitcham and relating to the presence of bird trappers in the department, and the department's continued interest in the use of trapping as a method of control over problem species, refers to another trapping programme about which he has some strong feelings. This other programme was not connected with the operation we are discussing here, although Field was involved in both these operations. It was a programme instituted and operated with the full knowledge and approval of the previous Government as a means of controlling pest species in the fruit-growing areas. This programme was the subject of another inquiry which resulted in five National Parks and Wildlife Service officers being reprimanded, not all in connection with this programme, I might add. These reprimands constituted disciplinary action, and no further action can now be taken against those officers. Dr Black has been told of the outcome of that inquiry and that no further action can be taken. This inquiry was also dealt with in this House by the then Minister, the member for Hartley, on 22 March 1978. It should not be confused with the matters we are now discussing.

The final quote from Dr Black's letter by the member for Mitcham questions again why only one prosecution resulted from Operation Uncle. This was because the main purpose of the operation was to identify and to apprehend the top-level offenders, and none of those contacted by Field was considered to be at this level. The person arrested was a fairly regular visitor to South Australia to buy birds from Field. Dr Black then expresses the opinion that it is incomprehensible that so little was achieved. I would agree with him on that point and can only add that this was a reflection on the ability of those involved to take advantage of the operations they had started.

There is also a query whether further prosecutions should follow now on the basis of the evidence that must have been obtained. It must be remembered that, if in fact Field was operating under the protection of permits issued by the previous administration of the National Parks and Wildlife Service, the birds he sold were not illegally acquired. If the person to whom he sold the birds had permits to buy or keep birds—as some surely did because they were licensed bird dealers—they, too, would not be committing an offence. Those without permits would possibly have committed breaches of the National Parks and Wildlife Act. If this is so, there is a time limit of 12 months for laying charges under this Act. Therefore, even if the evidence showed that offences against this Act were committed, prosecutions cannot now be undertaken, because of that limitation of time. The conspiracy charges were not subject to the same time limit.

I notice that the member for Mitcham did not quote a part of Dr Black's letter that suggests that Field might have had a degree of cunning which was underestimated by a number of persons, including, I suggest, the member for Mitcham himself. In effect, he is saying that Field might be hoodwinking his own champion. I will leave members to answer that for themselves. Regarding the member for Mitcham's assurance that Field will co-operate with anyone and with any inquiry, I would direct members' attention to the passage of my statement on 28 October relating to an interview with Field already conducted by Crown Law officers. As stated then this interview was futile. Field merely said that he had no more information than he had given the police and that he had not told the member for Mitcham that he did have any such information. Surely this does not justify a further investigation as proposed by the member for Mitcham. The member for Mitcham raised two separate batches of questions on his

own behalf and I will answer them in the sequence in which they arose.

1. Assuming that this first question refers to Operation Uncle, those considered responsible were the two National Parks and Wildlife Service officers and three Customs officers who were charged with conspiracy and whose identities are already known to the member for Mitcham. Regarding the propriety of their actions, I can only say that at least in the initial stages they were acting with the knowledge of the previous Government and the previous administration of the National Parks and Wildlife Service and the charges subsequently laid against them could not be substantiated.

2. In regard to the query about a cover-up, I point out that the department was prepared to have everything discovered in the investigation revealed in the open court during the conspiracy charges. This would then have been available for full publicity in all branches of the news media. Since these hearings did not proceed, the department has been prepared to answer any queries it has received and I have made two statements in this House in relation to what went on. I suggest that this does not amount to covering up these matters.

3. The only person known to have received any money from the sale of the trapped birds is Field. In sworn answers to questions asked and prepared for his examination in his action against the State of South Australia, Field stated that he retained all the trapped birds until they were sold by him, or on his behalf, and that he received all the proceeds of these sales and expended them on further trapping activities. There is no information available regarding what happened to the birds after they were delivered to Field's first contacts.

4. The birds were only traced to the first contact after Field.

5. The operation was a failure to the extent that it failed to achieve its main objectives, namely, to trace the illegal pipeline through which birds were being passed and to identify and apprehend the main illegal traders and exporters. Apparently it was considered that those contacted by Field were not major figures and the operation was continued in the hope that something better would turn up.

6. It is not correct to say that Lyons' transfer to another department was the only thing that brought the matter to an end. The Department of Environment's involvement in this operation had officially ended a long time before that but the Customs had continued to use Field in an undercover role and with the unofficial knowledge and co-operation of Eves up until the time Field was reported for breaches of the National Parks and Wildlife Act.

In his second batch of questions the member for Mitcham covered some of the same ground and I have to be repetitive in dealing with them.

7. As I have already said, the trapped birds were only traced to the first contacts after Field. This was in fact the purpose of the South Australian end of the operation—to feed birds into the system. It was the Customs responsibility after that. There is no information available regarding where they went after that, or where they ended up. Some of the persons to whom the birds were sold were wellknown bird dealers operating on the domestic market. A lot of the birds would have been absorbed into the local trade and some might have gone overseas. Tracing any illegal export of these birds would have been a Customs responsibility. As far as can be ascertained none was traced.

8. There were not more arrests made because the main purpose of the operation was to identify and apprehend offenders at the top of the illegal trade. Apparently none of those contacted by Field was considered to be at that level.

9. Briefly, the police investigation showed that by agreement between National Parks and Wildlife Service and Customs, Field and Hedges trapped protected birds for sale to others involved in the bird trade with a view to tracing the pipeline through which the trapped birds were passing and to identify and apprehend the central figures in any illegal trafficking and exporting of birds that might be going on. To protect these two the then Director and Senior Inspector arranged for permits to be issued to cover their activities. This was also to preserve their cover as undercover agents. The trapped birds were sold by Field, or by others on his behalf, to a number of persons. Field admits receiving the proceeds of all sales. Only one of the persons who obtained birds from Field was arrested.

As a result of the investigation two National Parks and Wildlife Service officers were arrested in Adelaide, two Customs officers were arrested in Western Australia and subsequently extradited to South Australia, and action was commenced against another Customs officer in Canberra. The outcome of these actions was discussed in my statement in this House on 28 October. A lot of what I have said should not be news to the member for Mitcham because after all he first raised this matter after the central figure in it, Field, had gone to him first as a confidant and later as a legal adviser. Consequently, he was in a position to obtain, earlier, more knowledge of the whole affair than anyone else, even the police. A lot of it would have been part of the brief on which he was prepared to go to court on behalf of Field. If that action had proceeded to a hearing he would have presented this evidence as being true in every detail, and would no doubt have argued so with what could be described, I guess, as his usual vigour.

It cannot be denied that there were some mistakes and errors of judgment made in this affair, but this could have been due to an over-abundance of enthusiasm and a wish to do something spectacular in combating what was believed to be an extensive bird smuggling racket rather than due to any deliberate intention by those involved to do anything illegal.

The Department of Environment and Planning is aware of the errors for which previous officers were responsible and it is for this reason, and to ensure that nothing like this happens again, that it is upgrading its Law Enforcement Section and has reviewed other procedures relating to the issue of permits. I have told members of the very comprehensive investigation that has already been carried out by police throughout Australia regarding this matter. I can only assure members that every aspect of this operation has been explored. I again assure members that the only action that could be taken as a result of this investigation was taken, but owing to the circumstances that existed at the time the operation was in progress, that action foundered in the court. It is almost certain that the result would be the same if any further investigation is undertaken. It would therefore be futile and unnecessarily extravagant to again put the State to such an expense.

I urge members that, having regard to all the circumstances, the only realistic thing to do is to acknowledge that errors have been made in this affair that cannot now be altered at this stage by further investigations and then do everything possible to ensure that nothing like this occurs in the future. After studying all available documents relating to this affair, I am convinced, and I am supported in this by legal officers, the police and departmental officers, that no good purpose will be served and no different results would be achieved by any further investigation. I oppose the motion.

The Hon. D. J. HOPGOOD (Baudin): I propose to speak very briefly about this matter and then seek leave to continue my remarks. In doing so, I apoligise to the member

for Mitcham for the fact that that course of action will prevent this motion from going to a vote today. The Labor Party wants this to go to a vote; we do not think that we should run away from what is contained in the motion. We find it a little difficult to understand why, in fact, the Minister is being so defensive and why he has been so defensive all the way along.

This matter spans the Ministries of five people, beginning with that of my former Parliamentary colleague, Glen Broomhill, then that of Don Simmons, a former Parliamentary colleague, then that of the present member for Hartley, Des Corcoran, who I understand is very keen to see some further inquiry take place on the matter, then that of a member of another place, the Hon. John Cornwall, and now that of the present Minister. I do not believe that any of those Ministers has in any way acted improperly. I believe that they have operated on the best advice available to them, but some very strange things have happened and I do not believe that they have been adequately explained.

Mr Field, of course, is not unknown to me. It has been explained why he sought not to speak to me about these matters, because he felt that it may have been of some embarrassment to the Labor Government; in that I think he was mistaken. Had he approached me about the matter, not only as a constituent but also, I understand, as a person who has been a lifelong Labor voter, I would certainly have taken up the matter with a great deal of vigour with those who were then my Cabinet colleagues.

He sought to travel a different path and I do not blame him for having done so and I do not think one could criticise the vigour with which the member for Mitcham has sought to keep this matter before the public notice and before members of this Chamber. I would like the opportunity to consider in greater detail the Minister's remarks delivered this afternoon and I will be seeking to do so, but I do make the point that the Labor Party is anxious that there be a vote on this matter before this session ends. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

PUBLIC EXAMINATIONS BOARD

Adjourned debate on the motion of Mr Millhouse:

That in the opinion of this House, the Government should immediately institute an independent inquiry into the policies and activities of the Public Examinations Board with special reference to the methods used by it in the assessment of the results of the Matriculation examination.

(Continued from 11 November. Page 1834.)

The Hon. H. ALLISON (Minister of Education): I oppose this motion, if for no other reason than that the Government is already doing and for some time has been doing something about the issue raised in this motion and about other matters that were also canvassed in the speech made by the member for Mitcham, who moved the motion. The comments that I have received over the past two or three weeks have been addressed much less against the Public Examinations Board than against the member for Mitcham because of the abyssmal timing for the bringing forward of this particular topic.

Mr Millhouse: You think it would have affected the examination results, do you?

The Hon. H. ALLISON: I do not know, but you affected some of the students, according to allegations I have had quite repeatedly over the telephone. If people are concerned enough to ring, then I suspect that students are concerned about the issue that places the end result, the examination results, in doubt, at least as far as the member for Mitcham is concerned.

He chose a time when the public examinations were about to come into full swing, and if his intention was to destroy the confidence of the students in the public examinations system, I doubt that he could have chosen a more opportune time and method to do that than to raise it in this most important court in the State, the Houses of Parliament. I would like to think that that was not his intention, because contained within his address was a duality of purpose. I think he claimed that he was at a loss as to what to do: perhaps if something else were being done, such as the abolition of the Public Examinations Board and the establishment of something else in its place, that may be a bettter end than the motion he sought to bring before the House.

Three years ago at least the previous Government commissioned what came to be known as the Jones Report, which was intended to be a searching inquiry into the Public Examinations Board and its activities with a view to some restructuring, no doubt. That document was placed before me in September 1979 with a suggestion that something might be done in the near future. Why was nothing done immediately? Perhaps I could quote a few—

An honourable member: Why don't you answer the question?

The Hon. H. ALLISON: I am going to answer the question. It was a rhetorical question. Julius Caesar had nothing on Mark Antony, was it? I come not to bury the Jones Report but to comment on it. I am going to mention to the House some of the criticisms addressed to the Jones Report because they will at least set the scene and present the reason for my not acting immediately.

Mr Millhouse: Are you going to tell us that you are going to do something now?

The Hon. H. ALLISON: I will get around to that in 40 minutes. Among the various reactions was that disappointment was expressed at the report's scant consideration and consequent rejection of the concept of graduation as presented to the committee by the Education Department Directorate in its major submission.

Disappointment was also expressed at the report's scant consideration of the concept of unitised courses, courses of different lengths and having different 'values' awarded them. A brief mention of this concept again was made in the Education Department's own submission.

Another criticism is that there was inadequate consideration of the complexities (and this, I think, is the point to which the member for Mitcham paid a large amount of attention) of monitoring and moderating school performance, particularly in s.s.c.-type subjects, the internal certificate. Criticism was levelled at the naivety of the committee's expressed opinion that a single certificate would reduce the influence of Matriculation subjects on the earlier curriculum in the schools. Some cynicism was expressed.

It was also felt that the new year 12 curriculum, more homogenous as there will be only the one certificate (the P.E.B. recommendation was that the internal certificate and the P.E.B. be welded into the one certificate), would probably exert an increased influence on the earlier curriculum, but I believe that matters of that nature are pure conjecture. The system would have to be put into operation before any proof were established.

Critics also felt that, given that the P.E.B. of South Australia would have control of and a deep involvement in the development and assessment of all P.E.B. of South Australia courses, the proposed permanent P.E.B. staffing arrangements were inadequate for the effective functioning of those tasks.

Briefer concerns were also expressed and I will summarise some of them. The necessary number of year 12 subjects that a student could take was simply not addressed by the

Jones Committee, nor were the advisable or prescribed combinations of year 12 subjects; nor was the acceptance by tertiary institutions of year 12 subjects not on the universities' Matriculation statutes; nor was the question of whether there would be a continuation or a spill of existing syllabuses on the implementation of the new scheme. It was questioned whether the committee had addressed the structure of the subject committees and whether they were meant to be separate subject committees for each subject or for each syllabus, and the attendant consequences of a decision either way have not been examined.

There were some questions as to whether sufficient detail had been given to the decision-making as to whether there would be more than one syllabus or more than one course in a subject. There currently are, for example, in mathematics, music and history. These reservations are just a few from one group of people. There were far more. This whole file is an extensive document of criticisms of the Jones Report. The points were so comprehensive and wide-ranging that I was reluctant to implement the Jones Report, even in part.

Members will realise that one of the initiatives taken by the present Government, through the Minister of Education, was the Keeves Committee of Inquiry into Education, which was asked to look into the Jones Report as one of its fields of inquiry. It has reported, but we still feel that there are a number of questions to be answered, even after having perused the Keeves Committee recommendations, because it, too, has not addressed some of the points that were left in doubt even in the Jones Report.

One of the things that we have done, a direct outcome of the Keeves Committee recommendations, was establish that small Office of the Ministry of Education whose duties are generally to look at educational affairs outside the Education Department and Department of Further Education. One of the duties which was allocated to that small office was to take up this whole issue of the Jones and Keeves Reports with the various complaints and questions which have been addressed to the office through the member for Mitcham and others and to come up with some detailed analysis, including a number of issues which have been raised in criticism but which have not been addressed in the reports.

So, currently we have that small group inquiring, with the help of a number of other people in the general community, in the academic community in Adelaide, at the C.A.E.'s, universities and the Institute of Technology. I do not know whether the member for Mitcham has independently submitted a constructive criticism with positive suggestions as to what we might do, or whether he is simply delegating that responsibility, as most of us tend to do. That delegated responsibility currently rests with the small office of the Ministry of Education. I would like to reassure the honourable member that we anticipate that some positive constructive suggestions will come forward in the near future.

Mr Millhouse: What is the near future—in 12 months time?

The Hon. A. ALLISON: No; it means that we are looking at implementing something new, which may not be radical and revolutionary, as I do not know whether that is needed, in all probability for the 1983 student year. Certainly, very little can be done in the 1982 year, because the curricula and examination procedures are already established for that year, so it would be some time in 1983 for the 1983 student year when something positive could be announced.

Mr Millhouse: Are you going to shake up the Public Examinations Board?

The Hon. H. ALLISON: I ask the honourable member to restrain himself because, as I said, I am still awaiting a final report with positive suggestions and recommendations which can be taken to Cabinet and possibily, in the new year, brought before the House. Because, if there is any restructuring of the Public Examinations Board or system that will require a new Act of Parliament, of which the member would be well aware. The background information made available to the present Minister over the past two years, including the final Keeves Report, which still has to be brought down towards the end of this year, in the near future, will also be considered by that small group. The honourable member has asked for an independent examination. I would like to think that the small group of the Ministry of Education is relatively independent. The Director has not been directly associated with the education system for some considerable time. He has been associated with a number of other Ministries and is utilising the collective skills from the general community. I think he will come up with some very workable and positive suggestions which the House will have to consider in due course.

I would like to refer to one or two other matters: I criticise the member for Mitcham for the way in which he also introduced the names of people. I do not intend to repeat the names of the student and his parents to whom he referred.

Mr Millhouse: I did not mention their names.

The Hon. H. ALLISON: The Public Examinations Board was well aware of the people. As I said, I am not going to refer to their names specifically, but it is unfortunate that the honourable member chose examples in isolation. I believe that to some extent he has breached confidence in things that he has said in the House and outside in the press, to the extent that I certainly will not repeat them, even under the privilege of the House. I think it is unfortunate that there has been a degree of nit-picking and also some attacking of the staff of the Public Examinations Board who themselves have written individually, and the Secretary of the Public Examinations Board has written on their behalf, again confidentially. I do not propose to repeat the contents of the letter to the House; they are in confidence. It concerns me that such public servants have to be taken to task in that manner when they are defenceless and do not have the opportunity to come out in public or in the House to defend themselves.

Mr Millhouse: What did I say that is critical of members of the staff of the P.E.B.? I am still mystified about that.

The Hon. H. ALLISON: It was in the final paragraph of the honourable member's *Hansard* statement:

> My suspicions are that there are some people in the P.E.B. who are not running it as it should be run.

The staff felt they were being criticised in comments like that. There were other things too.

Mr Millhouse: That is a very mild thing to say, I would have thought.

The Hon. H. ALLISON: That was just the concluding statement. Mild as it may have seemed, the full transcript of the honourable member's speech was sent to me with considerable ire by the staff and secretary of the P.E.B.

Mr Millhouse: With red pencil here, there and everywhere?

The Hon. H. ALLISON: Not red pencil, but it is black and white and can be taken as read! I simply reassure the House that in opposing this motion—

Mr Millhouse: You are opposing the motion?

The Hon. H. ALLISON: I most certainly am. A separate inquiry is currently under way. It is building on the reports of the Jones Committee and the Keeves Committee. I suggest that yet one more inquiry could only stall off what we would like to bring in.

Mr Millhouse: You are not suggesting you are really getting ready for action, are you?

The Hon. H. ALLISON: I suggest that, if the honourable member waits for a few more weeks, he will see something productive and constructive emerging as a result of that proliferation of reports on this subject.

Mr Millhouse: And my motion.

The Hon. H. ALLISON: I am pleased that the honourable member chose to refer to his motion, because it is only two or three weeks old and I think he would conclude that the amount of work—

Mr Millhouse: I think I have given you a bit of a hurry-up, you know.

The Hon. H. ALLISON: The documentation we are holding is some 2 inches thick; to suggest that the member for Mitcham has been directly responsible for such a massive compilation is more than the average body and soul can take. The Education Department, the academic staffs of the universities, the C.A.E.s and the South Australian Institute of Technology have all expressed considerable concern, for a variety of reasons, about the nature of the public examinations system itself. All of those concerns have been taken into consideration by the committee, under Mr Barry Greer, Director of my Ministry of Education.

Mr Millhouse: Change your mind and say you are going to—

The SPEAKER: Order!

The Hon. H. ALLISON: Among the concerns expressed by the P.E.B. officers, and I am sure they told the member for Mitcham about this, is their feeling that for nearly three years they have been subjected to unwarranted criticisms of their work by certain people who are either ill informed or deliberately distort factual information to suit their own purposes.

Regarding the integrity of the member for Mitcham, in further communications received I was informed that the writer was extremely disappointed in the honourable member's lack of integrity in raising in Parliament the case he raised to support his allegations against the board and its staff. The allegation is that he breached a confidence which, according to the written record of the telephone conversation of 13 February, the honourable member clearly understood to be the nature of the discussion on that day. Members of this House are not unused to the member for Mitcham breaching confidence in that manner. In fact, almost anything that he lays his hands or his ears on can be guaranteed to be regurgitated in the House of Assembly at some date. He is lacking in scruple in so far as anything which is heard or received is liable to be brought before public scrutiny. Confidentiality is very rarely observed. I think the P.E.B. will have learnt the hard way.

Mr Millhouse: They will be proud of you after this.

The Hon. H. ALLISON: I am quite sure they will. In conclusion, that is not to say that the present Minister of Education is completely satisifed with the state of affairs. I am well and truly aware of the criticisms that have been addressed to the systems.

Mr Millhouse: Valid criticisms!

The Hon. H. ALLISON: The honourable member says 'valid criticisms'. I think the validity of those criticisms will have been tested in the Jones crucible and the Keeves crucible (or should it be anvil?) and finally it will be hammered out in the House of Assembly, the rightful place for—

Mr Millhouse: I think you are mixing your metaphors a bit.

The Hon. H. ALLISON: They are well-mixed metaphors. I oppose the motion.

Mr LYNN ARNOLD secured the adjournment of the debate.

BEVERAGE CONTAINER ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 November. Page 1845).

The Hon. D. J. HOPGOOD (Baudin): The Labor Party opposes this Bill and, in doing so, I believe that we are being quite consistent. The Labor Party, of course, has been very closely associated with deposits on beverage containers ever since my former colleague, Glen Broomhill, initiated this, so far as the Ministry was concerned, many years ago. It may come as a little surprise for some people to hear that we are opposing this legislation. I think I should set out for the benefit of the House, without lots of involved statistics and that sort of thing—although, of course, I could have produced them if I had wanted to—simply the policy basis on which we have always proceeded, so that honourable members can see what I would discern as the consistency in our policy.

One has to distinguish between reusable and recyclable and non-recyclable containers. Obviously, from an environmental point of view, the preferred type of package is the reusable container, and the least preferred type of package is the non-recyclable container, with the recyclable container being somewhere between those two. What we have endeavoured to do in Government and, by some degree of subtle pressure, in Opposition, has been to ensure that a deposit system should operate in relation to those beverage containers which are non-reusable. I would not suggest that Government has gone as far as it can in that area. I think that there may be some way to go, although we were aware, of course, that the Minister has expanded the ambit of his control recently, and I congratulate him on that decision that was taken. Maybe we can go further, but we are talking here about non-reusable containers. Re-usable containers are environmentally the preferable option, and they are, by the very nature of the beast, subject to a system run by the industry itself. It would be remarkable if they were not, because otherwise why use a reusable container if you are not taking advantage of that intrinsic nature of that container?

That in itself is not sufficient to exempt in our eyes that type of container from the sort of Government control that has been placed on the recyclable or non-recyclable type of containers, the non-reusable containers, because there has to be a second condition that is met. The first, as I say, is that the container be reusable; the second is that there be a high rate of return. I would submit to the honourable member who, in all good faith and with a good deal of idealism, has introduced this measure, and to the House as a whole that those containers at which he is aiming this legislation satisfy those two criteria, and that should be left to the industry to continue in the way in which it is going. We are talking about reusable containers, and about a system which seems at present to be working fairly well. Figures have been quoted in this debate, and the member for Flinders would be aware of them.

It is not our desire simply to take whatever information the industry comes up with in this matter. I believe that we should continue to be as vigilant as we possibly can. Recently in this House I asked a question of the Minister in relation to the present industry administered system so far as soft drink containers were concerned. I was not altogether happy with the response of the Minister on that occasion. I think that he should be asking his department to look a little more closely into some aspects of that system, and particularly at what happens in the retail store. But, nonetheless, the Minister has a point: there is not wholesale public outrage at this stage on the matter. We just get complaints from time to time that a retail storekeeper has

refused to take back bottles or has knocked off a 5 cents handling charge, or something like that. I am saying that, if there were widespread evidence of that sort of breakdown in the system, we would be calling for the soft drink bottle to come under the umbrella of the legislation that currently applies to the can, P.E.T. bottles, and that sort of thing.

The same is true for the containers of which the honourable member speaks here. He would be aware that it was under a Labor Government that the beer industry, the brewery, was encouraged to go to the echo bottle as the smaller container, so that they would then be in a position to have two sizes of bottles, both of which were reusable, both of which would be subject to an administrative arrangement which could be run by the industry itself. I think we have a little way to go with the echo bottle. The rate of return is not as high as it is with the larger bottle, but I believe that there has been significant improvement.

The other thing I would say is that I do not think we should be mesmerised by some of the information we get from other parts of Australia in respect to this. South Australia is different, and it is different because of the initiatives that have been taken by Governments during the 1970s. I have a book before me that has been read quite widely by people who have some concern for waste management: It is *Recycling—Is it the Solution for Australia?*, written by Mr E. N. Pausacker, who I know has had correspondence with my colleague in another place, John Cornwall, both when he was Minister and since. There are statistics which I will not read into the record at this stage (I do not know that I need do any more than simply summarise), on page 25 of that book which show a rather unfortunate trend at least in the early 1970s as between returnable bottles, cans and non-returnable bottles in three States—New South Wales, Victoria and Queensland—with the returnable bottles representing a declining percentage of use in the industry and cans and non-returnable bottles representing an increasing percentage. That has to be a cause of considerable concern.

South Australia is different. It is different because we have this legislation. I congratulate the Government on the fact that it has been prepared to use the legislation. I think there were those people who confidently predicted that, at the change of Government, the legislation would be at an end. I am sure Gadsdens thought that the legislation would become null and void under a Liberal Government, and they got a shock. Our prime concern is for the integrity of that legislation. The present Minister protected that legislation in the decision he finally made in relation to the P.E.T. container. He took a long time to make it, but, to give him his due, it was done.

So, to return to the Bill before us, I do not want to trot out all sorts of statistics that could be trotted out. For the most part, they have been made available to this House in this and in previous debates. I just make the point that in this we are talking about reusable containers and we are talking about containers on which the return rate is sufficiently high to suggest that the industry should be able to continue to operate in the way in which it has. Should there be a movement back to non-reusable containers on the one hand, on the other hand should there be a sufficient decline in the return rates, I think I can promise honourable members that there would be a significant change of attitude on the part of my Party. Fortunately, that is not happening, so, consistent with what we did in November, we oppose the Bill.

Mr RANDALL secured the adjournment of the debate.

A.L.P. CONVENTION

Adjourned debate on the motion of Mr Mathwin:

That this House condemns resolution passed by the Annual State Convention of the Australian Labor Party which reads: 'That this convention endorses the 35-hour week campaign being conducted by the A.C.T.U. and calls for the State Parliamentary Labor Party and endorsed Labor candidates to conduct a supportive campaign throughout the community.'

(Continued from 18 November. Page 2046.)

The Hon. J. D. WRIGHT (Deputy Leader of the Opposition): I do not intend to take up a great deal of the time of the House on this mischievous motion (because it can be described only as mischievous, without any question). It is farcical and of course it is consistent with what the member for Glenelg has been doing over the 10 or 11 years that he has been a member of this House. I think that the member for Glenelg would be much better served if he devoted his time to his constituency, rather than to reading A.L.P. policy papers and then coming into this House and trying to be mischievous by moving such fanciful motions as this. Nothing could be truer than the fact that the member is being mischievous. The motion states:

That this House condemns the resolution passed by the Annual State Convention of the Australian Labor Party which reads: 'That this convention endorses the 35-hour week campaign being conducted by the A.C.T.U. and calls for the State Parliamentary Labor Party and endorsed Labor candidates to conduct a supportive campaign throughout the community.'

I am prepared to say that the member for Glenelg does not even know what the A.C.T.U. campaign is, whether it is a reasonable campaign, a bad campaign, or whatever, because I would say that he has never read the policy of the A.C.T.U. in this regard. It is a very competent and responsible approach that the A.C.T.U. has taken to the organisation of shorter hours in this country, there can be no question about that.

However, the member for Glenelg likes to live in the past. He likes to be supportive of the employers and those conservative politicians who for many years have been putting forward the same arguments about the reduction of hours in this country. Let me quote from an Arbitration Court judgment of 1947, some 34 years ago, which states:

It has been the historic role of employers to oppose the workers' claim for increased leisure. They have opposed in Parliament and elsewhere every step in that direction. The argument has not changed much in 100 years—

that is the court talking—

Employers have feared such changes as threats to profits, a limitation on industrial expansion and a threat to international relations.

That was being said 100 years ago and is being said now by archaic men like the member for Glenelg, men who are living in the past, who have not brought themselves up to the present day situation, who would like to extend the hours of the workers. I suppose that if the facts were known about the member for Glenelg and his attitude to this matter, he would want to extend the hours from 40 to 44 or even 48. Why does the member not come clean? Why is he not honest about this rather than being mischievous about a resolution passed at a conference of the State Australian Labor Party which has nothing whatsoever to do with him? He ought to keep his nose out of our conference decisions.

Perhaps we can take this matter a little further by informing the House how inconsistent and mischievous this member is. I have a document here which states, 'Your Government is helping unemployed South Australians to find a job.' There is a message from the Minister of Industrial Affairs in the document. I do not know how many people

have seen it but no doubt it has had great circulation at Government expense, publicising the policies, aims and ambitions of this Government. I will not read the message from the Minister but under the heading 'Why don't you too?', it states:

Do yourself a favour: Check how the Government will help you if you help a teenager. The Government is making generous pay-roll tax incentives to encourage employers to take on extra teenagers.

Dr Billard: Don't you think they should?

The Hon. J. D. WRIGHT: I certainly do. I support this document. However, I want to know from the member for Glenelg when I finish with the document whether he supports it in its entirety. It states:

Higher base level for tax: The level at which payroll tax becomes payable is raised from $66 000 p.a. to $72 000 p.a.

How to apply details will arrive automatically with your first return after December.

Special exemption from pay-roll tax—

a very interesting part of the document—

Pay-roll tax will be waived for extra employees who are: under 20; taken on after 1 October 1979; and, employed full-time (at least 35-hour week).

The last point is the crunch. Here is this ironical motion being brought into this House, being recognised by the Government, and yet 35-hours a week is sufficient time, according to this document, to employ anyone. It is not only sufficient time to employ them but, in fact, the Government will give pay-roll tax rebates for doing that. How hypocritical can you be? How hypocritical can the member for Glenelg be and how mischievous can he be when he brings in this type of motion? How serious can this man be? He is not serious. He treats this place like a plaything; it is like a big circus to him, and he is just one of the players. In fact, he is one of the clowns if he carries on in this way treating the House with absolute contempt.

Let me give some of the facts. I am not going to waste a great deal of time on this, but whether or not the member for Glenelg has caught up with the facts, productivity movements are occurring all over Australia; agreements are being reached on a reduction of hours all over Australia; and by the time the honourable member wakes up to himself there will be a 37½-hour or 38-hour working week. If my figures are correct (and they are taken from the A.B.S. labour force, August 1981 figures), already 44 per cent of people in Australia are working less than a 40 hour week. Some are working 36 hours a week, some 37½, and some 38 hours. There is a trend towards a reduction in hours as there is a trend all over the world to a reduction in hours in these areas.

Mr Lewis: Not on the farm.

The Hon. J. D. WRIGHT: Not on the farm; that is an excellent interjection. We know what farmers do to their workers; they work them until they drop. I can cite to the honourable member many such cases. In fact, there was a member in this House once whom I had to prosecute for not paying his employee the correct money for the hours worked. Go down to the A.W.U. office and see how many complaints they get; if you want the evidence, go down and see Alan Begg about the prosecutions.

Members interjecting:

The Hon. J. D. WRIGHT: It would be well for you to leave the farmers out of this particular argument. I believe, while we are on that subject, that station hands have been treated very badly in this country by the courts and even by my own union. I do not think my union has fought strongly enough for a reduction of hours for the farm hands and the station hands of this nation. I believe that they have been treated very badly, and they are a long way behind the hours worked by other people. There is no seriousness about this motion. The honourable member is being completely farcical, he had intention of making the matter a serious one when he moved this motion. I am quite serious when I say that he would best serve by devoting more of his time to his own constituency and less time in reading the platform of the A.L.P. The Opposition intends to oppose this motion.

Mr EVANS secured the adjournment of the debate.

CASINO BILL

Adjourned debate on second reading.

(Continued from 18 November. Page 2051.)

Mr CRAFTER (Norwood): This Bill does not warrant a long debate. I oppose the measure. I believe that it is an exercise in publicity-seeking by the honourable member who introduced it, and it is ill conceived in seeking to establish an authority to control the proposal to extend forms of gambling in this State. I believe that this is a responsibility of an elected Government, not of a private member, and it is an indictment on the Government that it has not chosen to address itself to this issue and come out with a clear statement of policy on this matter.

There is a conflict within the Liberal Party and, indeed, within the Parliamentary Liberal Party on this matter. On the one hand, we have conflicts between the Treasurer, who undoubtedly would like to see some further revenue accruing to the State from this area of gambling, and the Minister of Tourism, who outrightly opposes the establishment of a casino in South Australia. It is a moral issue, and it has raised a great deal of interest in the community from those people who are concerned with any extension of gambling in this State. My only comment in that regard is that I would wish that some of those well-meaning people who make substantial representations on issues such as this and other moral issues would address themselves to some of the other great issues that confront this community, particularly problems related to unemployment. I imagine most members feel the same. We receive so few representations from people of good will in the community with practical suggestions and expressions of concern about the rising unemployment in our community, particularly amongst young people.

However, as I have said, there is conflict in the Government Party on this matter, and I believe that this Bill will be voted out. That will then give the Government the opportunity to bring in its own measure, because at the recent Liberal Party convention I understand that there was a direction to the Parliamentary Party that it should attend to this matter and bring in legislation allowing for the establishment of at least one casino in this State. Whilst the Minister of Tourism says that she outrightly opposes the establishment of a casino, I understand that the thrust of the arguments at that Liberal Party covention was in the area of tourism, particularly international tourism.

Now that an international airport is to be established in this State, obviously that matter was concerning those business interests that are well represented in the Liberal Party who no doubt would want to see the establishment of a casino in this State and firmly placed in the hands of private enterprise. It has been interesting to reflect on the activities of this Government in the two years that it has been in office. One aspect is no doubt the Government's ability to expand gambling in our community and in that expansion to transfer it to private enterprise.

Obviously, an example of that is the establishment of soccer pools in this State, where the Government rushed through that legislation, embracing it wholeheartedly, and it placed the control of that form of gambling firmly into

the hands of private enterprise. That is a matter with which I cannot agree at all, because I would have thought it was firmly established in this State that gambling was in the hands and control of the State itself, as we have seen with the Lotteries Commission and the Totalizator Agency Board. We see this equivocation and this confusion in the Government's attitude towards such moral issues as the prostitution debate, where the Premier, as the then Leader of the Opposition, came out very strongly in favour of legalising prostitution in this State and, in fact, advocated a form of licensing prostitutes. When this matter came before the House by way of a private member's Bill, the Premier did not even deign to speak on it. Like many of his colleagues, he voted against it; in fact, all but one of his colleagues voted against it, despite indications otherwise in the second reading speeches.

As I have said, I think that this is a matter that must be dealt with by the Government Party. We need to know the nature of the discussions that have taken place between at least one Government Minister and very strong vested interests in this State who plan to build a casino. I refer here to the South Australian Brewing Company and its now public plans to redevelop its property in Hindley Street and to its strong suggestions to the Government that a casino should be established on that site. Obviously, there is a call in those proposals for Government financial assistance for the development of that site, interlocking with the proposal for a casino, I suggest.

I suggest also that between the Adelaide *News* and the South Australian Brewing Company there is (or was) and interlocking directorate situation and that is why that newspaper has given considerable publicity to the measure we are presently debating. The member for Semaphore would hopefully see it to his electoral advantage, and that is the very reason why I think it must be not a private member's measure but a Government measure where it can be given public scrutiny and there can be direct accountability to the Minister and the Government. I oppose this Bill. I support the call by my colleague the member for Gilles that there should be a thorough Parliamentary investigation into the need for a casino in this State and any advantages that might flow to the people of this State if, in fact, one was established. I believe that the proper machinery is available through a Select Committee for that to take place. I strongly support that proposal of the member for Gilles. I hope that in due course the House will accept that proposal, possibly at the time when the Government introduces its own legislation to establish a casino in South Australia. I oppose the Bill.

Mr MILLHOUSE (Mitcham): I have never been inside a casino and I am never likely to go inside one.

Mr Slater: Put a bit of excitement in your life.

Mr MILLHOUSE: Be quiet. If one has to take any stand on the morality of betting, one must be against it. That is my own personal view, although, of course, I do gamble in some ways; I have never had a ticket in the lottery or from the T.A.B., although I buy the odd raffle ticket, and so on.

Mr Whitten: You gamble when you ride that bike.

Mr MILLHOUSE: Yes, I am dicing with death, I know that. I do not like gambling, but I do believe that in a matter such as this none of us has the right to ram one's views down other people's throats. If people like to do this sort of thing, and if people are silly enough to want to establish a casino in South Australia—not with Government money though—and there are others who want to go and use the jolly place, then in my view they ought to be allowed to do so. I believe that inevitably we will have a casino in this State for better or for worse, and the sooner we stop arguing about it and accept that fact, the better.

For that reason, and also so that we can have a look at the Bill in Committee, see what we think of it, and alter it if we want to, I propose to support the second reading. Although I think the measure is doomed (I know it is doomed, from what people on the other side have said and from what people on this side have said), that does not mean that we will not have a casino in South Australia. We know that the Premier has done a somersault on this: one day he said that he was against casinos and then there was some Party debate at some conference about it, and there was a strong majority, despite the Minister of Health, in favour of a casino, and the Premier immediately came out and said, 'We would have to think about it.'

The Premier goes with the wind on all these things, and he has done it on this one, but undoubtedly members of his Party will follow him obediently as they usually do. The defeat of this Bill, which is inevitable, will not mean the end of a casino in South Australia. In fact, it is now almost certain that we will have a casino set up in this State under some arrangement or other, and that it will be championed by the present Government. That will be that.

Mr Keneally: Would you prefer it to be Government-controlled or private enterprise controlled?

Mr MILLHOUSE: I would prefer a private enterprise casino under strict Government control: that is how it should be, but there should not be any Government money in it. However, I am not here to argue that sort of thing now. I merely got up to say that, although personally I do not like gambling, I think it is inevitable that we will get a casino in this State. I do not believe that we have the moral right to prevent people from going to these places if they want to, and I, therefore, would not vote against this Bill. I also want to get it into Committee if I can so that we can tinker about with the details of it. For those reasons, I support the second reading.

Mr PETERSON (Semaphore): The vast majority of the arguments put forward by members and the public generally have been based on moral questions. Two Royal Commissions have been held, and they have been referred to in this debate. One was in Great Britain and one in New Zealand, and both found that the State should not try to be the conscience of the people, which is exactly what we are trying to do if we put up moral arguments. For members who objected to the way in which the Bill has been framed, there is the opportunity for that to be fixed at the next stage of the debate.

As time is short and as we are trying to get a vote on this, all I can say is that those who are absolutely against the concept of a casino will vote against it, and anyone who objects to the framing of the Bill, but who thinks that the casino has some merit, can examine it at the next stage and there is still the alternative to vote it out then. Perhaps amendments may make the Bill better; I do not say that I have put forward a perfect Bill in the first place. I commend the Bill to the House.

The House divided on the second reading:

Ayes (2)—Messrs. Millhouse and Peterson (teller).

Noes (43)—Mr Abbott, Mrs Adamson, Messrs. Allison, L. M. F. Arnold, P. B. Arnold, Ashenden, Bannon, Becker, Billard, Blacker, D. C. Brown, M. J. Brown, Chapman, Crafter, Duncan, Evans (teller), Glazbrook, Goldsworthy, Gunn, Hamilton, Hemmings, Hopgood, Keneally, Langley, Lewis, Mathwin, McRae, Olsen, O'Neill, Oswald, Payne, Plunkett, Randall, Rodda, Russack, Schmidt, Slater, Tonkin, Trainer, Whitten, Wilson, Wotton, and Wright.

Majority of 41 for the Noes.

Second reading thus negatived.

[Sitting suspended from 6 to 7.30 p.m.]

NO-CONFIDENCE MOTION: STATE DEVELOPMENT

Mr BANNON (Leader of the Opposition): I move:

That Standing Orders be so far suspended as to enable me to move a motion without notice forthwith, such suspension to remain in force no later than 9.30 p.m.

The motion that I move is that this House censures the Government for its failure to maintain economic—

Members interjecting:

The SPEAKER: The honourable Leader has sought leave to suspend Standing Orders and he may be going to indicate the reasons why he wants the suspension of Standing Orders. For that purpose he has a maximum of 10 minutes, but if he is assured that the suspension is to be granted, he does not have to give the House the benefit of that 10 minutes.

The Hon. D. O. TONKIN (Premier and Treasurer): Very briefly, I would like to put the Leader out of his misery and tell him that, since the Opposition very kindly today observed the conventions in relation to this matter—

Mr Hamilton: Don't you ever forget them, or you will be reminded of them.

The Hon. D. O. TONKIN: I can assure the member, who has not been here very long, that there was no occasion when the former Premier, Mr Dunstan—

Members interjecting:

The SPEAKER: Order! The honourable Premier has the call and he is the only one whom the Chair wishes to hear.

The Hon. D. O. TONKIN: I am almost inclined to apologise to the Leader for the unruly behaviour of his colleagues because I was only going to briefly say they have done the right thing this time and have abided by the conventions.

The Hon. R. G. Payne: Sit down now.

The Hon. D. O. TONKIN: I am not inclined to when I am spoken to so rudely like that. We have a pretty fair idea of what happened in this House yesterday and what happened outside it, and I may take the opportunity a little later on, which the leader is so kindly affording me by launching into this ridiculous motion that he wants to move, to canvass that in some detail. Indeed, I can give him a promise that I will.

Motion carried.

Mr BANNON: The procedural matters being disposed of and the notes of frivolity having been dissipated, let us now turn to the serious matter of tonight. I move:

That this House censures the Government for its failure to maintain economic development in South Australia for its failure, after two years in office, to present a realistic plan for the development of South Australia for the rest of the decade, and calls on it to resign.

The Opposition is now able to exercise its right to move a motion of no confidence in the Government, a right that was denied us yesterday because we had offended the dignity of the Deputy Premier and because our motion (and let us face it, this is the important point) may have caused a distraction to the Government's planned series of announcements and press conferences. We have decided to take advantage of the Premier's offer to have this debate in Government time tonight. However, I do not necessarily feel we should be grateful, because, as I said yesterday, the moving of a motion of this kind is the right of an Opposition and to deny it, as the Government did yesterday, was a disgrace. I hope it will not happen again.

The Government has now had more than two years in office, two years in which to keep its promises to the people of South Australia, two years in which to demonstrate that it is capable of managing the State's economy and building on the economic recovery that was clearly under way throughout 1979. It has had two years to develop a realistic plan for the development of the State's economy for the rest of this decade. The Government's record, as it enters this third year, is absolutely abysmal. Our economy lags behind the rest of the nation. More and more South Australians are without work. More and more South Australians are leaving this State.

The facts of the situation are clear. We have the highest unemployment rate in Australia, 8.1 per cent in October this year, and we have had this dubious distinction for 22 successive months, just about every month that this Government has been in office. That is an unprecendented experience in South Australia's history. In every month from and including January 1980, this State has led the nation in unemployment. My deputy will be dealing with the stark facts of the unemployment market when he speaks soon.

Let me turn to the smokescreen that the Government wishes to assemble, what the Premier has already announced at one of his crisis weekend Party meetings, that when the word 'unemployment' is mentioned, then, parrot fashion, the Liberal Party must start talking about employment, hoping in some way by talking about employment to hide the fact that the number of unemployed has grown by thousands in the time of this Government.

Let us deal with employment in passing. What are the facts about it? What are the facts of employment growth in this State? In the last two years from October 1979 to October 1981, employment in South Australia has grown by only 1.6 per cent, which compares very badly to national growth over the same period, which is 4.6 per cent. The truth is that we missed out on the recovery that took place in the national economy. We are now falling even further behind and the underlying problems of our economy, the serious weaknesses in employment growth, are made even clearer if we consider exactly where jobs are being created.

Against this scenario, we have a Government that cannot face the facts. From October 1979 to October 1981 employment in South Australia has grown by 8 700. The latest information on employment by industry from the bureau, which is up to August 1981, shows that 6 500 new jobs were created in agriculture and agricultural services over the past two years. It seems quite clear that this has been our major growth area. Thank goodness for the good seasons, the end of the drought that the last three years of the Labor Government saw, and the good rains in country areas, all of them have buoyed up that rural prosperity. Without it we would be in even more desperate straits than we are in today, and what is the Government going to claim for that?

An honourable member: Good management.

Mr BANNON: Good management, indeed.

The SPEAKER: Order! Would the honourable Leader please resume his seat. The motion that has been moved by the honourable Leader of the Opposition is a very serious one in so far as it calls for a Government to resign if in fact the motion is carried. Because it is such a serious matter, it requries the serious consideration of all members of the House.

The Hon. Peter Duncan: Pity it didn't get that yesterday.

The SPEAKER: Order! I intend to name any person who is going to persistently interrupt or try to make a mockery of this evening's proceedings in this Chamber, be he a Minister, a member of the Opposition, or a member of the Government. That is the basis upon which this important debate will be undertaken.

Mr BANNON: The facts I have been presenting so far have been grim and I will continue with this brief over-view of the South Australian economy. The indicators show that we are either lagging behind other States or going in the opposite direction. Registrations of motor vehicles declined

by over 9 per cent comparing the September quarter this year to the same time two years ago. Set that against the national increse in registrations. Building approvals for new dwellings have declined by a massive 28 per cent for the two-year period to the September quarter of 1981, while nationally they have risen by 10 per cent. Again South Australia is against the national trend.

As well as presiding over this disastrous performance, the Government has demonstrated enormous incompetence in the management of the State's finances. With each successive Budget we have seen the transfer of funds from capital works programmes to prop up recurrent expenses rise to new levels. Over the last two Budgets the Government has ripped off over $80 000 000 from capital works programmes. Is it little wonder that our building and construction industry is on its knees? That is an amount equivalent to much of the royalties that we get over a period of many years for a project such as Stony Point, which we have been discussing today.

The effect of the Government's policies on key industries such as building and construction has been nothing short of disastrous. As the State Director of the Federation of Construction Contractors said after the Budget, the industry is again bearing the brunt of Government cut-backs, and many members have expressed the view that the industry in this State is experiencing a severe downturn. That is clear for all to see. We may not, according to the Master Builders Association, have a viable building and construction industry for the development of resource projects in the middle of the decade, if things go on at this rate. That is the impact of the withdrawal of Government expenditure and finance for building and construction in this State.

For two years all that South Australia has seen from this Government has been an unsavoury mixture of buffoonery, abuse and distortion about the state of our economy. The Government's main economic weapons (and I will examine them in some detail) appear to be pep talks and boastings. Yesterday we had a classic example of the Government's approach.

I have a report, which I imagine has been widely circulated, headed 'A report from the Premier of South Australia'. This, it says, is one of a series of reports to the State's business leaders. It is stated that they will be brief and to the point, and will keep people in touch with the developments in South Australia with current trends and projections. What is not said in that headpiece is that they will also be blatant propaganda with inaccurate facts and distortions. That is what an examination of this document reveals. It is signed by the Premier and suggests that it will keep businessmen in touch. It will hide from businessmen, if they believe this nonsense, the true state of affairs. It will prevent this State's recovery because of the false picture it presents.

It is a mixture of propaganda, distortion and inaccuracy. It is notable more for what it does not say than what it does say, but it is an example of how this Government is prepared to use State funds for propaganda purposes. It is the latest edition, if you like, of that scandalous broadsheet that was printed in the daily press last July and was shot full of holes and inaccuracies. I do not believe the business community in South Australia is so gullible, so sheltered from its own personal experience, to believe this nonsense, and yet it is still being put out by the Premier.

The report begins by talking about resources. Well, resources may be important but I remind the Premier of that passage from his own strategy document launched with a fanfare last week. The 'tendency to place too much hope on further resource development in the State for the salvation of the economy, is listed as one of the weaknesses, and 'The resource sector will only contribute to prosperity. It will not determine it.' His own document talks about care being taken with how resource development is presented, yet, when he wants to produce a report, that is the thing he wants to put at the front. Let us look at the nonsense contained in it. Under 'mining multipliers', it states that, for every job directly related to the mining industry, another four are created elsewhere. There is absolutely no evidence and no economic backing for that nonsensical statement.

Let us remember something else. However many jobs are created by mining directly in South Australia, not all of them will be in South Australia anyway. There must be, because our economy is not operating in a vacuum, not surrounded by a moat, the leakage of product buying, construction contracts, and many other aspects of any mining development that goes to other States. It is not that large a multiplier and we are kidding people if we try to base any sort of development policy on that, yet this is what the Government wants to do.

We turn the page and find reference to employment. It makes the claim that the number of people employed in South Australia has increased by 19 000 in the past two years. It states that of equal significance is the fact that it is the private sector that is employing these people, not the Government. To get that figure, the Premier has had to bend the official statistics. First he compared August in one year to September in another, which even he knows is statistically incorrect. He also ignored the fact that a week before he published this report the Bureau of Statistics had issued new information for October 1981, which showed a reduction of 7 400 jobs in South Australia compared to the previous month. He also mentioned the sale, at a less than give-away price, of the Frozen Food Factory to Henry Jones. He does not mention that less than six weeks after giving guarantees in this House that no-one would lose his or her job, Henry Jones retrenched 27 workers. That is not in the report about what he has done in terms of employment.

It goes without saying that he does not mention unemployment. He does not mention the economic indicators I have referred to, the building approvals, motor vehicle registrations, and so on. He does not mention the continued outflow of our population. Does not mention that the labour force is decreasing at a rate that is outstripping even the minimal growth that we have. He does not mention that many companies have closed or drastically retrenched workers since his Government came to office. Even in the past 12 months, simply by reading the newspapers, he would have seen this list—B.H.P., Wunderlich, Sola, Clarksons, Pressed Metal Corporation, Furness, Levi Strauss, Peters General Refrigeration, Hallett Brick, Nestles and Amscol. All of those companies in the private sector announced major retrenchments. What sort of record is that?

On the Friday of the week before he released this document, he could have read in the *News* the comments that Sir Norman Young was making about the Liberal Government. He could have read that Sir Norman found it impossible to accept that the State Government should remain indifferent to the plight of the South Australian companies striving to maintain their headquarters control in Adelaide. He might have included in his report some comment on what Sir Norman called the growing number of abandoned boardrooms in South Australia. There was not a word about that. There was not a word of the fact that even in the private sector area we have lost, in two years, control of more major companies institutional and household names than ever before.

What has been the Government's policy? It has been 'Get out of the way. Let it happen, except every now and again.' John Martins is under threat, so the Government intervenes and gets the S.G.I.C. to buy shares to prop that

company up. Suddenly, the Government's policy changes and we have Mr Solomon Lew buying John Martins and we are told that this worthy wealthy Melbourne merchant is going to look after the place and is going to concentrate all his resources in South Australia. We are told that he will guarantee employment, and that he is a splendid man. He was even sitting in the gallery of this place when the announcement was being made by the Premier.

What happened a few months later? Ezywalkin Limited bought out Mr Lew. That company is controlled in Melbourne and was looking at it on a national basis. We have seen an immediate threat to retailing jobs in this State as a result. What a farce! The abandoned boardrooms of Adelaide are as damaging as the run-down of the public sector that has destroyed much of our financial and employment capacity in the public area of South Australia.

So this report, this flimsy document of half truths and nonsense, is the best that the Premier can do to tell business men about what is happening in this State and how they should keep in touch. It is a demonstration of just how little is being done. It might be as well if it did not get too widely circulated. If it starts going interstate, this sort of document will give our competitors in those States great heart, because they know they are competing with a hillbilly Government. I am afraid that no businessman could seriously consider committing investment to a State Government with such incompetence. Of course, the centre-piece of economic strategy which has occurred since this House last met has been the release with a great fanfare of trumpets by the Premier of a document called *South Australia—A strategy for the future*. It is a document compiled by the State Development Council, the successor to the former Government's Industrial Development Advisory Council. The Government tried with the release of this report to show how active it was and the ideas it had for the future. Let us analyse this report. First, what is it? Is it what the Premier claims it to be? Secondly, perhaps more importantly, what is the Government's reaction?

Mr Oswald: Have you bothered to read it?

Mr BANNON: The member for Morphett has not bothered to read it, and I do not blame him. It is a very difficult document to read. It is not very well presented. He ought to have a look at it and realise how hollow his Government's strategy is. It is worth analysing what this report says about the weaknesses and strengths of the economy. It has some good things in it. It also has some pretty bland things in it, which do not help very much. Let us be fair and put the report in context, the context that the authors of the report want, not the context the Premier has decided they will have. Right at the beginning of this report the committee states that its purpose is to prepare a document which is to be used as a catalyst for the systematic development of policies which will stimulate strong long-term growth in South Australia. It goes on to say that submissions will be sought until 31 March and welcomed from those interested in commenting constructively on it. It goes on to say:

> . . . in the following months, the Development Council will prepare for the State Government a detailed development strategy—a master plan for the crucial years ahead.

That puts the document into perspective. It is not the blueprint for development. It is not a detailed strategy. The committee itself can see that. It is not a master plan. It is a discussion paper to be used as a basis for its formulation. Yet the Premier would have us believe that this is it; this is what he is offering the people of South Australia. I will come to that more precisely when I talk about his reaction to the document. It is apparent from reading it that the document could not be seen as a master plan. Unfortunately, I think that the Premier's hand can be seen at work in some of the quotations in it. I fear that he has either had two much of an influence on the author or that he himself may have been the author of some of the passages. For instance, at page 8 of the report we see the statement that South Australians must recognise that change is an inevitable part of life, that it has been occurring and will continue to do so. That is as profound as the statement the Premier made on the Kevin Crease show: 'I have no doubt at all that it will change because nothing ever stays the same.' The report goes on:

> The future waits to reward those who are outward-looking and adventurous, those who can recognise our natural advantages and utilise them. What was right for yesterday is not necessarily right for today or tomorrow. But other things are.

That, of course, is on a par with the Premier's saying, 'I have no doubt at all that it will change because nothing ever stays the same. Constantly I have said that the future is there and if we are all prepared to settle down and work steadily towards it, that is where we will get.' And, of course, there is that other famous statement of the Premier on economic development—'Time is the big thing we have got to get over, and time is what it has got to go by.' I regret that the authors of this report have been infected by that sort of nonsense, and it is not going to help us, but I again say that there are some good and sound statements in this report. Unfortunately, they tend to be obscured by the nonsensical way in which the Premier has produced the document. Look at what it says on tariffs—'a very important area for a State which is the most dependent regional economy on tariff protection in Australia'. Melbourne certainly relies on it heavily, and the Geelong area. But South Australia, above all, is dependent on a consistent application of some sort of tariff and protection policy. The report states:

> Resistance by manufacturing industry to this development is not in Australia's best interests, provided the Federal Government adopts a course of predictability and gradualism.

That, of course, is a very important phrase, because predictability and gradualism are not the hallmarks of the Fraser Government: they are totally to the contrary. If, as this report makes clear, we are dependent in terms of any change in our tariff structure in the way in which it is approached by the Federal Government, we are very vulnerable indeed. All South Australians should be speaking up very loudly now, not just for the protection of the motor vehicle industry but also for the protection of other industries in the State, because the Federal Government is not going to be predictable and is not going to be gradual. Yet that is the Government that this Party opposite supports. That is the Government we were urged to vote for last year.

I have already quoted the document's sobering remarks on resource development, and the statement that the tendency to place too much hope on future resource development in the State for the salvation of the economy is a weakness. The report adds that the resource sector will only contribute to prosperity; it will not determine it. Of course, the Government talks constantly about resource development as being the only saviour of this State, the only thing we have to look for. This report refutes it utterly, and I hope that the Premier pays attention to it.

Then it talks about uncertainties—uncertainties about future electricity costs, natural gas supplies and the availability of quality water—three things of which we must be very careful if we are going to be sure that this economy develops and strengthens. In all of those areas the Government can stand condemned. This Government has increased charges for electricity by 32 per cent since June 1980. It has seriously undermined our cost advantage. We have at the moment an indenture being negotiated between the parties in this Roxby Downs development in which the key issue of disagreement is electricity prices. The Premier

tonight on television told an untruth when he said that there is no disagreement over that matter. I defy him to say otherwise. Someone said that Mr Morgan, the Director of Western Mining, contradicted that. He did not. What Mr Morgan said was that his company was not asking for an absurdly low tariff. Of course he would say that, because he is in a bargaining position, but he did not say that there was not a basic disagreement on the electricity costs and charges to be levied on this project, and for the Premier to try to deny otherwise is fudging the issue. He is seriously embarrased by the non-appearance of that indenture and by the inability to make an agreement on what he sees as the centre-piece of his development. He is looking around for someone to blame. He hopes that he will be able to blame us, but let him look to his own record and his own incompetent bargaining just at that stage of the project. So the electricity costs are a major weakness identified by this report.

The report refers also to natural gas sales. The Deputy Premier has been constantly eager to score points over the need in the early 1970s to sell natural gas to Sydney. He has publicised that so much over the last 18 months or so that business men interstate have been worried about the gas supply situation in South Australia to the extent of not making investment decisions here because uncertainty has been created. Just lately, particularly under questioning from my colleague the member for Mitchell, the Deputy Premier has been backing away from it. 'Yes', he said about three weeks ago, 'gas supplies will be all right. We will find some way of securing them.' Is that because he has suddently seen the light? Not at all. The situation has not changed. There have been no new discoveries of a significance that would make that appear to change.

There is confidence, as there always has been, that there will be enough gas. Why the Deputy Premier changed his tack was that the Premier was getting approaches from many business men interstate saying, 'We are sorry, we are so concerned about the future assurance of cheap power in your State that we are not prepared to make a decision.' That is the truth of the matter, and that is why the Deputy Premier has had to back off. He has 18 months of propaganda to try to backtrack from. That is the sort of error that the Government's rhetoric in this State has led it into. It took the Gas Company to release a statement refuting the suggestion, and I suspect that that was engineered because of this unfavourable publicity interstate as well.

Then the Government pointed to the availability of water. This Government has run down the E. & W.S. Department. It has caused a major crisis in water quality, and it has completely bungled the vital negotiations to save the quantity and quality of Murray River water. We all remember the absurd posturing against New South Wales on this matter, the threat to cut off gas supplies, and other things. When my colleague the member for Stuart and I went to see the Premier of New South Wales and his Water Resources Minister, one message that came across to us very clearly indeed was that they had not understood the real basis and gravity of South Australia's argument. They believed that it was some sort of political stunt being organised in South Australia. They had good reason to believe that, because that is all the information that they were getting from here—political grandstanding.

We sat down and got to the substance of the matter. We talked about what was needed with the River Murray Commission and the Institute of Freshwater Studies. We discussed the water licence question in New South Wales. We found that, in all those areas, New South Wales was sensitive and open to argument. Then what happened? The Premier went off to this top-level conference a week later, and New South Wales was ready to make all sorts of agreements, but he returned from there with very little indeed except for some sort of vague agreement that water quality ought to be looked at. However, no sanctions were attached to it, and there was no agreement for legislation to back it up. It was nothing more than we had had for some considerable time. Worse than that, what about the environmental considerations in any New South Wales irrigation proposals? For a start, we had the fiasco of the South Australian court actions there which were tossed out of court and which got us absolutely nowhere, except to indicate again to New South Wales that we were simply trying to make political mileage out of the matter. Was that raised at the conference? Was that made one of the items of agreement? Not a bit of it; it did not even get a mention.

We spoke to the New South Wales Government representatives after the conference and said we hoped that they gave the assurances that were asked for there, and they said that the matter was not raised. That is how much attention and care is being put into this particular problem involving the quality of our water, our most valuable resource. This has been a disgraceful political stunt, built around a false premise, when in fact what the Government could have had was a strongly argued bipartisan approach on the matter. We proffered that constantly to the Government, which rejected it, because it wanted to make some political capital. That has now blown up in the Government's face, and it has threatened South Australia.

Having dealt with some of the serious points of this report, as well as some of its deficiencies, let us look at the Government's reaction to this matter. I have said that it is to be the basis for some sort of master plan, that comment has been requested, and that in a sense it is a discussion paper, a working document. What has the Premier's response been to that? So eager is he to see this as some sort of a final strategy, despite the warnings of the committee, that he immediately wants to claim credit for having anticipated the report all along. The headline in the *Advertiser* after a report was released was 'Review in line with our plans—Tonkin', and the report states:

> Objectives set out by the State Development Council's review of the South Australia economy paralleled what the Government was doing or planned to do, the Premier said . . .

If that is so, what was the point of having the committee? What was the point of having comment on the report? It has all been done, according to the Premier. The article continues:

> The review report therefore contained no great surprises or revelations for the Government. The fruits of the Government's planning were now becoming evident.

What sort of a farce is this? The Government had a very smart 'We told you so' and 'We are doing it' reaction to what was a major discussion paper in this State. The background to the statement that the Premier made came from a memo that was circulated to all Government departments under the Premier's signature on 18 November, five days before the report was released. A copy of the report was enclosed stating that the report was to be released and, what he wanted them to do was provide examples of specific initiatives in their areas of responsibility that they were already taking which might have been mentioned in the report. The Premier stated:

> These projects should complement what the report says. They will be announced as part of the Government's implementation of this report after its release. We would like them in the Premier's office by 1 December for discussing at our Cabinet meeting the following Monday.

Therefore, five days before this document was released, five days before the Premier chose to upstage the committee by saying that he knew it all and was doing it all, he was searching around in his departments to find some way of getting together as many things as possible being done to

enable him to produce evidence to back up the fact that this report was completely superfluous to consideration.

I do not know what the committee's reaction will be to the Government's response. As I say, they all ought to resign, particularly those private sector members. I guess that the 30 per cent of members who are Government employees cannot very well resign, but the private sector persons who have spent so much time ought to give it away, because the Government is going to tell them, 'We are doing it all and here is a great list from the departments.' What nonsense, so far as our development is concerned. For two years we have seen nothing from this Government. There are no plans for providing jobs for the immediate future. In fact, for the rest of this decade the Government has nothing to offer except the Roxby Downs project, which the Government has made the centrepiece of its policy, not because it can show the benefits it will bring to the economy and the people but because it believes it to be some political and electoral advantage, just like the Murray River was, just like the way it staged this report and just like so many other things it does. It is the politics the Government is interested in, not the economic value.

The Government's reliance on Roxby Downs is beyond question. It has been backing away a bit lately, because it is not going as well for it as the Government thought, but let me remind the House of the statement made by the Premier when Leader of the Oppostion. This, I think, sums up the Government's attitude. He said in February 1979 that Roxby Downs represents for South Australia a beacon on the hill, a light in the future and our only hope. The style is very recognisably the Premier's. It is a pity he mixes up one of Ben Chifley's famous and rather elevating phrases. Since then, in Government, the Premier and his Ministers have never ceased to promote this project, at every opportunity, in answer to South Australia's current problems. Immediately this Government was elected Ministers began competing with one another to see who could make the most bullish predictions about the employment situation. We saw, on 20 September 1979, the Deputy Premier saying that Roxby Downs could have an intial work force of 5 000, with ultimately 50 000 to 60 000 jobs. Good Lord! That is what was said and appeared in cold print.

The Minister of Industrial Affairs was not too happy with that. On the same day, in another newspaper, he was predicting 10 000 jobs immediately (twice what the Deputy Premier predicted), but his further predictions were not quite as bullish as those of the Deputy Premier; there was a potential of only 30 000 to 40 000 jobs, about half the number that the Deputy Premier predicted. That is the sort of nonsense that we have heard. Uranium enrichment was also a key part of the Government's plans, and the Deputy Premier gave his view that the construction of an enrichment plant would begin in 1980. Do members recall that? It was going to begin in 1980.

We were also told royalties would solve the financial problems which the Government was creating. In fact, in October 1979 the Premier told us that sales of uranium and hence royalties would be good for about the middle 1980s. On 16 September this year the Premier told the House he expected Roxby Downs to come on stream in the middle of the decade and return royalties to the Treasury, but on the same day, in an interview with the *Advertiser*, he defended his conversion to Budget deficiting on the grounds that deficits were temporary; they would be solved by these royalties.

Right through that period we were going to expect this great bonanza of royalties. What happened on 17 November? Suddenly, the cold realism came through to the Premier, and he admitted that the uranium market was currently very depressed and he did not expect to see any improvement in sales until 1990s or the end of the century. On a number of occasions the Opposition has explained to the Government the long-term nature of large-scale mineral development projects, but still the Premier wants the people of South Australia to believe that somehow they will be miraculously producing income and jobs almost immediately. I will not go through all the evidence which has been presented before, but concerning the question of jobs it is worth referring to an article in today's *Financial Review* which concerns a study released by the Melbourne Institute of Applied Economics and Investment Research, which studies investments in resource industries. What the report shows is that while resource development may attract large investments the direct employment created will be quite small. To quote the report:

> The direct growth in employment associated with the new investment will be small at 34 000 persons.

That is Australia-wide, total. The report goes on to give what it describes as 'useful comparison' in the context of Australia's current problems between this figure and the current level of unemployment. In other words, the resource sector can create a maximum of only 34 000 jobs by 1988, while current unemployment stands at 390,000. In South Australia's case, to reduce our unemployment by just 1 per cent per year over the next three years would mean the creation of 37 000 jobs, more than the entire national total to 1988, estimated by the Melbourne Institute for Resource Development throughout the country.

The Premier is trying to con the people of South Australia into believing that virtually all the jobs in the resource sector are going to be miraculously concentrated here. In his so-called report, which I have already dealt with, he deals with this multiplier for the mining industry of four jobs created for every one. As I have said, if that figure is anywhere near correct, it is for the national economy as a whole, not for the State of South Australia because of the leakage effect. We will be lucky if it would be a factor of one-to-one on current economic calculations.

The answer to our unemployment problems and a solution to the State financial crisis was all going to depend on the passing of the Roxby Downs Indenture Bill. The Premier has used every opportunity to tell the people of South Australia that their whole future rests on this single vote of the Legislative Council. He has used every opportunity to create fear and to ensure that the debate over uranium is an emotional one clouded with side issues. He has allowed speculation to develop, and any question of the Roxby Downs project and any rejection of the indenture Bill or the terms associated with it will mean an immediate election and disaster for the State. He and the Minister of Mines and Energy have played down other vital developmental projects, which the Opposition fully supports, in an attempt to portray uranium mining as the only way for the State's economic future. His Government ignored the fact that for the foreseeable future the jobs most South Australians depend on are in the manufacturing industries which need as much Government attention and support as is possible to give. When was this vital piece of legislation to come before us? On 7 October the Premier told the Liberal Luncheon Club:

> The facts are quite simply that we intend to bring the indenture Bill before Parliament in the current session before the House rises in mid-November. My Government is of the opinion that the contents of the Bill will be so eminently sensible and so absolutely right for the economic and social resurgence of South Australia that no politician would think of rejecting it.

Then on 20 October we have the first indication that the Premier's time table was not going to be met when the Deputy Premier and Leader of the House released the

revised Parliamentary programme, which showed that rather than rising in mid-November the House would sit through until 10 December. Then on 12 November the Deputy Premier released the statement that he expected to be able to introduce the indenture Bill in Parliament 'early next month following substantial agreement being reached with the Roxby Downs partners'. On the same day the *News* reported that the date of introduction would in fact be 1 December. Yesterday the truth came out. The *Advertiser* headline put it well: 'Roxby Bill runs into snag'—no snag of this Parliament's making; a snag of the Government's incompetence in its negotiations.

Clearly, the Government is having trouble reaching agreement on the provisions of the Bill. Why is it? First, it has been so intent on making a political issue out of uranium mining that it has put South Australia in an impossible position. It has made it clear to the developers that its whole election strategy depends on this Bill— in fact depends on it being defeated—and that, therefore, some sort of agreement must be reached. The companies, as commercial operators, quite rightly and properly are going to drive the best bargain they can, and good luck to them. They are certainly in a very powerful position arguing with the Government that it already said it is desperately anxious for political reasons to get this matter on the Parliamentary Notice Paper.

Secondly, why has the Government had trouble reaching agreement? Because the Government is being asked to give guarantees which relate to a project that is not likely to begin operation or producing income well into the 1990s. This raises the point whether the indenture is necessary, given that the exploration stage is not yet finished. This week we are considering an indenture on the Stony Point project. That project is being developed on the basis of signed contracts with overseas purchasers for the products. It is possible to calculate with some degree of certainty the income that the project will generate, and consequently it is possible for the Government to commit itself to infrastructure and incentives. But in the case of Roxby Downs the Government is being asked to give commitments and guarantees with absolutely no certainty that the project will go ahead, let alone produce any income for the next decade.

This clearly demonstrates that the Government is not able to bring to fruition a deal on which its whole political survival depends because of the very fact that it made such a deal. The Government's total confusion is demonstrated by the extraordinary claims it has made about the level of royalties that South Australia can expect. That confusion was not helped by the extraordinary answer that the Premier gave to my question yesterday concerning this. He said with great false indignation that he was not going to give details of negotiations. Indeed, he is not, and no-one has asked him to.

But he and his Deputy are telling the people of South Australia that they can expect $100 000 000 a year. It is a cargo cult mentality that he is attempting to promote. They are inflated claims that can be exposed quite readily by setting them against the current levels of royalties in Western Australia and Queensland, particularly Mount Isa, which is often used by the Deputy Premier and the Premier as a comparison. I gave the Government those facts yesterday. Let me repeat them. Queensland and Western Australia have had many large mines in production for a number of years with a wide range of output and, despite this, up to and including 1980-81 neither State had reached the Premier's figure of $100 000 000 annually for royalties. Queensland received $80 000 000 and Western Australia $88 000 000 from mining royalties last year. I assume that $30 000 000 or $40 000 000 of the Premier's $100 000 000 will come from existing mines such as Iron Knob and from other resource projects including the Cooper Basin liquids scheme.

So the only way that the Premier can reach that $100 000 000 figures is if we are to receive at least 10 per cent of royalties from an annual production totalling $700 000 000 at Olympic Dam. That would assume a mine operating in this State in the near future which is bigger than Mount Isa. Let me put that in perspective. Mount Isa was discovered in 1923, and it has taken 60 years of development to achieve the current level of production. Its production was $500 000 000 in 1980-81, and the company paid $22 000 000 in royalties, which include royalties from coal mines located elsewhere.

That is approximately 4 per cent of production: extraordinarily inflated figures are being used to try to fool the people of South Australia into believing that the Government does not have to have an alternative economic strategy, that everything is going to come good of its own accord. In Western Australia a similar position applies; about 3 per cent seems to be the average, on their revenue figures. The suggestion is that the annual copper production at Olympic Dam will be 100 000 tonnes—that is Western Mining Company's estimate, they are looking, in fact, at a much smaller mine than Mount Isa, so let us have perspective on that, too.

I have spent some time on this great centrepiece of South Australia's development, because, whatever its future, whatever happens with indenture Bills, whatever happens with world prices and the economics of it, and whatever happens with the safety of uranium and community attitudes towards that, that project is not a tangible reality for South Australia today, nor a solution to its economic problems. After two years, the best that this Government can produce is an unemployment record that is a disgrace. For 22 months it has been continuously the highest rate, and employment growth is way below that of other States, with all the other indicators falling behind, and a building and construction industry in the worst state of any in the nation. What has the Government got to offer us? Nothing but flimsy reports full of inaccuracies and distortions, such as this bogus letter to business men to keep them up to date, pep talks and boasting, the Ron Barassi option for economic development, and that is wearing very thin very fast. It is a scandalous attempt to rack up projects to make targets set by the State Development Council look possible. Finally, there is resource development itself. But there is not a carefully worked out plan that will ensure that resource development is linked to manufacturing; there is no attempt to gain community understanding and support for the basis of resource development. Instead of that, there are blatant and cynical attempts to split the community, to create division and discord, to create election issues, not future prosperity.

So, we have seen a Government, after two years, that has accomplished nothing that was not in train before it came to office or as the result of efforts begun by its predecessors, including this week's Cooper Basin indenture. It had nothing to offer except uncertain and unsafe speculation and pep talks. It is high time for the Government to take up that challenge, that single issue, if it likes, and go to the people, and I can assure the Government that, as the election campaign develops, we will see all these other issues come to the fore and people will reject this Government, as I believe this House by its vote tonight should do.

The Hon. D. O. TONKIN (Premier and Treasurer): Following the Opposition Leader's rather hysterical outburst yesterday I must say that I had expected that we were to hear something startling and new in this no-confidence motion; but instead, Sir, I found that the entire almost 55

minutes of the speech extraordinarily boring, with the sound of a tired, old, cracked record playing tracks that we have heard before time and time again. I find that that is rather disappointing, and once again the Leader of the Opposition and the members of his Party who seemed so vocal in their support for him today, anyway, seem to be a little bit muddled up. I can remember, for instance, about 10 or 15 minutes ago in the middle of the Leaders peroration, his saying that we had allowed speculation to build up concerning an early election on Roxby Downs. Let me make something quite clear: the only talk of early elections has not come from the Government or from this side of the House, it has come from the Opposition or from the media or from somewhere like that. Then, we had the Leader saying that it was a very bad thing that we should allow speculation to build up about an early election, and he finished his speech by demanding that we go to an early election. He cannot have it both ways: he either wants an early election or he does not want one.

Mr Hemmings: Have one.

The SPEAKER: Order!

The Hon. D. O. TONKIN: It seems to me that the entire speech of the Leader and the Opposition's whole attitude in recent weeks has been one of complete double talk, a flip-flop sort of attitude towards current events. I think it was only this evening (I am sure honourable members opposite would have noticed—I did) that I was facinated to see, on one of the television news services, the Leader of the Opposition, who so vocally after the weekend said that there was absolute unanimity in the Labor Party, as expressed at the conference, as to the future of uranium mining and of Roxby Downs, actually put it on record that, whatever conference said he would not renegotiate committed contracts; if they were in place when his Party took office then of course it would honour them. I do not know with whom he has checked since the weekend, perhaps he has got some gumption after all; perhaps he is prepared to stand up to the A.L.P. conference machine. I do not know. However, I am sure that he will hear a bit more about it from the Trades Hall people a little later on.

The Leader of the Opposition has put before the House today a motion that is not only ill-conceived and inaccurate, but it is rather sad. It seems to me to be an act of desperation by an Opposition which has regressed through some form of time warp; it has gone back into the past, losing its perspective, its direction and its leadership. The motion put forward has no comparison whatever with reality. It is a motion which defies the facts; it is a motion that illustrates that the Opposion is devoid of ideas and initiatives. As I said, it sounds just like the same old cracked, tired old record.

To suggest, as this motion that we are debating does, that the Government has failed to maintain economic development in South Australia is complete and absolute nonsense. The truth is, and members opposite know it, that, when we came into office in 1979, after nearly 10 years of Labor rule, there was no economic development to maintain. We inherited a State which, generally speaking, could be said to be in stagnation; a State that had been largely abandoned by investors and business leaders; a State that had been destroyed by the anti-business policies of the Dunstan Government, a State which at that stage had no economic future at all. Now my Government has made enormous gains in restoring the flow of investment dollars into the State, and that is something that cannot be refuted, I notice that the Leader of the Opposition did not try to. The Government has made enormous gains in encouraging business establishment and expansion; it has attracted gas and oil and mineral exploration in record amounts, and it is boosting business confidence quite steadily.

I know that the Opposition, very sadly, has embarked upon a programme denigration, of attack, of doom and gloom, and it has done this because it believes that, if it can present South Australia as being worse off, in some way at the bottom of the ladder with no future at all, maybe people will be desperate enough to elect the Labor Party to government at the next election. Let me give a word of advice to members of the Opposition, as I remember I did very early in Government: no marks will be won by denigrating what I believe to be the finest State in the finest country in the world. Even if one believes that there are positive things that can be done, it is the constructive criticisms and suggestions which could be made which should be made.

The Hon. Peter Duncan interjecting:

The SPEAKER: Order! Would the honourable Premier please resume his seat. If the honourable member for Elizabeth is seeking martyrdom by being thrown out of the House, then he is moving quite quickly towards that. I have pointed out to honourable members previously that a certain decorum was going to apply relative to a debate as serious as this one is, and I intend that will be upheld, as was stated earlier this evening. The honourable Leader was accorded quietness from both sides of the House, and I intend that the Premier and any other speaker in this debate will likewise be given the same attention.

The Hon. D. O. TONKIN: Those positive suggestions—

The SPEAKER: Order! The final warning that I gave to the honourable member for Elizabeth also applies to the honourable member for Unley. Let him quite clearly understand that.

The Hon. D.O. TONKIN: The people of South Australia would respect an Opposition which came forward with positive suggestions and battled to have them implemented, suggestions which could in large measure help the Government of the day. This continual tearing down and criticism in a destructive way is doing nothing whatever to help confidence in South Australia; it is doing nothing to help confidence in South Australia interstate and even overseas, and it is a great pity that we have, as a Government, to work to overcome the enormous difficulties that we inherited, with a run-down economy and an inhibited business sector, and we also have to combat the doom and disaster which is preached by an Opposition which basically should be thinking more about South Australia and the welfare of South Australians.

Let me put this quite clearly. No State Government in recent years has done more to encourage individual entrepreneurial activity by private industry. No Government has done more to attract development and expansion in this State, and the fruits of the actions which have been taken are now ripening on the vine and we are about to see and enjoy those fruits. Sadly and tragically, in my view, as we face this new era of mounting confidence in the future of South Australia, the Opposition reverts to negative criticism. What this State needs now, to build on the economic foundation we have built, is aggressive, positive confident thinking. Instead, all we hear from the benches opposite are the continued and repeated sagas of doom and gloom. This House, and indeed I think it is fair to say this State, is a sadder place for the persistently negative and destructive attitudes currently being shown by the Opposition.

I suppose we could say that we know that there is a reason for it. We know that the Labor Party is in a good deal of internal disarray. That is something that I do not intend to canvass tonight. It is a fact that the Leader is under constant pressure from the various factions that sit in various places in the Chamber behind him and to the left, but that certainly is no excuse whatever for the lack of support for the development and prosperity of South

Australia. As members of Parliament, not as members of Parties, we should make that our prime responsibility, and I am ashamed that members of this place in the Opposition are failing to fulfil that responsibility.

In place of constructive policies, the policies that I have said we need so much, the Labor Party is becoming more and more dependent on the half truth. We saw enough of that during the years of the Dunstan Government. It is depending on innuendo and cheap gimmickry. This nonsensical and time-consuming motion that we are debating tonight is the latest in a roll-call of misguided stunts. It is important, I believe, that we should place on record the events of yesterday, because then we witnessed a very crude attempt on the part of the Opposition to denigrate and degrade the functions and standing of Parliament and for faction politics, for the benefit of faction politics, the Parliamentary process was very close indeed to being abused in the most enormously disgraceful way.

The Labor Party sought yesterday to turn the operations of this House into a political sideshow for cheap publicity purposes. The sorry tale began when the Opposition (I understand it was the Opposition Whip) notified an officer in the Deputy Premier's office (left a message) that it would be wanting a censure motion and wanted the Standing Orders suspended when the House sat at 2 p.m. The Opposition Whip and the Deputy Leader of the Opposition have been in this House quite long enough. They know that the long-established conventions of this House require that the Deputy Premier or the Premier is personally notified if the Opposition desires to take action of this kind and that the request is made personally.

They know perfectly well that the Government would not agree to any suspension of Standing Orders outside those accepted conventions simply on a telephone message which did not arrive and was not passed on to the Deputy Premier until after one o'clock. The Opposition knows that full well, and in fact when it was in Government, those members of it who were in Government know that that was the situation and that it was always honoured. If for a moment we had tried simply to leave telephone messages with the Deputy Premier's office of the day to take the business out of the hands of the Government, it would have been rejected, the request would have been rejected outright. This was part of the Opposition's rather stupid ploy to grab time on last night's radio and television news services, to divert attention away perhaps from the Cooper Basin Indenture Bill. As an act of courtesy by the Government, the Leader of the Opposition was given a copy of the indenture Bill on Monday and he knew full well that it is a piece of legislation that will bring long-term and significant benefits to the people of South Australia.

The indenture Bill guarantees South Australia royalties of $200 000 000 over the next 10 years. If we can put that into perspective, it is the equivalent of some 50 new high schools; it is enough to seal the Stuart Highway and to build the north-east transport system; it is enough to filter the water supplies of Adelaide and the northern towns; it is the equivalent of giving every man, woman and child in this State $150. It is a pretty good deal, and no wonder the Opposition tried a cheap political stunt to divert media attention away from it.

The Opposition knew full well that the Government had negotiated an indenture agreement of enormous and lasting importance to this State. Instead of adopting a sensible, mature, bipartisan approach to this legislation, the sort of approach that was requested of the Opposition by the State Development Council when it released its strategies report last week, instead of adopting that bipartisan and consistent approach, the Opposition tried to confuse the issue and planned a stage-managed walk-out from this Chamber, having attempted to have Standing Orders suspended.

An honourable member: That is nonsense!

The Hon. D. O. TONKIN: I do not think even the Leader of the Opposition, with the media in the gallery and listening, can hope to get away with that. It would have been a walk-out based on mock rage. Indeed, the Leader of the Opposition worked himself up into what appeared to be an enormous rage because the Government would not allow what was after all a most ill-conceived censure motion, a motion, I again remind the House, which the Opposition demanded by breaking long-standing conventions of this Parliament. So determined was the Opposition to grab the headlines, that it had arranged for television cameras to be lined up outside the door of this Chamber to film the drama. Some drama! The extent of the apparent rage and indignation which the Leader worked up only made him the more ridiculous to those of us who knew what was planned.

Fortunately, Sir, you took the appropriate and perfectly proper action and had the cameras moved, and, with the exposure to the House of the Opposition's plan, their proposed sideshow exercise did not go ahead. I must say that I am very pleased indeed that they finally saw the sense of it. Without the expected publicity the walk-out would have been a disastrous embarrassment for the Leader and his Party. Perhaps it may be said that some member of the staff, without the knowledge of the Leader, arranged for the T.V. cameras to be outside the door. I suppose that has happened.

An honourable member: It has happened, hasn't it?

The Hon. D. O. TONKIN: Yes indeed, and I think the Leader of the Opposition's staff frequently leads him into errors of that sort. I think that, on this occasion, it was not just one person's action, and it was something that I will accept that the member for Elizabeth would not have been part of.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: It would have been a disastrous embarrassment for the Leader and his Party if that had gone on. I cannot recall, in the 12 years that I have been in this House, a more contrived and cynical exercise designed to undermine the standing and the authority of this Parliament.

The Stony Point indenture Bill was not the only reason why Labor was intent on causing a fuss. It is determined also to deflect attention away from some of the extraordinary happenings and decisions approved by its State conference at the weekend. It is difficult to imagine that one could design policies more certain to destroy the economic growth and stability of this State than the anti-business nonsense passed by that conference. It was a package of doom and destruction, and the Parliamentary Labor Party is bound by that package. No matter what feelings individual members may have, they are bound by the decisions of the organisation. So far, we have heard only a sketchy outline of what the Labor Party has in mind if it should ever return to the Treasury benches. Heaven forbid that that should happen. May I outline a few of them. They have been mentioned before in this House since last Sunday, but I make no apology for reading that again, because I think the more the people of South Australia recognise what doom in the form of policies that the Labor Government agreed upon, the sooner they will wake up to the double talk and double standards of the Opposition.

Employers would have to give retrenched workers at least six months notice, with considerably higher benefits for long-term employees. The employers would have to pay fares and removal costs for retrenched worker and even

make up any loss incurred if the retrenched worker sold his or her home. Labor is committed to introduce the 35-hour week for all workers. Labor would examine the establishment of a consumer claims tribunal to examine complaints for consumers and impose restrictive new consumer protection schemes.

Mr O'Neill: What a terrible thing to do!

The Hon. D. O. TONKIN: If the honourable member does not know what that will do to the jobs of members of an organisation with which he used to be closely associated, I suggest he does some homework. Labor would insist on companies making full and regular disclosures to shareholders, creditors, and employees about business activities. Labor would force firms to disclose all donations made for political purposes. Labor would investigate the establishment of a State-run newspaper at taxpayers' expense.

The Hon. Jennifer Adamson interjecting:

The Hon. D. O. TONKIN: The Labor Party *Herald* is not selling terribly well.

Members interjecting:

The SPEAKER: Order!

The Hon. D. O. TONKIN: There is no way we can put that into a situation where the Government pays for its publication. As we have heard, although I must say this evening the Leader of the Opposition has thrown some doubt on to this again, the official Labor attitude is to put a stop to the development of the Roxby Downs copper project, an investment which has enormous potential for the future of this State. These are a few examples. There are other policies clearly set out in the convention agenda yet to be considered by the Labor Party executive: policies like worker participation, and the form of that worker participation is even strong than were the measures proposed under the Dunstan Government. That was a policy which, as every member in this place will recall, was greeted with horror, not only by people thinking of coming to invest in South Australia, but by people already here, and there is no question that, of all the policies that were put forward by the previous Government, that was one of the two most significant in causing that tremendous upsurge against the Labor Party at the last election and yet, Mr Speaker, they have learnt nothing and the policy is back again for consideration.

There is the demand that firms disclose to union representatives all details of company activity, including profits, costs, pricing and future investments plans. And, of course, in the area of taxation, Labor would (and I quote from the agenda item) 'Regulate its financial position by raising tax rates rather than cutting public expenditure programmes'. I would suggest to the Opposition they should go over and talk to Mr Wran, the Premier of New South Wales, because only recently he has had to face reality. He is making massive cuts in expenditure, massive cuts in the Public Service, because he has found that the policies currently being espoused by the Labor Party in this State do not work in practice, and that is exactly what we found in South Australia when the Labor Government was in office.

Look at the experience of the Whitlam years: look at what we inherited from the Dunstan years when we came to office in 1979. These policies have been tried, and they have failed. Indeed, these rather costly excursions into socialistic State enterprise have cost South Australia dearly. Only this weekend, as I mentioned in this Chamber yesterday, attempts were made by the Labor convention to socialise the Cooper Basin, and it was not a question of desirability that stopped that motion being passed. It was in fact that there were no funds available. The Hon. Hugh Hudson, whom we miss very greatly from this Chamber, because at least he was sensible and had a clear-headed and positive vision of where South Australia could go, had no hang-ups about Roxby Downs. He was the man who persuaded the convention that the cost would be three billion dollars from the public purse, and that was the only thing that stopped that acquiral motion from becoming Labor Party policy.

These policies and others no doubt will emerge in the coming weeks, although I doubt very much whether a great deal of publicity will be given to them; I sense that members of the Opposition already are very embarrassed by the reaction of the general public.

Members interjecting:

Dr Billard: That nervous laugh—

The Hon. D. O. TONKIN: I hope it is not a nervous laugh. I rather hope they will go on with their heads in the sand as they are at present. They are outdated, outmoded, discredited and interventionist. Labor had its chance during the 1970s to implement policies which we were told at the time, over and over again, would turn South Australia into the Athens of the south or the Camelot of the south. Those policies, both at Federal and State level, have been tried and found wanting, and they have been found wanting in New South Wales, under a Premier who has been espousing them and putting them into operation with great enthusiasm for some considerable time.

An honourable member: Tell us about—

The Hon. D. O. TONKIN: Yes, I will tell you about him, and I will tell you about the disastrous situation in New South Wales. Mr Speaker, there has been only one thing that has saved this State, and that is tough, decisive government. It has been in the Canberra scene, in Australia. It may not be the most popular thing to do, to be tough and decisive, but at least we are getting back and arresting the downward trend. Obviously Labor has learnt nothing from the decade of the 1970s. Here it is promoting the same old policies, increasing public spending, and inevitably increasing the taxation burden on every person in this State. I repeat yet again this sentence from the Labor Party's official convention document:

> A Labor Government would 'regulate its financial position by raising tax rates rather than by cutting public expenditure programme.

Nothing can be clearer than that. Because I believe it is harnessed inevitably to what are very harsh and regressive policies, the Labor leadership is now developing a very disturbing tendency to indulge in blatant contradictions, what I call a flip-flop policy formulation. It has made that flip-flop policy formulation an art form. Let me give some examples. Labor claims to understand economic management, yet despite all the evidence of the disastrous results that can flow from its policies it has pledged to increase public sector spending. The Labor Party claims that taxpayers' money should be spent to create jobs, yet Labor Governments in New South Wales and Tasmania have followed now, after nearly two years, the South Australian Government's strategy of restrictions on Government spending.

Labor claims that it will create new jobs, yet it supports regressive policies such as six months notice for retrenched workers and a shorter working week, the sorts of things that will only cost jobs in the work force. Labor claims that it will create new jobs despite that. It complains that we are not doing enough, yet it opposes that $1 000 000 000 Roxby Downs project, which can create thousands of jobs. The Labor Party claims to be concerned because it says, for instance, that the Government's negotiating position over the Roxby Downs Indenture Bill has been weakened, yet in the same breath (and it happened again tonight) it also says that the indenture Bill is not needed and casts heavy doubt on that all the way along the line.

It says that it is not anti-development, yet it has threatened to renegotiate previously agreed long-term resource

development contracts. That is, the Party has. The Leader backed off on television tonight. The Labor Party claims to have a united policy on uranium, yet its own convention repudiated views expressed by Labor members of the Legislative Council Select Committee on uranium. It claims that it will assist small business, yet it refuses to specify what alterations it would make to State taxation.

I think that honourable members opposite would do well to see what the Leader said on channel 7 tonight. Labor claims it opposes increased State taxation. It has pledged to regulate its financial position by raising tax rates rather than by cutting public expenditure programmes. When we came to office we had to undo some of Labor's excursions into socialism, projects like the Frozen Food Factory, Monarto, the Land Commission, and many others. We have reversed these decisions and we have now saved taxpayers millions of dollars a year.

Let us turn now to the motion and the comparison between what Labor has done in the past and proposes to do, if it is ever given the chance in the future, and what this Government has achieved and what it ajms to achieve in the future. The Leader promised yesterday that he had new information on South Australia's development prospects. In some way, he said, new information had come to light and it was important, indeed imperative, that despite the breach of convention there should be a no-confidence motion debated right then and there. If he had that information, it certainly has not become obvious tonight in this debate.

Clearly, he believes that the Labor Party policies that he so strongly espouses and supports will produce some kind of economic Mecca for South Australia. If we get that Mecca, let us turn to the East. That is the Leader's thought. If we can get that economic Mecca, we will get it he says, through policies that he says he espouses. I would like to tell in a little more detail what has happened in the Labor States of New South Wales and Tasmania. In South Australia we have had only too recently experiences of Labor's follies, because we have had to deal with them, but now the same problems are occurring in those Labor-governed States of New South Wales and Tasmania.

Ironically, the Labor Administrations there are now following the economic policies adopted by my Government two years ago. In New South Wales, for example, the Wran Government has initiated a concerted campaign to cut back savagely on the size and cost of the public sector. It has ordered a crack-down on public spending, particularly in the area of salaries, wages and allowances, and departments have been given very strict spending ceilings. New South Wales is often held up as a blueprint for successful Labor government, yet the *Financial Review* described that State as the State of insolvency and said that it was a financial mess. In Tasmania there was an interesting situation where Doug Lowe, someone for whom I have great respect as a very moderate Labor Premier, was shamefully displaced by the left.

Mr Keneally: Good grief, now they've got a left-wing Premier.

The Hon. D. O. TONKIN: No, but he is supported by the left wing, and if the member for Stuart does not understand what is happening after all this time, he is more naive than I thought. The new Premier has issued an ultimatum to Public Service unions there to delay a pay rise or face sackings in the Public Service. We have a no-retrenchment policy, which we have consistently renewed for the Public Service since we came to office, yet the Tasmanian Premier has issued an ultimatum to the Public Service unions, 'Stop your pay claims or face sackings in the Public Service.'

In both States, razor gangs have been set up to prune public spending, something this Government did more than 12 months ago when it set up its Budget Review Committee. While economic reality is something with which the ranks of the Labor Parties of both New South Wales and Tasmania are having to come to grips, in South Australia the Australian Labor Party is proposing the same policies that have brought those States to the point of destroying their economic viability. While Labor Governments in Tasmania and New South Wales are pruning public spending, and reducing the size and cost of the Public Service, the Labor Party in South Australia still wants to increase the drain on taxpayers' funds. It wants to increase taxes for every South Australian and it wants to boost the size of the public sector. Again, we know that those policies will not work. They will drive investment from the State. They will mean an inevitable increase in the taxation burden on every man, woman and child in South Australia.

Let us turn to some of the positive achievements of this Government that totally refute the suggestion by the Leader that we have not honoured our election commitments. They are all matters that have been outlined before, but, as I made no apology for repeating the resolutions of the Labor Party's convention at the weekend, I certainly make no apology for outlining those positive achievements of this Government since we have come to office. I do so because, obviously, the Leader and his members have just not grasped what is really happening in South Australia. Perhaps the Opposition does not want to know what is happening. Perhaps I should go further and say it does not want anyone else to know either, because it does not suit the Opposition's political ends, but we will inform the people of South Australia on both counts: the dire results that could be expected as a result of the Labor Party policies, and the achievements of this Government. Let us look at investment, and I noticed that the Leader of the Opposition kept well away from these positive achievements during his speech.

Mr Lewis: He does not know what the word means.

The Hon. D. O. TONKIN: No, but I would have thought that he could at least have given a little credit where credit was so obviously due, but he did not. He is down, down, down, all the time. This Government has a broad policy of encouraging and committing industry and commerce to establish and expand in South Australia. Because this Government has also been so successful in attracting and co-operating in resource development projects, the Leader of the Opposition is trying to paint the Government as putting all its eggs in the resource development basket for South Australia's economic future. That assertion is just not true. We obviously recognise and promote the importance of the State's strong agricultural, industrial and commercial base.

Indeed, if it had not been for the strongly based primary sector, South Australia would have been in very dire trouble indeed during the 1970s. A special study has been undertaken of development in capital expenditure and it has been announced by the manufacturing, retail and service industries of South Australia over the past two years. The list itself is impressive. It now accounts for more than $800 000 000 of capital investment. It is not exhaustive, it is not complete, simply because there are many development projects which are not, at this stage, for public consumption. This commitment has an employment impact of well over 3 000; that is, at least 3 000 new jobs for the South Australian community.

These levels of investment in the manufacturing, retail, and service industries clearly demonstrate the continued strength of South Australia's business community. In other words, building on our primary production sector, we have built on an industrial sector which, again, has worked very

well for South Australia. The Government has been quietly but effectively working closely with and assisting existing and new enterprises to establish and expand in South Australia. We also recognise the enormous spin-off to the manufacturing, retail, and service industries that comes from resource development, and we would be totally wrong and irresponsible if we were in any way to ignore resource development. Resource development has begun already to impact on the South Australian economy and will continue to do so.

Now let us look at the investment potential for major manufacturing and mining investment projects for the next three years. The figures speak for themselves and represent projects committed or in final feasibility stages which are expected to proceed within the next 2 to 3 years. The figures, all for South Australia, are compiled by the Commonwealth Department of Industry and Commerce and are as follows:

	$
October 1979	300 000 000
May 1980	3 410 000 000 (includes Roxby)
December 1979	2 640 000 000
June 1981	2 910 000 000

Both of those two last figures do not include the Roxby Downs allowance because of a change in criteria. In other words, since this Government came to office, committed and final feasibility projects in South Australia have increased from $300 000 000 to a massive $2 910 000 000 as at June 1981, an increase of 870 per cent, which is impressive. It is something that the Leader has not been able to answer, has not been able to explain away, and cannot explain away. The June 1981 figure does not include the projected investment from Roxby Downs as, because of a change of criteria, this project is currently classified as being at study stage. When we add that, when it finally moves on from the feasibility stage to the next stage, hopefully at the end of 1984, then that figure will be enormously increased. These trends established within the South Australian economy by this Government are irrefutable evidence of recovery, growth, and increasing prosperity for all South Australians.

So far as exploration activity in mines and energy is concerned, investment in exploration was virtually non-existent when this Government came to office. There were two reasons for that; one was the Whitlam Government and the other the Dunstan Government. Those people made quite certain that exploration was not encouraged—it was actively discouraged. It is interesting to talk to the explorers who are now working so hard in the Far North of South Australia and to seek their views on what they thought of both the Whitlam and the Dunstan Governments as supporting and encouraging exploration. They make no bones about it; in their view, both of those Governments, both of those Administrations, were an absolute disaster for their business, the business of exploration and mining, and a disaster for the people of South Australia.

The fundamental lack of understanding of the private sector and its great importance to our collective prosperity is quite obviously the major problem of the Labor Party. The paranoid and introspective attitudes expressed from the mouths of the Labor Party regarding profits, mining, exploration, and overseas investment, transnationals, multinationals, and all the other jargon words, continue to be a source of concern to all thinking South Australians. We must all work for the benefit of South Australia as a whole and not fall into the hands of vocal, negative and anti-everything minorities. Unfortunately, the Labor Party seems to be dominated by such people, and the Leader appears to be totally unable to cope with these elements.

I unashamedly confess that this Government is pursuing every feasible and suitable development project which attracts the interest of overseas, interstate or local investors, and which can create jobs and prosperity for South Australians, because that is what South Australians want; they want jobs and they want security. Roxby Downs is one of the key projects that my Government is encouraging. Let me make this quite clear in answer to the Leader's puffing: this giant mine will not mean instant wealth to South Australia, but in less than a decade, certainly well before 1990, it has the potential to inject hundreds of millions of dollars into this State's economy. There is no way that that can be denied.

We must also make sure that the indenture Bill for the Cooper Basin Stony Point project passes both Houses. This is another major exploration and new development project for South Australia. I am delighted to hear honourable members opposite supporting it. This massive energy source is only just being opened up. By this time next year Santos will be spending more than $1 000 000 a day in extracting liquids and natural gas and searching for additional reserves. The flow-on developments at Stony Point and the potential this investment opens up is a tremendous boost for South Australia's future. Exploration licences and the resultant expenditure in South Australia has boomed since this Government came to office. Onshore mineral exploration licences have increased from 123 at June 1979 to 369 at June 1981. The number of companies involved in mineral exploration has doubled to 70 and 420 000 square kilometres were involved in exploration last financial year, compared to 145 000 square kilometres in 1979. Expenditure in this area for exploration has risen from $7 200 000 in 1978 to $31 100 000 in 1980. What a record of achievement that is! The same picture of growth and optimism is found in the area of petroleum exploration licences.

When this Government came to office, except for the Cooper Basin, virtually no other petroleum exploration was being undertaken. Expenditure committed to petroleum exploration is $300 000 000 over the next six years and half of this amount, $150 000 000, is being spent for offshore petroleum exploration, something which just did not happen in South Australian waters in the later years of the Dunstan Government. Without these commitments to exploration, there is no chance of future mineral and petroleum development. Companies would not be investing this level of funds without a strong chance of success. They make a commercial judgment. It is their money and their people's jobs that they are risking. They make a commercial assessment and they have decided that the risk is good and that they will, in fact, be prepared to take that risk because the probabilities of success increase day by day. Once again, how on earth the Opposition can stand in this place and say that things are worse than they were, when one considers those figures, I cannot imagine. Once again, no-one in the Opposition has been able to refute those figures and all that they mean. They, again, clearly indicate that we have turned the corner, that we are on the way to a prosperous and exciting future in South Australia.

The Opposition has made a good deal about the job situation. Since coming to office, this Government has reversed the trends of job losses in South Australia. I am about to tell the Deputy Leader of the Opposition, who says it is not true, that it is true. We have stopped the job rot. The up-to-date figures show that there are now 12 000 new jobs. In the last two years of the Labor Government, from August 1977 to August 1979, the employment in South Australia fell by 20 600; that is, 20 600 jobs were lost. At the same time, unemployment had risen by 6 800 to 45 300, and it was still rising.

That legacy we inherited has been a very difficult trend to reverse and no-one tries to under-estimate the difficulties that are involved, but we have reversed the trend and at the same time we did not have the luxury of being able to sell our country railway system to the Federal Government for a large sum of money that we promptly dissipated in artificial job support schemes. Those short-term non-productive job creation programmes were of very short term value, but they did nothing whatever to train young people, particularly, in the skills that they will need to become tradesmen, to find decent jobs and permanent jobs later on. On the contrary, as I outlined before, we had to wind up or sell failed socialistic experiments, like Monarto and the Land Commission and the Frozen Food Factory—

The Hon. J. D. Wright: To survive.

the Hon. D. O. TONKIN: No, to save the public debt of this State and to reduce it to the extent where we can afford, unlike Mr Wran, who is now in desperate trouble, to service our public debt but only because we are beginning to pay off some of those outlandish debts from the Dunstan era. They were financial millstones.

To achieve our tight Budget situation and to improve efficiency by putting work out to the private sector, some 4 000 jobs have been reduced from the public sector by attrition. Despite those major policy initiatives and the economic problems we inherited, we have reversed the trends and employment has grown in South Australia by 12 000 in South Australia (on the latest figures) since we came to office. The Opposition can fiddle with figures, and say that, if I quoted the September figures just a few days ago at 19 000 and now they have gone down to 12 000 now, that is terrible. Let me remind the Opposition that in the overall period from September 1979 until now there has been a positive increase of 12 000 jobs.

The Leader again brought up the old question of population. The figures quite conclusively show, provided they are not selectively quoted as the Opposition tends to do, that we have reversed the trends of a net loss to South Australia's population from migration. South Australia's population is increasing and as at 30 June 1981 our population was 1 308 000, an increase of .69 per cent or 9 000 on the previous year.

Mr Hamilton: You take credit for that.

The Hon. D. O. TONKIN: This is the highest increase for three years. The trend also indicates that the rate of growth is increasing. I just point that out for the benefit of the member who has commented that we will take the credit for it if you will try to in some way take advantage of that fact and lay the blame at the Government. When things go right, we will take the credit. The Leader of the Opposition has chosen in the past to highlight only one aspect of our population movement, obviously in support of his gloom and doom campaign. He seems determined to promote the misleading impression that the South Australia's population is falling. That is what he said, but this is not true.

I remind him again that it is not good enough to quote selectively the figures that are available of interstate movements of some people from this State and it is necessary to look at the overall migration and increase in the population in South Australia both from overseas and from natural increase. It is necessary to look at net migration from all sources so that we can be honest in our reporting and assessment of these figures. During the year 1980-81, 6 860 people emigrated interstate from South Australia, while 6 633 people migrated to South Australia from overseas: the net loss from migration for the financial year was 227, but the net loss for the previous year was 3 532. In other works, the trend has reversed.

The trend is even more obvious when we analyse the quarterly migration and overall population figures for the year ending 30 June 1981 and for the last three quarters for the year ending 30 June 1981, South Australia's population increased in each of the three quarters by way of net migration, taking into account interstate and overseas migration. There is another achievement which stands out and which has been written up in glowing terms by the press in recent times. This Government has achieved what successive Governments have been unable to achieve. It has been able to achieve for Adelaide (and I recall to honourable members the announcement that I made on 11 November 1981) international passenger facilities at the Adelaide Airport. I will give credit where credit is due. I will accept that the Leader of the Opposition has been actively advocating the establishment of international facilities at Adelaide Airport, and indeed, he even went so far as to contact Sir Freddie Laker on the issue.

I must say that I welcome his support, even though Freddie Laker did not know who he was and did not recall hearing from him. I do give credit to the Leader for having actively supported the introduction of international facilities at Adelaide Airport. Indeed, I am very pleased that we have such strong support from the Labor Party now in this State. I cannot say the same thing for the Federal member for the area, but at least we know we have the State Labor Party totally on side and supporting us. I am grateful for that. The announcement that I made to the House on 11 November 1981 was:

> The Federal Government has agreed to provide a separate international passenger terminal for Adelaide Airport. The decision recognises the importance both Governments place on establishing Adelaide as an international gateway and the facilities which will be similar to those recently complete at Townsville Airport, will include a separate terminal airport building and an associated apron, and so on. Planning will proceed immediately, so that construction can commence as soon as possible. Provision of these facilities will allow international services to commence by the end of next year.

We all know the significance to South Australia, in terms of tourism, conventions, business and trade, that international flights to Adelaide will bring with them. There are other development initiatives that the Leader has seen fit to ignore. In Housing there has been $100 000 000, a record level of funds, allocated this year to the South Australian Housing Trust for Housing. For tourism facilities, there has been a new structure for the Tourism Department, new promotions have been announced and implemented, and the Hilton Hotel is rapidly reaching its completion. So far as the consulting business is concerned, the State Development Council and the Small Business Advisory Council have been established. A Technology Park is of major significance indeed, of Australian significance, and will enormously help the development of technology in South Australia. Investment seminars are being held overseas and insterstate by the State Development Office, and, generally speaking, the confidence level is continuing to build up in South Australia.

I want to refer now to the comments the Leader made about the report 'A Strategy for the Future'. How the Leader can accuse the government of not planning for the future development of South Australia is totally beyond me. The Government came to office with one of the most detailed statements of action for South Australia's future in the history of this State. They took a long time to prepare but it was well worth it, because we were ready to institute that programme.

We have been steadily and effectively implementing those policies of election undertakings ever since we came to office, and in the areas of State development, involving industry, commerce and mining clear plans were outlined,

and the results are on the board. At the same time, the State Development Council, which was established by the Government, has been advising the Government and putting together that most comprehensive report, discussing strategies for the future development of South Australia. The Leader's denigration of the members of that council does him no credit whatever. The report was released on 24 November, and its purpose has been quite clearly set out; it was prepared by the State Development Council as a catalyst for the systematic development of policies which will stimulate strong, long-term growth in South Australia. It concludes that current difficulties are surmountable if South Australians can adapt and capitalise on the opportunities that are emerging locally, nationally and internationally.

Until 31 March 1982 submissions will be sought and welcomed from those interested in commenting constructively on the ideas for accomodating the structural change taking place in industry, and for adding new ones. During the following months the Development Council will prepare for the State Government a detailed development strategy, a master plan for the crucial years ahead. The work already being done by the Government and this proposal by the State Development Council are both logical and common sense steps in planning South Australia's future. Of course we have asked departments to list the projects that have been undertaken in line with that State strategies report; we have asked them to list their achievements, and I am very proud of the achievements which have already come in.

The Labor Party weekend conference has clearly outlined its 'development' of policies for South Australia's future, if in fact anyone can see any future for South Australia under Labor. I am proud of what this Government has achieved in the area of industrial development over the last two years, but we cannot simply leave it there. The major thrust of the strategies report is that everyone must now pitch in and do their individual bit to strengthen the economy of South Australia. It is therefore disappointing that the Oppostion Leader should attack the strategy report and seek to adopt the negative and destructive tactics that he has adopted to denigrate this State. I am also bitterly disappointed and angry about the anti-business and anti-development policies that the Opposition has approved at its weekend conference, and I have listed them here tonight.

However, does the business community appreciate the enormity of the Opposition's policy package? I do not know; I think many of them do and that some of them do not. In the coming weeks and months the Government intends to publicise those policies and leave South Australians in no doubt about their choice at the next election. It will quite clearly be a choice between development and stagnation, economic growth or recession, expansion or retraction, freedom or intervention, sense or nonsense. For far too long we have heard the same story of doom and gloom from the Opposition benches and that story has been repeated here today.

What the people of this State want are jobs and security, and that is what we offer. The people want economic development, and that is what we offer. What they want is prosperity, which we also offer. The Government has the policies, the ability, the determination and the vision, and again I condemn this cynical motion and the cynical actions of the Labor Party in what is a most desperate bid to denigrate the work that this Government has done very successfully in order to get South Australia moving again.

I cannot leave the motion as moved, and I intend to move an amendment. I believe that the amendment must be moved to give the people of South Australia and the members of this House a true picture. The people of South Australia need a positive statement of what is happening in this State, and of the progress that we are making in rebuilding the State. I appeal to the Opposition, just for a little while, just tonight even, to put aside its petty politicking, to adopt a sensible and mature attitude towards South Australia, to support the amendment, and in so doing support the growth and advancement of South Australia. The Government is providing a clear lead. I belive it is a lead which all South Australians would wish to follow.

Members interjecting:

The Hon. D. O. TONKIN: I am sorry that members opposite find the future of South Australia so trivial. I would have thought that even now they would have second thoughts and perhaps shown some degree of statesmanship. I move:

That all words after 'House' be deleted and that the amended motion shall now read:

That this House applauds the Government for taking positive and successful initiatives to restore and encourage development in South Australia, and for following a realistic plan, now endorsed by the State Development Council's Strategy Report, for the creation of long-term jobs and prosperity in this State.

We have heard what the A.L.P. plan is: bigger Government, higher taxation, no Roxby Downs, oppressive employment laws, anti-development, anti-investment, and anti-profit attitudes. I seriously and earnestly ask members of the Oppostion to consider this amendment, which I will be delighted to have circulated. I will be very surprised indeed if members opposite do not vote for this amendment, because I would give them the credit for having the welfare of South Australia at heart.

Mr Bannon: You would not be suprised.

The Hon. D. O. TONKIN: I would also remind the Leader that the amendment will become the motion, and I defy him to vote against the motion as amended. South Australians want a bipartisan, solid approach to the development and the future of this State, and they expect this from every member of this Parliament, regardless of on which side of the House he sits. I sincerely hope that we will see this approach from the Opposition this evening.

Members interjecting:

The SPEAKER: Order! Is the amendment seconded?

Honourable members: Yes, Sir.

The SPEAKER: The suspension of Standing Orders was specifically until 9.30. I could allow the Deputy Leader of the Opposition to speak for 1½ minutes and no longer. With the concurrence of the House, it is my intention now to put the amendment and the motion. The question before the Chair is the Premier's amendment.

The House divided on the amendment:

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

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

Pair—Aye—Mr Goldsworthy. No—Mr Corcoran.

Majority of 3 for the Ayes.

Amendment thus carried.

The House divided on the motion as amended:

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

Noes (20)—Messrs. Abbott, L. M. F. Arnold, Bannon (teller), M. J. Brown, Crafter, Duncan, Hamilton, Hem-

mings, Hopgood, Keneally, Langley, McRae, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright.

Pair—Aye—Mr Goldsworthy. No—Mr Corcoran.

Majority of 3 for the Ayes.

Motion as amended thus carried.

LONG SERVICE LEAVE (BUILDING INDUSTRY) ACT AMENDMENT BILL

The Hon. D. C. BROWN (Minister of Industrial Affairs): obtained leave and introduced a Bill for an act to amend the Long Service Leave (Building Industry) Act, 1975-1976. Read a first time.

The Hon. D. C. BROWN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Act, which commenced operation on 1 April 1977, has achieved its initial objectives, particularly that of placing building industry workers on the same footing as workers in other industries covered by the State Long Service Leave Act regarding long service leave entitlements. However, day-to-day administrative problems have been experienced by the Board constituted under the Act, whilst anomalies and further difficulties have been highlighted in submissions received from employer and employee bodies, the Board itself, Members of Parliament, the Ombudsman and the Commissioner of State Taxation. The proposed amendments result from a careful consideration of all submissions and are intended to ensure the most equitable and efficient operation of the Act, consistent with its intention to provide Long Service Leave on the same general conditions as apply under the State Long Service Leave Act.

Because of administrative problems involved in the issue of certificates of effective service to all workers at present covered by the Act, the most suitable date of operation for the amendment Act is 1.7.82. During the coming months the necessary administrative procedues will be organised to ensure a smooth and efficient transition on that date.

There are various important amendments contained in this Bill. First, it is proposed that the Act no longer bind the Crown. Difficulties have arisen in applying the provisions of the Act to government workers, because of the differing conditions under which long service leave is granted to government employees as compared to those working in private industry. Doubts have arisen also as to which government workers are covered by this Act. The numbers of building industry workers moving between the public and private sectors have always been and still are small. Therefore, in practical terms this amendment will not cause hardship to any building industry worker. Any person who ceases to be covered pursuant to this amendment will be covered administratively by the Board up until the amendment comes into force. I indicate to the House that this particular amendment has been requested by the United Trades and Labor Council, and the Government has been pleased to accede to that request.

Another important amendment relates to the payment of pro rata long service leave. At present there is no provision for pro rata long service leave on death or retirement from the industry for years of service completed after the initial first qualifying period. This places building industry workers in an anomalous position when compared with those persons subject to the State Long Service Leave Act. An amendment will rectify this situation.

A further difficulty has been encountered because of varying interpretations being placed upon the section concerning the entitlement to payment of a worker for pro rata leave after accrual of 84 months effective service. To remedy this it has been provided in the Bill that pro rata payment for long service leave will be payable after the accrual of 84 months effective service where the worker dies, reaches retiring age, has a physical or mental disability preventing him from continuing in the building industry or has been absent from that industry for any reason for a period of at least 12 months.

A new provision in the Act incorporates the concept of a payment to a worker who has qualified for a previous long service leave payment pursuant to this or any other State Act, but who has less than 84 months service when he leaves the building industry either permanently as a worker or through retirement due to age. This provision will bring the Act into line with the requirements of the State Long Service Act.

The amending Bill clarifies the position of those workers who are defined building industry workers but are employed in non-construction joinery shops. The new provision emphasises that coverage pursuant to the Act is dependent upon the on-site construction activities of both employer and worker. Joinery shops, therefore, will only be covered where they constitute an integral part of a construction company whose main activity is on-site construction work.

A substantial benefit will accrue to building industry employers from an amendment to the method of calculating monthly contributions payable to the Long Service Leave (Building Industry) Fund. At present the employer's contribution is calculated on 2½ per cent of the worker's total monthly wages. Pursuant to the amendment the employer's monthly contribution, will be based upon an amount equal to the worker's ordinary weekly award rate of pay. The Government contemplated amending the percentage of total wages paid by employers to the Fund from 2½ per cent as it is at present to a lower figure. However, bearing in mind the healthy financial state of the Fund and the need for some relief to be given to employers in the building industry for some Government charges, it was decided to amend the base amount upon which contributions are paid to the Fund.

Similarly, a benefit will accrue to building industry workers as the payment on the taking of leave will now be calculated on the current weekly award rate of pay as at the time of taking the leave, instead of at the date of accumulation of such leave, as currently applies. In this way both the payment into the Fund and the payment out of it are to be based on the same rate i.e. the current weekly award rate of pay. Continued wise investment by the Board of the funds available to it will, I am sure, ensure that there is always sufficient in the Fund to meet all claims.

Opportunity has been taken to clarify and tighten the ambit of the industry covered by the Act, by deleting those areas which experience has shown are not building industry functions as originally envisaged when the Act was first drawn. This has been achieved in the definitions clause by deletion of the phrase 'industry' and re-arrangement and enlargement of the phrase 'employer'. The coverage of workers has been narrowed by the deletion of 'bridge and wharf carpenters'. This is a consequential amendment as that portion of the industry is no longer covered by the Act. In addition, the majority of these workers are employed in work of a governmental nature and such workers will no longer be covered by this Act. Further, on the advice of the Parliamentary Counsel, the opportunity has been taken to clarify and tidy up some sections of the Act, thus removing ambiguities in the intention of the original Act. This has involved redrafting and renumbering of some sections.

In furtherance of the policy of this Government to assist industry, it is proposed to utilise available monies from the Long Service Leave (Building Industry) Fund to assist worthwhile projects in the building industry by the provision of interest free or low interest loans. At present the Board has approximately $5 950 000 invested with the State Bank and the South Australian Housing Trust. These funds have been utilised through those bodies to provide low interest loans for new houses, as well as assist in the provision of low rental housing. Therefore, by making loans available to deserving projects in the building industry the Board is reaffirming its support for all areas of that industry.

The provision relating to misconduct on the part of the worker, which may debar him from accumulating any effective service entitlements in respect of his service with a particular employer, has been widened. Where a worker has a *prima facie* entitlement to pro rata long service leave, but has ceased to be a worker in circumstances arising out of serious and wilful misconduct which occurred when in the employment of either his present or previous employer, the Board may debar the worker from receiving such entitlement.

The powers of the Appeal Tribunal have been widened considerably. At present the jurisdiction of the Tribunal is restricted to appeals by employers from assessments of the Commissioner of Stamps only. The Tribunal is now to be vested with the power to review any decision, determination or assessment of both the Board and the Commissioner of Stamps. (This includes an appeal from a decision of the Board that a worker, or an employer, is not covered by the Act). As the review of decisions and determinations could include the review of an exercise of discretion as to the circumstances giving rise to an entitlement, matters of a legal nature could be involved. Therefore, the Tribunal is to be constituted by an Industial Magistrate instead of an Accountant as at present.

The title of the board has been amended to 'The Long Service Leave (Building Industry) Board.' This is to emphasise that coverage under the Act is given to itinerant building industry workers rather than casual workers as such. Certain amendments have been made to clarify the evidentiary provisions that they may reflect more effectively the intention of the Act. These include provisions relating to the service of documents and the creation of the offences of continual avoidance and avoidance or attempt to avoid contributions payable under the Act.

Penalties already contained in the Act have been increased to $500 and penalties of varying amounts have been inserted in other sections of the Act.

The provisions of the Bill are as follows. Clause 1 is formal. Clause 2 provides that the measure is to come into operation on the first day of July 1982. Clause 3 amends the definition section, section 4. The term 'employer' is redefined so that it encompasses the matters presently dealt with in the definition of 'the industry' which is deleted. However, the new definition of 'employer' excludes certain categories of works presently specified in the definition of 'the industry'. These are road works, railways, airfields and other similar works, breakwaters, docks, jetties, wharves and other similar works, works for the irrigation of land, drilling rigs and gas holders, pipelines, navigational lights, beacons or markers, works for the drainage of land, works for the storage of liquids other than water, or for the storage of gases and works for the transmission of electricity or wireless or telegraphic communications.

The new definition of employer also clarifies the position in relation to off-site construction work such as takes place in joinery shops. Under this definition, the Act will only apply to an employer who engages in off-site construction work if he also engages in on-site construction work and his on-site construction activities are his principal activities in terms of the number of employees engaged in the activities. The new definition also provides that the Crown is not to be an employer for the purposes of the Act. The clause also inserts new definitions of terms used in new provisions relating to the calculation of payments by employers, effective service of building workers and payments to building workers who have attained the appropriate periods of effective service.

Clause 4 repeals section 5 of the principal Act. Section 5 presently provides that the question of whether a person is an employer or a building worker or an activity as comprised in the industry shall be determined by an industrial magistrate. Instead of this arrangement, which has not been used in practice, it is proposed to reconstitute the appeals tribunal of an industrial magistrate and to widen the right of appeal of workers and employers so that any decision of the Board may be taken on appeal. The clause also repeals section 6 of the principal Act which provides that the Crown is bound by the Act. Clause 5 makes an amendment to section 8 correcting an error in a reference to the title of the Board.

Clause 6 makes an amendment to section 15 of the principal Act which is of a drafting nature only. Clause 7 inserts a new section authorising the Board, with the approval of the Minister and the Treasurer, to lend moneys forming part of the Fund to any person for a purpose that the Minister is satisfied is for the benefit of the building industry or a part of the building industry. The terms and conditions of such a loan may include provision that the loan is interest-free, but must be approved by the Minister and the Treasurer. Clause 8 replaces section 22 of the principal Act with a new provision re-defining the circumstances in which employers are required to notify the Board of matters relating to the employment of building workers. The clause also provides for the repeal of section 23 which provides for the discounting of the effective service of a building worker if he is dismissed because of serious and wilful misconduct. This matter is, under the Bill, dealt with in new section 28 which provides for the calculation of effective service.

Clause 9 amends section 24 which provides for the lodging of monthly returns by employers and the payment of monthly contributions. The clause provides that the returns specify the ordinary hours worked by each building worker during the relevant month instead of the present provision for ordinary time calculated in accordance with the regulations. 'Ordinary hours' is under clause 3 now to be defined in the Act in terms of the hours fixed by industrial award or agreement as the ordinary hours for work in a week. The clause varies the amount of monthly contributions so that they are based upon the total wages paid to building workers in the relevant month but excluding any amounts paid by way of special rates or allowances. The clause also increases penalties for offences against the section from two hundred to five hundred dollars.

Clause 10 replaces sections 24a and 24b with new sections. New section 24b is designed to provide in a more effective way for the powers of the Commissioner of Stamps under existing sections 24a and 24b to require information from any employer about his liability to pay contributions to the Commissioner. New section 24a is consequential to the provisions of new section 27 which provides for the Board to make, during the financial year from July 1982 to the end of June, 1983, a final determination of the effective service of each building worker up to the end of June, 1982. New section 24a provides, in this connection, for the payment and recovery of contributions that should have been paid by employers in respect of periods of service up to the end of June, 1982, but which have not been paid.

Clause 11 amends section 24c so that it makes more effective provision for the assessment by the Commissioner

of the liability of any employer to make contributions under the Act. Clause 12 makes an amendment to section 24d that is of a drafting nature only. Clause 13 repeals sections 27 to 30 of the principal Act. Present section 27 is a transitional provision that is no longer required. Present section 28 is also a transitional provision that is no longer required. Present sections 29 and 29a provide for the attribution of a period of effective service in relation to service before the commencement of the principal Act in April, 1977. Under the proposed new section 27, these provisions, as in force before their repeal by this measure, will be applied by the Board in determining the effective service entitlement of each worker up to the end of June, 1982. Present section 30 provides for the payment of a contribution by the employer of a person credited with effective service under present section 29 or 29a and, accordingly, is also no longer required.

The clause proposes the insertion of new sections 27 and 28. New section 27 provides that the Board shall, during the six months from the commencement of this measure on 1 July 1982, determine the effective service entitlement of each person as at the preceding thirtieth day of June. This will necessarily be done in accordance with the provisions of the Act as in force before the commencement of this measure. Under the provision, any person who is dissatisfied with the Board's determination, or who has not received a certificate containing a determination, may, during the period up to 30 June 1983, require the Board to make a determination or redetermination of his effective service entitlement. In addition, a person who is still unhappy with the Board's determination may appeal to the Tribunal. The determinations made by the Board during the financial year, 1982-1983, will then, under the provision, constitute the final word as to effective service entitlements relating service as a building worker up to 30 June 1982.

New section 28 provides for the calculation of effective service for periods of service after the commencement of this measure on 1 July 1982. The new section is designed to remove doubts and ambiguities arising from the wording of the present provisions dealing with this matter. It also provides for several possible fact situations that are not provided for under the present provisions. Subsection (1) of this new section provides for calculation of effective service upon the basis of the total ordinary hours worked by a person as a building worker together with the total ordinary hours for which the person is absent from work as a result of absences declared by regulation to be allowable absences. These hours are then, under the subsection, converted into months. Subsection (2) provides for a fact situation that is not provided for under the Act in its present form, namely, where an employee becomes a building worker while continuing in the same employment. Subsection (3) provides for the discounting of any effective service credited under subsection (2) if the person leaves that same employment.

Subsection (4) provides that the effective service entitlement of a worker is discounted if he is dismissed from his work as a building worker and the Board is satisfied that he was dismissed as a result of serious and wilful misconduct. This matter is presently dealt with under existing section 23. Subsection (5), provides for the discounting of a person's effective service entitlement if he is not employed as a building worker otherwise than on account of illness or injury for a continuous period of eighteen months. This provision does not apply, however, if the effective service entitlement is eighty-four months or more. The provision also does not apply if the person has previously received or become entitled to receive a payment or leave in respect of ten years' service of an appropriate kind—a situation that is not catered for by the present provisions of the Act. (This matter is presently dealt with under existing section 32 (2).) Finally, subsections (7) and (8) provide for the discounting of periods of effective service once they have given rise to an entitlement to payment under this Act or leave, or payment in lieu, under the Long Service Leave Act.

Clause 14 makes an amendment to section 31 which is consequential to the insertion of a definition of 'ordinary hours'. Clause 15 repeals sections 32 to 36 of the principal Act. These sections deal, generally, with payments to workers for effecive service and are being replaced in order to clarify a number of areas of uncertainty resulting from their present wording. Proposed new section 32 provides that the board is to issue after the end of each financial year a certificate setting out each building worker's effective service entitlement at the end of that financial year. Proposed new section 33 provides for a payment to be made by the board to any worker who attains one hundred and twenty months' effective service. under the provision, the payment is to be equal to thirteen times the worker's ordinary pay (as defined under clause 3) at the time he takes leave of absence or his employment terminates, whichever first occurs after he attained the one hundred and twenty months' effective service. His employer at the time he attains that effective service is required by the provision to grant him thirteen weeks' leave of absence as soon as practicable after that effective service was attained.

If, however, the board is satisfied that for an appropriate reason that leave of absence was not taken within twelve months after the worker attained that effective service, the payment may be fixed according to the worker's ordinary pay at a later date fixed by the board and paid at that time. In any other case, the payment is fixed upon the basis of the worker's rate of ordinary pay at the end of that twelve month period. This differs in a significant way from the present provision which fixes the payment according to the rate of pay at the time the worker receives from the board the annual certificate disclosing effective service of or exceeding one hundred and twenty months.

Proposed new section 34 provides for a pro-rata payment for effective service of less than one hundred and twenty months where the worker ceases to be employed as a building worker for certain specified reasons or dies. This new provision differs in three principal and significant respects from existing section 35. The new section provides for a pro-rata payment in a case where the worker has less than eighty-four months' service but has received or become entitled to receive a payment under the Act or leave under the Long Service Leave Act for ten years' service of an appropriate kind. *Ex gratia* payments are presently being made in cases of this kind. The new section provides for pro-rata payment where a worker satisfies the board that he will be unable to work as a building worker for a continuous period of twelve months on account of illness or injury or if he has not worked as a building worker for such period for any other reason. The present provision is unsatisfactory in that it provides for such payment if the board is satisfied that the worker has ceased to be a worker in circumstances that suggest he will not again become a worker—a test that is more limited and difficult to apply. Finally, the present provision does not spell out the rate of ordinary pay according to which the payment is to be fixed, while the proposed new section specifies the rate in relation to each situation giving rise to an entitlement to a pro-rata payment.

Proposed new section 35 provides for a worker's effective entitlement to be included in continuous service for the purposes of the Long Service Leave Act upon the worker being employed by the same employer in a capacity other than as a building worker. Clause 16 amends section 36a of the principal Act by providing that the appeal tribunal is to be constituted of an industrial magistrate. Clause 17

provides for a right of appeal against an assessment of the Commissioner (which is presently provided for) and, in addition, against any decision or determination of the board. The clause also sets out powers that will be necessary for the purposes of such an appeal. Clause 18 provides penalties for offences relating to the exercise of inspectors' powers. Clause 19 provides for the repeal of sections 38, 39 and 40 and the substitution of new sections. Present section 38 is replaced by a new section more effectively dealing with the same matter, that is, a requirement that employers keep and preserve records to enable their liabilities under the Act to be properly determined. Present section 39 is no longer required in view of the insertion of a definition of 'ordinary pay'. Present section 40 has no further work to do since dismissal after the commencement of the principal Act would be no more for the purpose of avoiding the obligation to make a contribution under the Act than for the purpose of avoiding the payment of wages and other costs of employing a building worker. The clause inserts a new section 39 providing that it will be an offence to provide false or misleading information for the purposes of the Act. It inserts a new section 40 providing for the manner in which documents and notices are to be served under the Act. It also inserts a new section 40a providing for continuing offences.

Clause 20 clarifies the evidentiary provisions of section 42a. Clause 21 lists in the regulation-making section specific powers relating to registration of employers and notification to the board of specified matters.

The Hon. J. D. WRIGHT secured the adjournment of the debate.

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

That the time for the moving of the adjournment of the House be extended beyond 10 p.m.

Motion carried.

HAIRDRESSERS REGISTRATION ACT AMENDMENT BILL

The Hon. D. C. BROWN (Minister of Industrial Affairs) obtained leave and introduced a Bill for an Act to amend the Hairdressers Registration Act, 1939-1981. Read a first time.

The Hon. D. C. BROWN: I move;

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The amendments contained in this Bill are intended to improve the efficient administration of the Act. The most important amendment requires that all persons who are employed to teach hairdressing by the Department of Further Education after the proclamation of this Act must be registered hairdressers. This amendment is based on the principle that persons who teach those indentured under an apprenticeship system to the requisite standard of examination for registration purposes, should themselves be registered hairdressers—a principle that I firmly support. To protect those unregistered hairdressers who are employed at this time by the Department of Further Education the amendment will not be retrospective in operation. However, no further teaching appointments will be made prior to the passing of these amendments unless the appointee holds a Certificate of Registration granted by the Hairdressers Registration Board.

It has been argued that the Act, as it presently stands, could prohibit an apprentice hairdresser from practising his trade during the term of his indenture. To clarify this situation, a further amendment will permit an apprentice hairdresser to practise hairdressing during the term of his apprenticeship for the purpose of his training. The Act now requires a person practising hairdressing in the metropolitan area of Adelaide to be registered with the Hairdressers' Registration Board. However, this requirement makes no allowance for a person practising hairdressing in the interim period which often occurs between the successful completion of his apprenticeship and the date upon which he obtains registration. Therefore, the Bill provides for the practise of hairdressing by an unregistered hairdresser for a period of up to six months after the completion of his apprenticeship, providing that he is employed by a registered hairdresser.

The necessity for another amendment has been demonstrated by the difficulties experienced by some persons resident in the metropolitan area seeking to be registered, but who, whilst they were still practising hairdressers, were not actually practising hairdressing on the precise date of 1.4.79 (the operative date of the 1978 Amendment Act), and, therefore, were ineligible for automatic registration. Whilst the Hairdressers Registration Board has been using its discretion in some of these cases to allow registration, an amendment to the Act would be desirable, in order to give effect to the Board's intention and to allow more flexibility when further country areas are prescribed. The proposed amendment means that short breaks in the continuous employment of a hairdresser during the six months preceding the time at which an area is proclaimed a prescribed area do not affect his eligibility for automatic registration.

Finally, I would mention that the proposed amendments have been discussed by officers of my department with all interested parties, including the Department of Further Education, the then Apprenticeship Commission and the Hairdressers Registration Board.

Clause 1 is formal. Clause 2 provides for the commencement of the Act upon proclamation. Clause 3 gives automatic registration to persons who were practising as hairdressers in a prescribed area of the State at any time during the period of six months before the area is prescribed. Clause 4 exempts apprentices, and persons who are in the first six months of employment as a hairdresser after completing their apprenticeship, from the requirement to register. New subsection (2b) requires Department of Further Education teachers appointed after the commencement of the amending Act to be registered. The same requirement may be extended by regulation to teachers of hairdressing in other institutions, if the need arises.

The Hon. J. D. WRIGHT secured the adjournment of the debate.

MOTOR FUEL DISTRIBUTION ACT AMENDMENT BILL

The Hon. D. C. BROWN (Minister of Industrial Affairs) obtained leave and introduced a Bill for an Act to amend the Motor Fuel Distribution Act, 1973-1981. Read a first time.

The Hon. D. C. BROWN: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This small but important Bill amends the definition of 'industrial pump' in section 53 of the principal Act by increasing the capacity of the tank to which a pump must be connected to constitute an industrial pump. The capacity is increased from 1800 litres to 2001 litres. To facilitate the effective operation of the Act, it was necessary to curtail the proliferation of industrial pumps. Restrictions, therefore, were placed upon the installation of these pumps where their capacity was greater than 1800 litres, by requiring the approval of the board for installation. Pumps of a capacity of less than 1800 litres were exempt from the operation of the Act.

In recent months, a perusal of the applications made to the Board has revealed that the 1800 litre capacity figure is an unsatisfactory one. This figure was apparently a direct conversion from the old 400 gallon measure, (the usual small tank size of pre-metric days.) However, since the introduction of metrication, the standard metric capacity utilised in the production of the equivalent tank has been 2000 litres. This anomoly has led to obvious problems for those persons wishing to install the small capacity tanks, which it must be remembered, were never intended to come within the ambit of the Act. The board has no discretionary power when determining applications for approval to exempt those caught in this situation. Even if it were to be vested with such power, the subsequent proliferation of applications would seem an unnecessary burden on the Motor Fuel Licensing Board's time and resources. In these circumstances it has been decided that the most sensible solution is to increase the tank capacity below which pumps are exempted from the operation of the provisions of the Act. Clause 1 is formal. Clause 2 increases the minimum capacity of a bulk tank connected to an industrial pump from 1800 litres to 2001 litres.

The Hon. J. D. WRIGHT secured the adjournment of the debate.

HARBORS ACT AMENDMENT BILL (No. 2)

The Hon. W. A. RODDA (Minister of Marine) obtained leave and introduced a Bill for an Act to amend the Harbors Act, 1936-1981, and to make consequential amendments to the Broken Hill Proprietary Company's Indenture Act, 1937-1940. Read a first time.

The Hon. W. A. RODDA: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The jetty at Rapid Bay is currently privately owned by Broken Hill Proprietary Company Limited and was constructed by that company in accordance with the provisions of the Broken Hill Proprietary Company's Indenture Act, 1937, which also provided for the establishment of a blast furnace at Whyalla and associated facilities there and at Rapid Bay. Broken Hill Proprietary Company Limited now proposes to discontinue its operations at Rapid Bay, but similar operations will be undertaken at that port by Adelaide Brighton Cement Limited.

B.H.P. has now offered to transfer the jetty free of cost to the Minister of Marine. Adelaide Brighton Cement Limited will acquire from Broken Hill Proprietary Company Limited the conveyor system located on the jetty. Following the transfer of ownership of the jetty structure to the Minister of Marine, a formal agreement will be prepared for the occupation of the jetty structure by Adelaide Brighton Cement Limited for the purposes of the conveyor system. An early settlement of the matter has been sought by both companies who request that the transfer become effective from 1 January 1982.

The purpose of the present Bill is therefore to transfer the jetty to the Minister of Marine to be administered by him in accordance with the provisions of the Harbors Act. Consequential amendments are made to the Broken Hill Proprietary Company's Indenture Act, 1937-1940.

Clause 1 is formal. Clause 2 enacts new section 35 of the principal Act. This new section transfers the jetty to the Minister of Marine, and provides that its operation will no longer be governed by the indenture under which it was constructed. Clause 3 makes consequential amendments to the indenture Act and to the indenture.

Mr KENEALLY secured the adjourment of the debate.

FISHERIES ACT AMENDMENT BILL

The Hon. W. A. RODDA (Minister of Fisheries) obtained leave and introduced a Bill for an Act to amend the Fisheries Act, 1971-1980. Read a first time.

The Hon. W. A. RODDA: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill gives effect to the fisheries part of the offshore constitutional settlement agreement. The appropriate Commonwealth provisions have already been passed, and the States are introducing complementary provisions based on a model prepared by New South Wales.

Until the 1950s, fisheries in Australia were mainly inshore, and were managed by the States. The constitution had always empowered the Commonwealth Parliament to make laws with respect to fisheries beyond territorial limits. in 1952, the Commonwealth passed a Fisheries Act to manage offshore commercial fisheries. Although this provided much needed management in some fisheries, in others it created two different management authorities over fisheries which were divided by the three-mile territorial limit. I would point out that that is the correct term. The three-mile limit is of ancient origin and is widely recognised in international convention. There is no metric equivalent.

As fisheries developed and extended beyond three miles, and across several States, the split jurisdiction caused needless complication in management. Several cases came to the High Court, but the judgments did not define the limits to jurisdiction in a way that could be applied in practice.

By 1976, State and Commonwealth Ministers responsible for fisheries resolved that a new basis for managing fisheries should be developed. By 1979, Premiers were able to agree to a plan whereby any commercial sea fishery could be managed as an entity. Depending on particular characteristics, a fishery could be managed under State law wherever the fishery occurred; or under Commonwealth law wherever the fishery occurred. A scheme of management would be developed for the fishery by the State, or the Commonwealth or by a new body to be called the joint authority.

A joint authority would consist of the Ministers responsible for fisheries in the areas of jurisdiction in which the fishery occurred, but they would function as a single body.

Fisheries would be described by reference to such things as the species of fish, a method of fishing, an area of waters and, so on. Thus, a person who held a licence for that fishery would have his rights set out clearly. He could work in that fishery without the inappropriate and artificial constraint of a line on the water, three miles from shore, which might pass through the middle of the best fishing grounds.

To allow such arrangements, it would be necessary for the Commonwealth, or the States, to show that they did not apply their legislation to the fishery where it had been agreed that the fishery be managed, in accordance with an agreed scheme of management, under the law of the Commonwealth only, or a State only. If the fishing activities were not for a commercial purpose, they would remain under State control wherever they were carried out; that is, the States would manage recreational fisheries. States would also retain control of their internal waters as defined. For South Australia, this means that the waters in the gulfs and historic bays will not be subject to Commonwealth involvement in management of fisheries.

Beyond the limits of internal waters the following management regimes will be possible.

1. Management of specified fisheries by joint authorities either under—

(a) Commonwealth law applying from the low water mark where two or more States are involved or

(b) Commonwealth or State law applying from the low water mark where only one State is involved;

2. Arrangements whereby either the Commonwealth or a State may manage a fishery under either Commonwealth or State law that law applying from the low water mark; and

3. Continuation of the *status quo,* that is, State law applying within the three n. miles and Commonwealth law beyond that distance where no arrangement has been entered into in relation to management of a particular fishery. It is envisaged that this provision would rarely be used especially in the longer term.

This legislation is part of a national agreement. Identical provisions have received Royal assent in Victoria, Western Australia and the Northern Territory. A Bill has passed both houses in Tasmania. A Bill lapsed in New South Wales when Parliament was prorogued, but will be reintroduced. A Bill has been introduced to the Queensland Parliament.

It is particularly important to fisheries arrangements that all the provisions in this Bill pass into State law. This will make the South Australian Act consistent with all other State Acts, and it will mirror Commonwealth legislation in a way that virtually eliminates complications arising out of doubts on jurisdiction. I should also stress that the Government recognises the need for consultation so that the views of industry can be brought before any management authority established under the measure. Industry can be assured that this will take place. In conclusion, this Bill represents a significant, and essential step in improving management of commercial fisheries in Australia. I commend it to the House.

Clause 1 is formal. Clause 2 provides that the measure is to come into operation on the day on which Part IVA of the Commonwealth Fisheries Act comes into operation. Clause 3 amends section 3 of the principal Act which sets out the arrangement of the Act. The clause inserts the heading for a proposed new Part IA dealing with Commonwealth-State management of fisheries.

Clause 4 amends section 5, which provides definitions of terms used in the Act. The clause inserts definitions of 'the Commonwealth Act' and 'Commonwealth proclaimed waters', Commonwealth proclaimed waters being waters that are seaward of the coastal waters of the State which, in turn, are the waters up to three miles from the low-water mark on the coast of the State or from a proclaimed baseline. The clause also inserts a definition of 'foreign boat' which has the meaning that it has under the Commonwealth Act. Finally, the clause inserts a new definition of the waters to which the Act applies, these being: *(a)* the relating to a fishery to be managed under Commonwealth law, waters that are landward of the Commonwealth proclaimed waters adjacent to the State; *(c)* for purposes relating to a fishery to be managed under State law, any waters to which the legislative powers of the State extend with respect to that fishery; and *(d)* for purposes relating to recreational fishing not involving foreign boats, waters to which the legislative powers of the State extend with respect to those activities.

Clause 5 inserts a new Part IA (comprising new sections 6a to 6n) dealing with Commonwealth-State management of fisheries. New section 6a sets out definitions of terms used in the new Part. Attention is drawn to the definition of 'fishery', which is defined in terms of a class of fishing activities identified in an arrangement made under Division III by the State with the Commonwealth or with the Commonwealth and one or more other States. Attention is also drawn to the definition of 'joint authority', which is defined to mean the South-Eastern joint authority (comprising the Commonwealth, New South Wales, Victorian, South Australian, and Tasmanian Ministers responsible for fisheries) established under the Commonwealth Act and any other joint authority subsequently established under that Act of which the Minister is a member.

New section 6b provides that the Minister may exercise a power conferred on the Minister by Party IVA of the Commonwealth Act. New section 6c requires judicial notice to be taken of the signatures of members of a joint authority or their deputies and of their offices as such.

New section 6d provides that a joint authority has such functions in relation to a fishery in respect of which an arrangement is in force under Division III as are conferred on it by the law (that is, either Commonwealth law or, as the case may be, South Australian law) in accordance with which, pursuant to the arrangement, the fishery is to be managed. New section 6e provides for the delegation by a joint authority of any of its powers. New section 6f provides for the procedure of a joint authority. New section 6g requires the Minister to table in Parliament a copy of the annual report of a joint authority.

New section 6h provides that the State may enter into an arrangement for the management of a fishery. The new section also provides for ther termination of an arrangement and the preliminary action required to bring into effect or terminate an arrangement. New section 6i provides for the application of South Australian law in relation to fisheries which are under an arrangement to be regulated by South Australian law. New section 6j sets out the functions of a joint authority (that is, one that is to manage a fishery in accordance with South Australian law) of managing the fishery, consulting with other authorities and exercising its statutory powers.

New section 6k provides for the application of the principal Act in relation to a fishery that is to be managed by a joint authority in accordance with the Act. New section 6l applies references made to a licence or other authority in an offence under the principal Act to any such licence or other authority issued or renewed by a relevant joint authority.

New section 6m is an evidentiary provision facilitating proof of the waters to which an arrangement applies. New section 6n provides for the making of regulations in relation

to a fishery to be managed by a joint authority in accordance with the law of the State. Clause 6 redesignates existing section 6a as section 6o.

Mr KENEALLY secured the adjournment of the debate.

IMPRINT ACT (REPEAL) BILL

The Hon. W. A. RODDA (Chief Secretary) obtained leave and introduced a Bill for an Act to repeal the Imprint Act, 1951. Read a first time.

The Hon. W. A. RODDA: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

It provides for the repeal of the Imprint Act, 1951. The Imprint Act requires printers in South Australia to print their name and address on all non-exempt material printed in this State. A penalty not exceeding $200 is provided for non-compliance. Historically, this requirement represented an attempt to stamp out secret presses used for the printing of seditious material by providing a means of tracing such material back to the printer. Once the printer was traced, action could be taken against him.

The existence of this provision has little practical value, because a person who wished to print seditious or defamatory material would not put his imprint on the material. The existence of the penalty has very little deterrent effect because the Act is very difficult to police, except at a prohibitive cost. The variety of modern techniques of reproducing words and pictures make the tracing of a printer very difficult. The most likely effect of the provisions of the act is that a printer will become liable for a technical breach, when he produces something that in common sense should not require an imprint but is not within the exemptions set out in the Act.

I have had several discussions with the Printing and Allied Trades Employers Federation of South Australia, which initiated the review of the Act and that body supports the repeal. Clause 1 is formal. Clause 2 repeals the Imprint Act, 1951.

Mr KENEALLY secured the adjournment of the debate.

IRRIGATION ACT AMENDMENT BILL (No. 3)

The Hon. P. B. ARNOLD (Minister of Water Resources) obtained leave and introduced a Bill for an Act to amend the Irrigation Act, 1930-1981. Read a first time.

The Hon. P. B. ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

The principal objects of this Bill are twofold; first, to permit the freeholding of Crown tenures over land within irrigation areas and, secondly, to exempt holders of perpetual leases, agreements to purchase and land grants, where appropriate, within those areas from the requirement to obtain the consent of the Minister of Lands to transfer, mortgage or otherwise deal with their interest in the land.

These proposals are consistent with the Government's land tenure policies under which it has clearly indicated that freehold (fee simple) is the most desirable form of tenure. The intention to give holders of permanent Crown tenures the freedom to deal with their interest in the land without the consent of the lessor is consistent with the Government's deregulation programme.

At present, the provisions of the Irrigation Act restrict the sale of land for cash or on terms through an agreement to purchase to town lands only. Fee simple title is available under all other land tenure Statutes covering all areas of the State except those lands subject to the provisions of the Marginal Lands Act and the Pastoral Act, which are currently under review. It is now appropriate to allow land in irrigation areas to pass into private ownership as the basic reasons for the Crown to retain the fee simple in those areas no longer apply.

The proposed amendment will enable the present freeholding policy that applies to other forms of perpetual leases to be extended to all perpetual leases in irrigation areas, including leases granted under the Discharged Soldiers Settlement Act and the War Service Land Settlement Agreement Act. Although the Bill provides for the freeholding of war service leases, certain administrative aspects involving the Commonwealth remain to be finalised.

Land tenure legislation relating to limitations on the maximum area that could be held by any person was repealed in 1971. It is generally accepted in the market place that there is little difference between the interest of a perpetual lessee and that of a freehold proprietor, particularly in other areas of the State. Consequently, the requirement for the lessee to obtain consent to deal with his interest no longer serves any useful purpose. The Bill relieves lessees, etc., in irrigation areas from complying with that condition. It is proposed also to amend other land tenure Acts to free all holders of perpetual leases from this requirement.

There are numerous parcels of land throughout irrigation areas on which various irrigation and drainage headworks are located. These are licensed to the Minister of Water Resources, but many of them are used to gain access to leasehold properties. This arrangement is unsatisfactory and, in order to assist in resolving the problem, it is proposed to grant easement titles where required, and then add the land, subject to those easements, to the adjoining perpetual leases as a prerequisite to freeholding. Currently the Act precludes the granting of easements over Crown lands, and the Bill corrects this deficiency.

The administration of those sections of the Act which relate to the irrigation and drainage functions and related charges have been delegated by the Minister of Lands to the Minister of Water Resources. Under the provisions of the Act, the latter Minister can exercise various rights over leasehold land, but, as freehold tenure over broad-acre areas has not previously been available, those provisions do not contemplate the need to exercise the same rights over lands held under free simple title. In order to ensure the continued efficient operation of the water supply and drainage systems, and the recovery of charges, it is essential that all existing rights be maintained over all land in irrigation areas irrespective of tenure. The Bill gives the Minister of Water Resources that authority.

The current rehabilitation programme has been generally designed on the basis that each property has a metered irrigation connection and one drainage outlet. It is essential that fragmented or haphazard subdivision of irrigated lands be controlled in order that the efficiency of the system can be maintained, irrespective of tenure. For the purpose of

ensuring continuity of irrigation water and drainage services where partition of a holding could occur, it may be necessary to issue conditional land grants if it is not practical to consoldidate holdings into one land parcel by administrative action. Furthermore, some perpetual leases may be subject to other special conditions which may need to be carried forward on to land grants. The Bill makes provision for the Governor to include special conditions in fee simple titles.

Clause 1 is formal. Clause 2 provides for the commencement of the Act upon proclamation. Clause 3 is a consequential amendment to the arrangement of the Act. Clause 4 inserts a definition of owner that includes a reference to a person who is purchasing lands in an irrigation area under an agreement to purchase. Clause 5 repeals the section of the Act that presently entitles lessees of town allotments in irrigation areas to surrender their leases for a land grant. This section will be covered by a later section to be inserted.

Clause 6 provides for the granting of easements by the Governor over certain lands within irrigation areas—a power that he does not currently have. The present system is for lessees or purchasers to surrrender the necessary rights to the Crown so as to enable bodies such as the Engineering and Water Supply Department to carry out works. It is desirable that, before applications for freeholding are approved, such easements should be registered so that land grants issued will be subject to those registered interests.

Clause 7 provides that any lessee or licensee of lands within irrigation areas may apply to the Minister for the freehold of the lands comprised in his lease or licence. This section applies to leases and licences under the Irrigation Act, the Discharged Soldiers Settlement Act and the War Service Land Settlement Agreement Act. The Minister will determine the purchase price for the lands, and must give the applicant full details of all the various terms and conditions on which the application is granted. It is made clear that land grants issued pursuant to this section may be subject to conditions and reservations determined by the Minister.

Conditions and reservations attached to land grants will be carried over to subsequent certificates of title, if still current. New section 48d attracts certain enforcement provisions of the Crown Lands Act in relation to breaches of agreements to purchase or conditions attached to land grants. New section 48e provides that lessees, purchasers and owners of land within irrigation areas no longer have to seek the consent of the Minister to any dealings with their land (unless, of course, the Minister stands in the position of mortgagee in any particular case). Again, this section applies in relation to leases, etc., under the Irrigation Act, the Discharged Soldiers Settlement Act and the War Service Land Settlement Agreement Act.

Clauses 8 to 23 (inclusive) effect consequential amendments that apply to those provisions of the Act to deal with such matters as rating, maintenance of drains, etc., to persons who obtain the freehold of their leases in irrigation areas. Clauses 24 and 25 effect consequential amendments to the form of leases as set out in the schedules to the Act.

Mr KENEALLY secured the adjournment of the debate.

DISCHARGED SOLDIERS SETTLEMENT ACT AMENDMENT BILL

The Hon. P. B. ARNOLD (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Discharged Soldiers Settlement Act, 1934-1978. Read a first time.

The Hon. P. B. ARNOLD: I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill is consequential upon the Irrigation Act Amendment Bill that I have just introduced. It is necessary to provide that all applications for the freeholding of leases in irrigation areas be dealt with in the manner proposed by the Irrigation Act Amendment Bill, no matter which Act the leases were originally granted under.

Clause 1 is formal. Clause 2 provides for the commencement of the Act upon proclamation. Clause 3 excludes irrigation leases from the section that deals with the surrender of leases for agreements to purchase.

Clause 4 excludes irrigation leases from the section that deals with the surrender of leases for land grants. Clause 5 repeals the section that requires a lessee to obtain the consent of the Minister before transferring, subletting or mortgaging his lease.

Mr KENEALLY secured the adjournment of the debate.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. H. ALLISON (Minister of Education): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill reviews the penalties for crimes involving violence and rationalises the penalties for attempts to commit offences. It also deals with accessories to crimes. The Government is reviewing the penalties for all criminal offences. This Bill is the first of a series which will ensure that the penalty which can be imposed by a court adequately reflects the gravity of the crime.

There is concern in the community about the increasing prevalence of all kinds of crimes of violence, including child bashing. There is also concern that the penalties imposed by courts on those who commit crimes of violence are too low. In many instances the courts have little alternative but to impose sentences which may be regarded by many as inadequate. Maximum penalties are reserved for the most serious cases, and courts are loath to impose maximum penalties because of the difficulty in predicting that the case in question is the most serious one imaginable.

The difficulties encountered by the courts can be illustrated by looking at sections 23 and 40 of the Criminal Law Consolidation Act. These sections provide for maximum penalties of three years for the offences of unlawful wounding and assault occasioning actual bodily harm. Persons charged with these offences may have committed serious crimes such as firing shots in the general direction of police officers when evading arrest or inflicting quite severe injuries on children. Yet the maximum sentence a court can impose is three years.

Penalties such as these place severe limitations on a sentencing judge and do not allow him to give approprite weight to relevant considerations, such as the seriousness

of the assault and the injuries inflicted or the previous violent record of the offender. This Bill provides for quite significant increases in penalties for assault, in the case of sections 23 and 40 of the Act referred to earlier, from a maximum of three years imprisonment to a maximum of five years, or where the victim was at the time of the commission of the offence under the age of 12 years, eight years. With increased penalties the courts will be able to deal more realistically with offenders and impose sentences which are appropriate to the gravity of the offence and reflect the community's abhorrence of violence.

The Bill also provides for significant increases in the penalties that can be imposed on accessories. Accessories have been dealt with lightly hetherto. There are situations where a person giving assistance to an offender is deserving of a term of imprisonment, and the present maximum penalty of two years imprisonment is grossly inadequate, bearing in mind the reservation of the maximum for the most serious cases. Accordingly the maximum penalty for being an accessory after the fact to a felony is generally increased to five years, while the penalty for accessory after the fact to murder is increased to 10 years. The offence of accessory after the fact to murder is often very serious. It can involve the secreting, burial or destruction of a body, perhaps the body of a victim the accessory has just seen murdered by the principal offender.

When the penalties which may be imposed on those who attempt to commit crimes were examined it was found that there was no rationality in the law at all. For example, the penalty for the common law misdemeanour of attempting to commit a felony is two years. For some attempts, specific penalties are laid down; for example, attempted murder where the penalty is imprisonment for life, and attempted rape where the penalty is seven years. No specific penalty is laid down, for example, for attempted armed robbery, so the maximum penalty is only two years, which is clearly inadequate.

The penalties for attempts are rationalised by providing that the maximum penalty for attempting to commit murder or treason is life. For other offences, where life is the maximum penalty for the principal offence, the maximum penalty for an attempt is 12 years and in all other cases the maximum penalty for an attempt will be two-thirds the maximum penalty for the principal offence.

Special consideration has been given to the offence of assault with intent to commit another crime. This offence may not have the same elements as an attempt to commit the principal offence and therefore there is an option included in the Bill that the maximum penalty should be seven years or not exceed the penalty for an attempt to commit the principal offence.

The Bill should also be seen as yet another initiative by the Government to deal with crime. Mandatory non-parole periods, appeals by the Crown against lenient sentences, and the removal of the limit on the Supreme Court and the District Court in the imposition of cumulative sentences for a series of offences are part of the context into which this Bill fits.

Clauses 1, 2 and 3 are formal. Clause 4 repeals section 18 of the principal Act. This section presently deals with attempts to commit murder and the substance of the provision is now to be included in the proposed new section 270a. Clause 5 amends section 23 of the principal Act which deals with unlawful and malicious wounding. The maximum penalty for this offence is increased from three years to five years or where the victim was at the time of the commission of the offence under the age of twelve years—eight years.

Clause 6 amends section 39 of the principal Act which deals with the offence of common assault. The penalty for this offence is increased from a maximum of one year to a maximum of three years. Clause 7 amends section 40 of the principal Act which deals with the offence of an assault occasioning actual bodily harm. The maximum penalty for this offence is increased from three years to five years or where the victim was at the time of the commission of the offence under the age of twelve years—eight years.

Clause 8 amends section 43 of the principal Act. The first amendment removes paragraph (a) which deals with an assault with intent to commit a felony. This provision is now to be dealt with in new section 270b of the principal Act. The amendment also increases from two years to five years the maximum penalty for assaulting, resisting or wilfully obstructing a police officer in due execution of his duty or assaulting a person with intent to resist or prevent lawful apprehension for an offence.

Clause 9 amends section 48 of the principal Act which deals with the crime of rape. Subsection (2) which deals with attempted rape is struck out for that offence is now to be dealt with in the proposed new section 270a. Clause 10 amends section 49 of the principal Act which deals with unlawful sexual intercourse. The references to attempted offences are struck out for these are now to be included within the general provision of section 270a.

Clause 11 repeals and re-enacts section 56 of the principal Act which deals with indecent assault. The present penalty for this offence is a maximum of five years or where the offence is a subsequent offence a maximum of seven years. The amendment provides for a maximum of penalty of eight years for this offence or where the victim was at the time of the commission of the offence under the age of twelve years—a maximum of ten years. Clause 12 amends section 58 of the principal Act which deals with procuring commission of acts of gross indecency. The amendment removes the reference to an attempt because attempts to commit this offence will come under proposed section 270a.

Clause 13 makes a similar amendment to section 63 which deals with procuring persons to become prostitutes. Clause 14 makes a corresponding amendment to section 64 which deals with procuring persons to have unlawful sexual intercourse. Clause 15 removes the reference to an attempt from section 69 which deals with the offence of buggery. Clause 16 repeals section 87 of the principal Act which deals with an attempt to set fire to a building. Clause 17 repeals section 89 of the principal Act which deals with an attempt to set fire to crops. Clause 18 repeals section 92 which deals with an attempt to set fire to a mine.

Clause 19 strikes out section 115 (a) of the principal Act which deals with an attempt to kill, maim, poison or injure cattle. Clause 20 amends section 138 of the principal Act by removing the reference to an attempt to kill or wound deer, llama or alpaca. Clause 21 repeals section 156 of the principal Act which deals with an assault with intent to rob. This offence is to be subsumed under the provisions of proposed section 270b. Clause 22 amends section 205 of the principal Act which deals with the offence of personating the owner of any share or interest in the capital of a body corporate. The reference to an attempt is removed by the amendment.

Clause 23 amends section 238 of the principal Act by removing reference to an attempt to set a prisoner at liberty. Clause 24 amends section 268 of the principal Act. This section deals with accessories after the fact to felonies. The amendment increases the maximum penalty for this offence from two years to five years or where the felony to which the offender became an offender was a homicide—ten years. Clause 25 amends section 270 by removing attempts to commit felonies from the catalogue of common law misdemeanours contained in subsection (1) of that section.

Clause 26 is the major provision of the Act. It enacts new sections 270a and 270b of the principal Act. Section 270a provides that a person who attempts to commit an offence (whether the offence is constituted by statute or common law) is guilty of the offence of attempting to commit the principal offence. Subsection (2) however provides that where under the provision of any other Act or any other provision of the principal Act, an attempt is constituted as an offence the new section does not apply in relation to that offence and does not operate to create a further or alternative offence with which a person who commits the former offence might be charged.

Subsection (3) sets out the penalty for an attempt. In a case of attempted murder or attempted treason the penalty is to be life imprisonment or imprisonment for some lesser term; where the penalty or maximum penalty for the principal offence (not being treason or murder) is life imprisonment, the penalty for the attempt is to be imprisonment for a term not exceeding twelve years; in any other case the penalty is to be fixed at two-thirds of the maximum penalty prescribed for the principal offence. Subsection (4) provides that where the principal offence is an indictable offence, an attempt to commit that offence shall also be an indictable offence, where the principal offence is a minor indictable offence, an attempt to commit that offence shall also be a minor indictable offence, and where the principal offence is a summary offence, an attempt to commit that offence shall also be a summary offence. New section 270b provides that a person who assaults another with intent to commit a felony or indictable misdemeanour is guilty of an indictable misdemeanour. The penalty for such an assault is to be imprisonment for a term of up to seven years, or imprisonment for a term not exceeding the maximum that could be imposed for an attempt to commit the principal offence, whichever is the greater.

Clause 27 amends the Acts Interpretation Act. Definitions of 'minor indictable offence' and 'summary offence' are included within the general definitions included in that Act. Section 32 of the Acts Interpretation Act which presently deals with attempts to commit summary offences is removed by the amendment.

Mr LYNN ARNOLD secured the adjournment of the debate.

STATUTES AMENDMENT (JURISDICTION OF COURTS) BILL

Received from the Legislative Council and read a first time.

The Hon. H. ALLISON (Minister of Education): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill proposes amendments to the Local and District Criminal Courts Act, the Justices Act and the Criminal Law Consolidation Act affecting both the civil and criminal jurisdiction of the Supreme Court and the District Court, the civil jurisdiction of local courts of limited jurisdiction and the criminal jurisdiction of courts of summary jurisdiction.

In 1978, legislation was passed relating principally to the enforcement of judgments but also making various changes to jurisdictional limits. This legislation has not yet been proclaimed for various reasons, including the substantial costs that would result from its implementation and some residual difficulties that would need, in any event, to be resolved.

The implementation of changes to jurisdictional limits is regarded by the Government as a pressing necessity. The other matters raised by the 1978 legislation will fall within the purview of a Committee, established by the Government, to review the Supreme Court Act, the Local and District Criminal Courts Act and the Justices Act. This review will be carried out in close consultation with judges, Magistrates and the legal profession. It is hoped that separate Bills will be introduced relating both to the manner in which courts are structured and to civil and criminal procedure. A rationalisation of procedures is long overdue as is a comprehensive review of the legislation dealing with the structure of the State's judicial system.

This Bill proposes changes in the civil jurisdiction of Local Courts, increasing the limited jurisdiction from $2 500 to $7 500, the small claims jurisdiction from $500 to $1 000 and the full jurisdiction of the District Court from $20 000 to $40 000 although where a claim relates to damages for injuries sustained in a motor vehicle accident, the jurisdictional limit of the District Court will be $60 000.

At present, an appeal lies to the Supreme Court, by leave of that court, from a decision in proceedings based on a small claim. This Bill proposes that an appeal should instead lie to a District Court, by leave of that court, and that the appeal should be dealt with informally either in court or in Chambers. This proposal seems more in keeping with the nature of the small claims procedures.

Criminal offences are presently divided into groups by reference to the maximum penalty which may be imposed. This division is relevant for the purpose of determining whether an accused person should be committed for trial in the Supreme Court or the District Court. Under the proposed amendments it will also be relevant to the definition of 'minor indictable offences'. Group I presently covers offences for which the penalty exceeds 10 years; Group II presently covers offences for which the penalty is more than four years but does not exceed 10 years, and Group III offences are those which attract a maximum penalty of less than four years. The Bill proposes a revision of these categories. Under the revised categorisation Group I offences will be those attracting a maximum penalty of 15 years or more, Group II will comprise offences attracting penalties of between five years and 15 years and Group III will comprise offences attracting a penalty of up to 5 years.

The Bill enlarges the range of offences which are presently categorised as minor indictable offences. These are offences in relation to which a defendant may be dealt with summarily by a magistrate, or alternatively, if he so elects or the case is of particular seriousness or difficulty, be committed for trial before a jury. The range of offences which comes within the revised definition is broad. It includes common assault, simple larceny, embezzlement, false pretences, fraudulent conversion, larceny, larceny as a bailee, larceny as a servant, passing a valueless cheque, receiving stolen property and drug offences. Assault occasioning actual bodily harm, unlawful wounding and break, enter and larceny cases will also be included. But offences against the person (other than those specifically mentioned) and offences relating to property that involve property exceeding $2 000 in value are excluded from this category. The maximum fine that may be imposed by a court of summary jurisdiction in relation to a minor indictable offence is increased from $200 to $2 000. The maximum term of imprisonment that may be imposed in respect of such an offence by a court of summary jurisdiction will remain fixed at 2 years. However, a new provision will enable a

court of summary jurisdiction to remand a convicted defendant to a District Court for sentence where in the opinion of the court an adequate sentence cannot be imposed in the particular case because of the limitations referred to above.

The Bill empowers the Supreme Court to remit cases to a District Court where they may be appropriately dealt with by that Court. No case of treason, murder, attempted murder, rape and armed robbery may, however, be referred to a District Court for trial. Conversely, the Bill provides that in cases where it is more appropriate for a trial to take place in the Supreme Court rather than in the District Court, the Crown or the defendant have the right to apply to the Supreme Court for the trail to be removed into the Supreme Court.

The Bill proposes a change to the qualification for judicial office for the District Court. Eligibility for appointment to the Supreme Court requires ten years' standing as a legal practitioner. To be eligible for appointment as a Judge of the District Court a person must be a legal practitioner who has held a practising certificate for not less than seven years or be a special magistrate or acting judge. This provision presently leaves open the possibility of the appointment of unqualified persons to the Bench. The Bill ensures that a person appointed to judicial office must be a legal practitioner and that a minimum period of 7 years must have elapsed since admission. Existing special magistrates who are legal practitioners, have existing accrued credits leading to eligibility for appointment to the District Court. These will be preserved, although the Government does not subscribe to any general principle of 'promotion' through judicial offices. The Bill also deals with a miscellany of more minor matters that are best explained in the context of the individual clauses of the Bill.

Clauses 1 to 3 are formal. Part II amends the Local and District Criminal Courts Act. Clause 4 is formal. Clause 5 amends section 4 of the principal Act in a number of respects. First, it increases the amount of a small claim from $500 to $1 000. Secondly, it increases the jurisdictional limit of local courts of full jurisdiction. This is increased from $20 000 to $40 000 and, in relation to a cause of action in tort relating to injury, damage or loss caused by, or arising out of, the use of a motor vehicle, to $60 000. The jurisdictional limit of local courts of limited jurisdiction is increased from $2 500 to $7 500. Amendments are also made to the definitions under which offences are categorised into 'group I', 'group II' and 'group III' offences. A group I offence will in future be an offence attracting a maximum penalty of more than fifteen years imprisonment. A group II offence will be an offence attracting a maximum penalty of between five and fifteen years imprisonment and a group III offence will be an offence carrying a maximum penalty of up to five years imprisonment.

Clause 6 is a transitional provision providing that where proceedings in respect of a claim for a pecuniary sum exceeding $500 but not exceeding $1 000 had been instituted in a local court before the commencement of the amending Act, the claim does not become a small claim by virtue of the provisions of the amending Act. Clause 7 amends section 5b of the principal Act by making it clear that a person appointed as a judge under the Local and District Criminal Courts Act must be admitted and enrolled as a practitioner of the Supreme Court. This amendment does not however preclude the appointment of a Special Magistrate as a judge of the District Court provided that the Special Magistrate is admitted as a legal practitioner. But periods for which a special magistrate has not held a practising certificate are not to be taken into account in determining whether or not he has attained seven years' standing as a legal practitioner (except in the case of such periods occurring before the commencement of the amending Act).

Clause 8 makes consequential amendments to section 31 of the principal Act which deals with the jurisdiction of a local court of full jurisdiction. The amendments relate to the redefinition of the local court jurisdictional limit. Clause 9 amends section 32 in view of the re-definition of the jurisdictional limit of local courts of limited jurisdiction. Clause 10 makes it clear that a question of law cannot be reserved for the opinion of the Supreme Court in a case based upon a small claim. Clause 11 amends section 58 of the principal Act which relates to appeals from local courts. The amount that determines whether an appeal lies of right is increased from $500 to $1 000. A further amendment provides that no appeal will lie either as of right or by leave from proceedings relating to a small claim.

Clause 12 amends section 107 of the principal Act. This section deals with the rate at which interest accrues upon judgments of the local court. The amendment provides for the rate to be prescribed by rules of court. This will enable adjustments to be made reflecting changes in interest rates as they affect the community at large. Clause 13 makes a corresponding amendment to section 126 of the principal Act. Clause 14 makes an amendment to section 152b of the principal Act which is consequential upon later amendments. Clause 15 makes an amendment to section 152f of the principal Act reflecting the increase in the amount of a small claim from $500 to $1 000.

Clause 16 introduces new section 152g of the principal Act. This new section allows a party to proceedings based upon a small claim who is dissatisfied with a judgment given in the proceedings to apply to a local court of full jurisdiction for leave to appeal against the judgment. If leave is granted the local court of full jurisdiction may hear the appeal and confirm, vary or quash the judgment subject to the appeal. Proceedings on the appeal are to be heard and determined without unnecessary formality, and may be heard, at the discretion of the appellate court, either in open court or in chambers. A party to an application for leave to appeal, or to an appeal, under the new section may by leave of the court to which the application or appeal is made, be represented by counsel.

Clause 17 makes a consequential amendment to section 153 reflecting the fact that the rate of interest to be paid on judgment debts will in future be fixed by rules of court. Clause 18 amends section 165 of the principal Act. This section presently gives the court power to suspend execution of a judgment for a sum not exceeding $300 in a case where the judgment debtor is unable because of sickness or some other sufficient cause to pay the judgment debt. The amendment increases the amount of the judgment debt in respect of which the power is exercisable from $300 to $1 000.

Clause 19 amends section 168 of the principal Act. The amendment relates to the value of wearing apparel, bedding and tools and implements of trade that are protected from execution. The value of such items is increased from $60 to $100.

Clauses 20 to 24 relate to the proposed repeal of section 390 of the Companies Act. This section will not be reproduced in the uniform Company Codes which are to come into operation early next year. Section 390 of the Companies Act presently adapts the U.J.S. procedure of the local court so that it applies also to companies. This adaptation is now to be accomplished by the amendments proposed in these clauses. It should be noted that the pecuniary limit upon the application of the U.J.S. procedure to a company is now to be removed by the proposed amendments.

Clause 25 increases from $60 to $100 the amount of compensation that may be awarded by a court where a judgment debtor is vexatiously brought to answer an unsatisfied judgment summons. Clause 26 makes a consequential amendment to section 183 of the principal Act. Clause 27 amends section 216 of the principal Act which deals with recovery of premises by a landlord. The premises in respect of which proceedings may be brought in the local court are to be those in respect of which an annual rent of up to $6 000 is payable. This increase is in line with other increases to the jurisdictional limits of the local court.

Clause 28 makes a corresponding amendment to section 228 of the principal Act. Clause 29 increases from $20 000 to $40 000 the value of property in respect of which ejectment proceedings may be brought in a local court of full jurisdiction. Clause 30 amends the special equitable jurisdiction of a local court from cases involving equitable claims of up to $20 000 to those involving equitable claims of up to $40 000. Clause 31 amends section 279 of the principal Act increasing from $90 to $200 the amount of compensation that may be awarded to a person who is vexatiously arrested under the provisions for the arrest of absconding debtors.

Clause 32 amends section 284 of the principal Act which provides for the examination of witnesses who are unable to attend the hearing of an action. This procedure can presently be used in a case where more than $90 is claimed by the plaintiff. This amount is increased to $200. Clause 33 amends section 285 of the principal Act which empowers a judge or Special Magistrate to issue a commission for examination of witnesses on oath. The amendment corresponds to the previous amendment to section 284. Clause 34 provides for court fees to be prescribed by regulation rather than by schedule to the Act, as at present.

Clauses 35 and 36 amend sections 295 and 296 of the principal Act. The amendments relate to taxation of costs. The monetary limits which determine whether the taxation is to be conducted by a clerk or special magistrate are amended to accord with changes in the jurisdictional limits of a local court of limited jurisdiction. Clause 37 of the principal Act amends section 302 by removing a power to impose a fine upon a clerk, bailiff or officer not exceeding $40 for the offences of extortion, or levying money under the Act and failing to account for it. Such offences would of course normally attract heavy criminal sanctions and it is quite unnecessary and inappropriate to deal with them in the context of section 302 of the principal Act.

Clauses 38 and 39 are consequential upon proposed amendments to the Criminal Law Consolidation Act which will permit certain defendants who have been committed for trial in the District Criminal court to be tried instead by the Supreme Court and vice versa. These new provisions supplant existing sections 335 and 336 of the principal Act. They also require an amendment to subsection (2) of section 328 to ensure that a District Court will have jurisdiction to try a group I offence referred to it by the Supreme Court. These clauses make the necessary repeals and amendment. Clause 40 empowers a District Criminal court or a judge to remit in whole or in part a fee payable under the District Criminal Court provisions or the rules of court relating to those provisions if it appears to the court or judge that the remission should, on account of the poverty of the party liable to pay the fee, or for any other appropriate reason, be granted. This power corresponds to similar powers exercisable by courts of summary jurisdiction and the Supreme Court.

Clause 41 repeals the 3rd and 4th schedules to the principal Act. The repeal is consequential on the provisions of clause 34 which provide for prescribing court fees by regulation. Clause 42 amends the Local and District Criminal Courts Act Amendment Act, 1978. This amending Act has not yet come into operation. It forms part of a package of legislation relating to enforcement of debts and debt counselling which was introduced by the former Government. The amendments made by this clause repeal those provisions of the amending Act which are inconsistent with the provisions of the present Bill.

Part III contains amendments to the Justices Act. Clause 43 is formal. Clause 44 amends the definition of 'minor indictable offence' in the principal Act. Under the amended definition a minor indictable offence will include:

(a) an offence declared to be, or designated or described as, a minor indictable offence by any other Act;

(b) a group III offence (i.e., an offence attracting a prison sentence of up to five years) but not including an offence against the person (other than common assault, assault occasioning actual bodily harm and unlawful wounding), concealment of childbirth, or property in offences involving amounts of up to $2 000;
or

(c) certain other designated offences which comprise breaking and entering, certain forms of aggravated larceny, and receiving provided that they do not involve property of a value of more than $2 000.

An adjustment of a technical nature is made to the definition of 'simple offence'. Clause 45 amends section 5 of the principal Act. The amendment is consequential upon subsequent amendments under which minor indictable offences are in future to to be dealt with only by special magistrates. Clause 46 increases from $200 to $2 000 the maximum fine that may be imposed in lieu of imprisonment by a court of summary jurisdiction. Clause 47 amends the scale on which imprisonment in default of payment of a fine is imposed. The present scale provides for one day's imprisonment for each $10 of the fine. This is altered to provide for one day's imprisonment for each $25 of the fine.

Clause 48 amends section 106 of the principal Act and clause 49 repeals section 106a of the principal Act. Both these amendments are consequential upon subsequent amendments which affect the procedure for dealing with minor indictable offences. Clause 50 provides for the recording of depositions outside the room in which a preliminary examination is being conducted. Clause 51 makes a consequential amendment to section 109. Clause 52 amends section 120 of the principal Act. The effect of the amendment is to provide that a court of summary jurisdiction that sits to hear and determine proceedings in relation to a minor indictable offence must be constituted of a Special Magistrate. Clause 53 repeals section 121 of the principal Act. The amendment is consequential upon the repeal and re-enactment of section 120.

Clause 54 repeals and re-enacts section 122 of the principal Act. This section deals with the procedure and powers of a court of summary jurisdiction in relation to the hearing and determination of a charge relating to a minor indictable offence. The proceedings in relation to such an offence will be conducted in much the same way as those relating to a summary offence, but if the court determines not to deal with the matter in a summary way, or if the defendant elects to be tried upon indictment, then as from that point, the proceedings will continue as a preliminary examination.

Clause 55 amends section 124 of the principal Act to provide that where a person appears before a justice (not being a special magistrate) charged with a minor indictable offence, the justice is to remand him to appear before a court of summary jurisdiction constituted of a special magistrate. Clause 56 repeals sections 125 and 126 of the principal Act. These repeals are consequential upon the earlier amendments. Clause 57 amends section 129 of the principal Act which sets out the powers of a court of summary jurisdiction in relation to the sentencing of an offender found guilty of a minor indictable offence. At present a court of summary jurisdiction may not impose a fine exceeding $200 in the absence of some special authorization. This limitation upon the amount of a fine is altered so that the court can impose a fine of up to $2 000. The limitation preventing imposition of a sentence of imprisonment of more than two years remains unaltered. New subsections (4) and (5) are added. These provide that where a person is convicted of a minor indictable offence by a court of summary jurisdiction and the court is of the opinion that the above limitations prevent it from adequately sentencing the convicted person, the court may remand him in custody or on bail to appear for sentence before a district court.

Part IV deals with amendments to the Criminal Law Consolidation Act. Clause 58 is formal. Clause 59 enacts a new provision which makes possible a change in the forum in which a criminal trial is to be conducted. New subsection (1) provides that where a person is committed for trial in the Supreme Court, and the court is of the opinion that the trial might be appropriately conducted by a district court, then the Supreme Court may of its own motion or on the application of the Attorney-General or the defendant, refer the case for trial in a District Court. However no such direction is to be given in a case involving a charge of treason, murder, attempted murder, rape or armed robbery. New subsection (3) deals with the case of a person who has been committed for a trial in a District Court. In that event, the Supreme Court may, in appropriate cases, order that the matter be referred to the Supreme Court for trial. New subsection (4) sets out the considerations to which the Supreme Court is to have regard in determining whether to make a direction under the new section. Clause 60 enacts a new heading. Part IV amends the Companies Act. Clause 61 is formal. Clause 62 repeals section 390 of the principal Act. This section will be no longer required in view of the amendments to the Local and District Criminal Courts Act adapting the unsatisfied judgment summons provisions so that they embrace unsatisfied judgment summons issued against companies.

Mr LYNN ARNOLD secured the adjournment of the debate.

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (No. 2)

Second reading.

The Hon. H. ALLISON (Minister of Education): I move:

That this Bill be now read a second time.

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

Leave granted.

Explanation of Bill

This Bill provides a pre-trial procedure by which a Judge will be empowered, after the arraignment of an accused, to determine questions of admissibility of evidence and other preliminary questions of law before empanelling a jury. Over the years, concern has been expressed by the Supreme Court Judges about the unwieldy procedure required in relation to *voir dire* hearings and legal argument that takes place prior to the Crown Prosecutor's opening. The *voir dire* hearings usually relate to the admissibility of police records of interviews and often last anything from one to four or five days.

Under the present procedure, these hearings take place after the empanelling of the jury. In most cases it is necessary that they take place prior to the Crown Prosecutor opening his case. The result is that a jury, having just been empanelled, is asked to retire to the jury room or leave the court with instructions to return at a future date. this is administratively cumbersome and inconvenient for jurors themselves. In order to reduce the frequency of occasions upon which the jury is required to retire, greater procedural flexibility is desirable so that evidentiary matters and other preliminary questions of law may be determined before the jury is empanelled. This Bill creates such a procedure.

Clause 1 is formal. Clause 2 inserts new section 285a in the principal Act. The new section provides that a court before which an accused person is arraigned may hear and determine any question relating to the admissibility of evidence and any other preliminary question of law affecting the conduct of the trial before the jury is empanelled.

Mr LYNN ARNOLD secured the adjournment of the debate.

CORONERS ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's message.

The Hon. H. ALLISON (Minister of Education): I move:

That the House of Assembly do not insist on its amendment No. 2.

Motion carried.

Progress reported; Committee to sit again.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (No. 3)

In Committee.

(Continued from 1 December. Page 2195.)

Clauses 2 and 3 passed.

Clause 4—'General variation of awards following general variation by Australian Commission'

The Hon. D. C. BROWN: I move:

Page 1, line 18—Leave out ', the Full Commission, of its own motion,' and insert:

(a) the President shall convene a sitting of the Full Commission constituted of three or more members (of whom not less than one is a Presidential Member and not less than one is a Commissioner) as he directs; and

(b) the Full Commission so constituted.

The effect of this amendment which was circulated yesterday is to clarify that part of the Bill. At present it talks of the Full Commission on its own motion being able to refer the matter for a hearing. This is a technicality in that there is some doubt as to whether that is feasible, so I am moving the amendment to clarify the position.

The Hon. J. D. WRIGHT: I have not had an opportunity to look at the amendment. The Minister says that it was circulated yesterday. It was circulated quite secretly, evidently.

The Hon. D. C. Brown: They were put on your desk before the debate yesterday afternoon.

The Hon. J. D. WRIGHT: I am not in favour of the clause, in any case. The Minister makes the point that the amendment is a technical matter. Now that it has been circulated, I have looked at it, and it is. I do not disapprove or approve of the amendment, because I do not approve of the clause. I made a lengthy speech last night giving the Opposition point of view of the content matter of this clause, and I have no reason to deviate from that in relation to the clause in the proposed amended form. It does not matter very much whether the Opposition supports or opposes the amendment; it was opposed to the clause in any case.

Amendment carried; clause as amended passed.

Clause 5 passed.

Clause 6—'Form and registration of agreement.'

The Hon. J. D. WRIGHT: I oppose this clause, because it is just going too far so far as the Opposition is concerned. It relates to industrial agreements and, of course, the matter has been canvassed previously. New subsection (2) states:

> An industrial agreement has no force or effect unless it is registered.

It has been put to me that it is so wide that it may take into very distinct consideration private agreements, not having any force in law. An analogy that was given to me was of the Director of the Chamber of Manufacturers, Mr Schrape, who would have some form of private agreement with his employer, or an industrial officer, say, working for a union organisation or association. They may not be covered if this amendment to section 108 were carried. I do not know if that is so.

I would have been of the opinion that this agreement would have had to be somewhat consistent, with awards or agreements which could and should have been registered in the Industrial Commission. I suggest that there would be no need to register such an agreement between, say, the Chamber of Manufacturers and Mr Schrape or his successor or, alternatively, between employees of unions and associations. I would like the Minister to give me some guarantee as to whether or not that is correct. I would like to know the exact answer and the exact force of that clause.

The Hon. D. C. BROWN: First, I would point out that this does not affect any industrial agreement outside this Act. All it does is that, to have any meaning under this legislation, they must comply with this condition. The sorts of industrial agreements to which I think the honourable member is referring are industrial agreements outside the scope of the Industrial Conciliation and Arbitration Act. So, I think that that answers that point.

The other point of which I would remind the honourable member is that, as Minister of Labour and Industry, he introduced the Conciliation and Arbitration (Temporary Provisions) Act. In fact, this part is picked up from that Act. Because we are abolishing the Temporary Provisions Act we are bringing it into the principal Act, so there is nothing new. The honourable member himself introduced such a provision several years ago when he introduced the Temporary Provisions Act. We are just picking it up because we gave an undertaking to abolish the temporary provisions legislation and put it into the principal Act.

Mr McRAE: I am not asking the Minister to deal with a situation that is purely hypothetical, but quite real. Take a situation where a union and an employer enter into an industrial agreement covering a range of employees. Probably a real example to give without giving names—I do not wish to do that—is to take a company which has one plant producing an identifiable product and employing a large number of persons. They enter into an industrial agreement which is not registered under this Act and which is not sought to be registered under this Act.

I realise, and they equally, and presumably and the members of the union would realise, that there are certain dangers in that mode of procedure. What I want to be quite clear about is that we have got now an undertaking from the Minister that such an industrial agreement will not be placed in jeopardy by the proposed new subsection (2) to section 108 of the principal Act.

The Hon. D. C. BROWN: I am not going to deal with hypothetical cases. The point I reiterate is that any industrial agreement which wishes to use the powers of this legislation must be registered to have any force. Until they are registered they will not have any effect under this Act. It is as simple as that. If anyone wants to have an industrial agreement outside the scope of the Act, and they have another piece of legislation by which they can make it legal, whether it be by common law or through a specific piece of legislation, that is fine, but it has no effect under the Industrial Conciliation and Arbitration Act unless it is registered. It is as simple as that.

Mr McRAE: I want to nail this situation right to the boards, because, as I see it, there can be two different policy considerations that are motivating the Government. The Government may be saying that it as a Government is against industrial agreements which do not fall either within the ambit of this piece of legislation or the Commonwealth legislation, and hence legislate accordingly. In other words, the Government is adopting a policy which says that agreement reached between the felt hatters union (which is no longer in existence, I think) and a large South Australian company that made the non-existent Akubra hats but happens to affect 400 employees and happens to have a large effect on the South Australian economy, would be of no effect whatsoever. That would be one extreme, as it were.

Alternatively, the Government might adopt the stance of actually approving such arrangements. I am quite serious in this matter, and I hope that the Minister treats the question with the seriousness it deserves. The Government may wish to follow out a course which has been urged upon it by certain sections of the financial press over a large number of months, to say that it is precisely that sort of agreement which should be entered into; in other words, the industrial contract, well known in England, the USA and parts of Canada. The Minister knows that the Opposition is totally opposed to this legislation anyway, but I would like to know whether it was the intent of this new subsection to produce one or other of the extremes. The midway case does not worry me. I am asking for serious consideration to be given to this before the Minister replies to my question, because it has serious implications and because I know that the unions are at this moment contemplating agreements of this kind. I want to know what the Government's policy is. The Minister says that the Government's policy is that agreements which 'are outside this Act' are simply not caught by subsection (2). With all due respect to him, I am not quite sure that that is right. Whether that is right or not technically does not worry me, I want to get—

The Hon. J. D. Wright: There is a view that it is not right.

Mr McCRAE: As the Deputy Leader points out there is a view that is not right. I am aiming for certainty in this matter and I want to know the intent of the Government. Is the Government saying 'Take your chance under the existing law, whatever that may be, outside this act, but we are discouraging your activities to the extent that you cannot enforce it inside this Act'. Or is the Government acceding to the request of certain parts of the financial press over the last few weeks which have actually been asking for the American-Canadian style agreement to become part of the Australian scene? I do not want to

resume my seat and lose the second of my precious three tries on this clause. I would like some acknowledgement from the Minister that he does take, first, the seriousness of my point and that, secondly, he has got in his mind the two examples I am giving him. I think that the Minister is playing a rather Sphinx type game with me. No doubt that sort of thing works when you have the whip handle with the numbers, but it will simply not work when you get to the realities of the situation.

The Hon. D. C. Brown: Sit down and I will give you the answer.

Mr McRAE: I am only too pleased to.

The Hon. D. C. BROWN: First, the Government is taking a completely neutral stand to agreements that are what one could call a common law agreement or an industrial-style agreement through collective bargaining outside of the industrial conciliation and arbitration process as outlined by the Act. We are taking a neutral stand on it in this Act; it does not affect matters in any way. There are certain chances and risks that employees face, as the honourable member would realise. The employees involved do not have privity of contract in such circumstances.

Mr McRae: May not have.

The Hon. D. C. BROWN: I am not going to enter into that argument. The honourable member thinks they may not have, but someone else might say that they do not have. The explanation for this is quite simple. If you are to be able to examine whether any agreement registered under this Act is in compliance with the public interest, then there has to be some period of action by which time you can judge that and the method of making such a judgment. The point is that until it is registered it has no effect, because it cannot be judged whether or not it is within the public interest. It is quite simple. I do now know whether the honourable member was here when I answered the Deputy Leader but I do not think he was. In fact this very measure was picked up from the Industrial Conciliation and Arbitration (Temporary Provisions) Act which we are repealing. The provision has been there already. There is nothing new or sinister about it. It was there under the Industrial Conciliation and Arbitration (Temporary Provisions) Act. We are abolishing that and in abolishing that power under that Act we had to bring the power into this Act.

The Hon. J. D. WRIGHT: What will be the machinery that the commission will use to interpret whether or not the registration of any agreement does not conform with the public interest? It is clear that the intention of the clause is to restrict applications being made, even though the employer and the employee associations are able to reach agreement satisfactory to both sides of the political arena but they may be, in the judgment of somebody, outside the confines of what is considered by the Government to be the public interest area.

I think it is important to know what will be the machinery and who will be respensible for making that judgment, which will be a very interesting one. I said last night in the debate that I do not believe the machinery before us will work. I have my reservations about the drafting and the future success of it.

The Hon. D. C. BROWN: In terms of the standard by which it will be judged, we are yet to come to that clause. In terms of the machinery, any such agreement goes to the Industrial Registrar, and he sends it to the appropriate Industrial Commissioner and it would be up to the Commissioner to peruse it and make his own assessment.

Clause passed.

Clause 1 passed.

Clause 8—'Interpretation.'

The CHAIRMAN: I advise the Committee that I have made a clerical adjustment in line 14 which now reads, 'by striking out paragraphs *(b)* and *(c)*' in lieu of '*(a)* and *(b)*'.

Clause passed.

Clause 9—'Industrial authorities to pay due regard to the public interest.'

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

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Line 35—After "gives effect" insert ", so far as it may do so consistently with the conclusions reached by the industrial authority upon consideration of the matters referred to in subsection (3)."

Clause 9, as the Minister just said, is the key to the whole of the future of what I believe to be the industrial relations scene in South Australia. This clause, if implemented, will give the Minister some of the biggest headaches he has had since becoming the Minister of Industrial Affairs.

The Hon. D. C. Brown: I haven't had any yet.

The Hon. J. D. WRIGHT: You must have a very thick head.

The CHAIRMAN: Order! I suggest the remark is uncalled for and the Deputy Leader should not continue in that way. I ask him to withdraw it.

The Hon. J. D. WRIGHT: I withdraw it; I did not mean it, Sir. It was said in the context of the Minister's interjecting. He should be aware that his interjections are out of order. The clause at the moment forces the State Commission to be absolutely reliant upon whatever decisions are made by the Commonwealth Arbitration Commission. In those circumstances, that quite clearly takes away any power and any respect that the State Commission has. I believe at the moment it enjoys a great deal of respect; it is one of the best commissions, and it has been able to look after the industrial relations scene in South Australia without peer in Australia. The Minister admitted last night, by way of interjection, that the power of this commission is quite simply that it could not award any more than a Federal commission.

The Hon. D. C. Brown: That is not correct. That is in a national wage case.

The Hon. J. D. WRIGHT: I say it applies here as well. Why is the clause necessary if the Minister does not think it will apply?

The Hon. D. C. Brown: You reckon this is worse than what we did in August?

The Hon. J. D. WRIGHT: Yes; that is clearly my interpretation of it. I think it is binding the State Commission to the principles enunciated by the Commonwealth commission, and it has been put to me by very learned legal people that it could have an effect on any decision a Commissioner gives anywhere in Australia if that was drawn to the State commission's attention in any case. So far as I am concerned, that is quite wrong. It is not fair to the commission in South Australia and to those people who have to go before it to be bound in that way. The effect of my amendment is that it will reverse the position—

Mr Lewis: What amendment?

The Hon. J. D. WRIGHT: The amendment that has been circulated. It is hardly my job to post them out to you personally.

Mr McRAE: I wish to speak and explain to that impertinent person sitting out of his place, who said—

The CHAIRMAN: Order! I think we will keep the debate on an even keel. I do not intend to allow members to start exchanging insults.

Mr McRAE: I accept that reservation, sad though that may be in the present circumstances. I am not going to recanvass the material that I did last night, much to the joy of the Minister, I am sure, but the material that I canvassed last night has been widely circulated throughout the community, along with that delivered by the Labor

Party Shadow Minister in this area and my colleagues. There is no question that, throughout the State Industrial Court and commission, at all levels; throughout the Commonwealth Industrial Commission and indeed the Federal court at all levels; and throughout the South Australian legal profession, as a whole, the proposition that we put forward last night is accepted as being correct in law.

Is the Minister prepared to give an assurance to the Committee that what he has just said is correct? Let me repeat his words; I do not want them to sink into obscurity, because they are causing a lot of people a lot of concern. His words were that this binding of the State commission with the Commonwealth commission would apply only in national wages cases. If he is prepared to give that assurance that would still not satisfy the Opposition, and still would not satisfy the unions and a great number of people, but certainly it would ease some of the tensions that currently exist. Even the Deputy Leader of my Party was perfectly correct when he said that the learned advice of all sides of the political spectrum has been telling us that what we put to the House last night was correct. Is the Minister prepared to repeat that, in all sincerity, and indicate that if he is wrong he will amend the situation? In other words, if he will just adopt the reasonable attitude that has been adopted in the past, the non-legalistic approach of saying, 'This is my intent. I am trying to bind the State commission in respect of national wage cases but not elsewhere, or alternatively, the national wage or national annual leave or holiday pay cases, or whatever else the parameters may be, then that certainly is not going to get rid of our opposition, but it would reduce the tension and the very deep ill feeling that exists in many parts of the community about this Bill. I invite the Minister to do so.

The Hon. D. C. BROWN: I will take up the point made by the member for Playford first. I know that he has grand illusions of being Perry Mason.

Mr McRAE: I rise on a point of order. It is extremely offensive for any member of the South Australian bar to be referred to as Perry Mason. Perry Mason is known as the worst conceivable example of the worst conceivable Mid-West State bar association.

The CHAIRMAN: I cannot uphold the point of order, as the term is not unparliamentary. However, in view of the fact that the honourable member has taken exception to the comments made, I invite the Minister to withdraw them.

The Hon. D. C. BROWN: I will accept your invitation, Sir, and withdraw. I simply say that, as the member for Playford has grand illusions about his ability in the law, I find it incredible that he should this evening talk about circulating around Adelaide and in fact around Australia the speech that he made last night.

Mr McRAE: I rise on a point of order, Mr Chairman. At no time did I use the phrase 'around Australia'; I said 'around Adelaide'. I have been clearly misrepresented and I ask that the Minister withdraw that slur on me.

The CHAIRMAN: I cannot uphold the point of order. If the honourable member believes that he has been quoted out of context, or in any way reflected upon by the Minister, he has the opportunity to make a personal explanation at the appropriate time.

The Hon. D. C. BROWN: Mr Chairman, as I understood what he said—

Mr McRAE: I rise on a point of order, Mr Chairman, The Speaker has consistantly indicated in recent weeks that persons shall refer to other members of the House not as 'he', 'you', 'she', 'it', or any other such pronoun, but as 'the honourable member for Playford'—

The CHAIRMAN: Order! The Chairman has been most tolerant. I suggest to the member for Playford that he come to his point of order without engaging in the type of comment that he is now embarking upon. If the Minister has referred to the honourable member in any way other than as the member for Playford, then he is out of order, and I would ask the Minister or any other member to refer to members by their districts.

Mr McRAE: I rise on a point of order. Clearly the Minister did speak of me as 'he'. He did not uphold the Standing Order and I ask that you do.

The CHAIRMAN: Order! The Chair has already dealt with that matter. The Minister of Industrial Affairs.

Mr McRAE: I rise on a point of order. I ask you, Sir, in all sincerity, whether you are going to let the Minister get away with a flagrant breach of Standing Orders, which you must have heard.

The CHAIRMAN: Order! I point out to the honourable member that I have asked the Minister to refer to honourable members in the correct way, and I intend to make sure that that course of action is followed.

Mr LEWIS: I rise on a point of order, Mr Chairman. I have wanted to attract your attention for some time now. Just before these points of order were taken by the member for Playford, a matter arose where he admitted having circulated what I thought were confidential documents made available to members of this House. On every page it says 'Confidential and Subject to Revision'. My point of order, as an inquiry to you, Sir, is whether it is legitimate for any member of this House to circulate those documents publicly.

The CHAIRMAN: Order! The Chairman is not really aware of the matter to which the member for Mallee is referring. If the member is of the view that the matter should be proceeded with, I suggest that he take it up with the Speaker at an appropriate stage.

The Hon. D. C. BROWN: I think I was at the point some minutes ago of saying that the member for Playford had implied that it was the view of all people in the South Australian Industrial Commission and in the Australian Industrial Commission and all legal representatives that in fact his point of view as covered in his speech last night was correct. Forgive me, but I am a humble person and I find that some things that the honourable legal brain opposite says at times tend to be rather confusing, but I ask how, within a 24-hour period, has he been able to obtain such a legal opinion from all of the people in the South Australian Industrial Commission and all of the people in the Australian Industrial Commission, especially as he said that he had only circulated it around Adelaide. When I said 'Australia', he corrected me and said 'only Adelaide'.

As I said, I think he has grand illusions about his position. Can I correct him, because in fact he took my comments out of context. What I have said and have made quite clear is that clause 4 of the Bill relates only to a State wage case and a national wage case. That is simple. It is what I said last night, and I repeat it tonight. I have now dealt with what the member for Playford has raised.

I take up what I think are the more important points raised by the Deputy Leader of the Opposition. We all heard him say tonight that he considered that what was now proposed under clause 9 was a very significant further step that was considerably worse than the provision introduced in August this year, and the member is nodding to indicate that that is correct. I point out to him and to members of the House that the provision in clause 9 is exactly the same as that which we introduced in August this year; the only thing we have done is remove and to rearrange the order of the subclauses and bring the provision back in again.

The Deputy Leader of the Opposition made quite some point, not only when he was discussing the clauses but also

in his speech, that here is a significant major new power with which we were belting the people of South Australia over the head. We all heard him say that the provisions of this clause were significantly worse than that which was introduced in the Bill in August this year. All we have done is remove the original clause and rearrange the subclauses because of the logical order in which those subclauses should apply.

In particular, I refer to subclause (2), because all the subclauses would apply and it is important to put that second rather than further down. The only other change was to change some of the English wording into Latin. One member, I think the member for Peake, no doubt a classic scholar of some note, referred to the fact that he thought that the Latin in this particular clause did not make sense. I do not know to what extent he is a classics scholar, but it did not sound very classic last night. I point out that I have more faith in Parliamentary Counsel and I believe that the Latin phrase there is quite appropriate. I point out that all the hysteria that members of the Opposition have tried to generate about this clause must fall on deaf ears, because it is exactly the same clause in intent and in wording virtually as that which was contained in the Bill originally introduced and passed by this Parliament in August.

The Hon. J. D. WRIGHT: The clause may have been passed by this Parliament but it was not then supported by the Opposition, nor is it supported now.

The Hon. D. C. Brown: You said it is worse.

The Hon. J. D. WRIGHT: I think it is worse. I may understand it better. It may be that, with the three months of penetration of what you are trying to do, I understand the clause better and therefore I understand its implications, but I am still not clear what the Minister really has as the intention of this clause. He has given a guarantee to the member for Playford that clause 4 applies only in economic wage decisions.

Mr McRae: National wage cases.

The Hon. J. D. WRIGHT: They need not be national. They can be State economic decisions. What, then, can I get from the Minister? I am not happy, but at least it clears up some doubt in my mind as to where it applies and where it does not apply. I am not happy about the thing generally, but regarding the guarantee given under clause 4, with the alteration to section 36, does the Minister also extend that to clause 9 in relation to subsections of section 146b? Can the same guarantees be given that the intention in that particular area is only for national wage or economic cases, whether they are taken nationally or within the State? I told the Minister that it has been put to me by very learned people that that is much wider than the Minister leads the Parliament to believe. The Minister is getting advice from his officers, and I will be pleased if the Minister can give me an assurance under that particular clause, as is given under clause 4.

The Hon. D. C. BROWN: The whole purpose of clause 9 as amended here and as spelt out in section 146b is to first say that the commission should take into account the public interest generally and it spells out what the public interest is and how it should be taken into account and judged.

The Hon. J. D. Wright: For what purposes?

The Hon. D. C. BROWN: The public interest aspect had broader ramifications, as we introduced in August, much broader ramifications than just State and national wage cases, as the honourable member knows. It included agreements and everything else.

The Hon. J. D. Wright: Now it's out.

The Hon. D. C. BROWN: We have made no secret of that. The public interest applies generally to all industrial agreements under this Act. This spells out that they shall take into account the public interest, and exactly what the public interest is.

The Hon. J. D. Wright: And be bound by the Commonwealth principles at the same time.

The Hon. D. C. BROWN: As spelt out here, but I reiterate that clause 4, which is the one that says that the State commission cannot grant more than the Federal commission, relates only to the relationship between a national and State wage case.

Mr McRAE: I am quite used to being abused by the Minister of Industrial Affairs but I do take umbrage at the way in which he has taken advantage of his own education to abuse my colleague, the member for Peake. I doubt very much that, if he was asked to translate the Latin phrase *mutatus mutandus,* he would be able to do so, or even if he was asked to construe the grammar, that he would be able to do so. I regard tricks like that as something like contempt. If he thinks that he affronts me one little bit by referring to me as a Perry Mason, all I can say is that I will try to uphold the Standing Orders of the House, but apart from that I have been kicked in the guts by experts and I am not particularly worried by the Minister. I want to get back to the substance of this matter and I—

The CHAIRMAN: I would be very pleased if the honourable member would abide by my ruling.

Mr McRAE: I will abide by your ruling immediately. Does the Minister propose to answer one simple question? Is it or is it not true that, under the current provisions of clause 9, it is the intent of the Government that the Industrial Commission of this State shall not be capable of granting more than, in terms of quantum of amount or benefits, is granted by any Commonwealth jurisdiction in relation to the same subject matter?

The Hon. D. C. BROWN: Clause 9 relates to the principles. It has nothing to do with monetary amounts. That aspect is covered in clause 4. Here we are looking at the principles that apply under the Commonwealth commission, picking them up.

Mr McRAE: I am astounded that the people of South Australia should have to put up with such an arrogant Minister who is prepared to cheat the people of this State of their legitimate benefits. There is no doubt that throughout the industrial community of South Australia his intent is well known. It is not denied by any of those who surround him and it is not denied by any of those who have to try to enforce the law.

So far as the Labor Party is concerned, the whole matter is contemptible; in so far as this Bill is concerned it is not worthy of any support at all. We will vote against the third reading, but in so far as it could be said to be worth anything (I find it hard to see how that is possible), I suppose in the sense of reducing total evil into lesser evil, I give my suport to the amendment.

The Committee divided on the amendment:

Ayes (19)—Messrs Abbott, L. M. F. Arnold, M. J. Brown, Crafter, Duncan, Hamilton, Hemmings, Hopgood, Keneally, Langley, McRae, O'Neill, Payne, Peterson, Plunkett, Slater, Trainer, Whitten, and Wright (teller).

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

Pairs—Ayes—Messrs Bannon and Corcoran. Noes—Messrs Evans and Goldsworthy.

Majority of 3 for the Noes.

Amendment thus negatived; clause passed.

Remaining clauses (10 and 11) and title passed.

The Hon. D. C. BROWN (Minister of Industrial Affairs): I move:

That this Bill be now read a third time.

First, I urge members to support this Bill through the third reading. I believe it comes out of Committee basically the same as it was when it went into the Committee stage.

Mr Trainer: Yes, rotten.

The Hon. D. C. BROWN: That is the sort of assessment that we expect from a brain like that. I think it is a reflection on the entire debate put forward by the Opposition on this particular Bill. It disappoints me that, on an issue of some significance to this State, and particularly on an issue that is so important to the long-term development of this State, that the standard of debate of honourable members opposite has been so pitiful. One would have expected, with an issue such as this, some input on the fundamental issue as to what extent this State can allow wages to escalate at a higher rate than do wages interstate.

Mr Hamilton: You've been saying that since Federation.

The Hon. D. C. BROWN: One would have thought that that is what the crux of this Bill is about, and that, therefore, that is what the debate would have been about. Instead, we had a great deal of hysteria last night and emotional claims coming forward with no basis on which to make those claims. They were very similar in terms to what was said about the August Bill which was passed by this Parliament, which has been operating for three months, and which has not had the dire effects predicted by members opposite.

I believe that this State has a fundamental manufacturing industry that we must preserve, protect and develop. We will not do that if we allow the wage rates of this State to escalate at a faster rate, when looking at general economic wage increases, as compared to those which apply nationally. Furthermore, I think that anyone would say that Australia at present is in a state of transition in terms of wage-fixing principles. There are various arguments and debate whether wage indexation or some other system that should apply. The one thing that everyone would agree on is that the last thing Australia needs now is six or seven different wage fixing sets of principles to apply to each State commission and to the Federal commission. That lead to industrial anarchy in Australia and complete chaos in terms of wage fixation.

What we are attempting to achieve here is to make sure that there is some form of uniformity in the post wage indexation period. The best way of doing that is by trying to ensure that there is a great deal of uniformity between the South Australian Industrial Commission and the Commonwealth commission. Of course, members opposite, in support of the trade union movement, have tried to write quite different sorts of motives behind this Bill. The motives are quite simple; they are to try, first, to achieve uniformity of principle in wage fixing, and, secondly, to make sure that there is no wage explosion in South Australia which is greater than any wage increase before the Commonwealth Commission. I again bring to the attention of members opposite, because they tried to highlight last night that this was going to be the most severe blow to all workers in South Australia, that more than half of the workers in this State already work under Federal awards where Commonwealth wage-fixing principles apply. In fact, for the past six years all workers in this State have been under Commonwealth wage fixing principles through wage indexation, so what is so unique and disastrous in trying, through this Bill, to make sure that the same sort of principle applies in the future in this State? It is on that basis that I ask members opposite to reassess their rather childish approach to this Bill and to now support it.

The Hon. J. D. WRIGHT (Deputy Leader of the Opposition): The Bill, as the Minister said, has not changed in complexity even though it has been through the second reading and Committee stages. In accordance with the decision of the Opposition, I still oppose the Bill in its present form.

There can be no question that the only reason that this Bill is in its present form (and this applies to the form in which it was presented in August) is because the Minister and his Government would not accept the umpire's decision. They were not prepared to accept the decision of the State Industrial Commission, so now they are out to manacle the commission, tie it to the Federal commission, and give it no respect or identity of its own. That is the whole purpose of the Bill.

The only person in this House who has been petty and childish is the Minister. I believe that his attack on the member for Peake a few moments ago was probably the lowest thing I have ever seen in this House. The Minister has been a fortunate young person. He has had a fairly good education, not that it is holding him in any great stead. The member to whom he referred was out in the shearing sheds shearing for a living and working his hardest at 13 years of age. He had no opportunity whatsoever to have any education. That is the sort of person the Minister took upon himself to downgrade in this House tonight.

Mr Trainer: It is a political—

The DEPUTY SPEAKER: Order! I advise the member for Ascot Park to refrain from that sort of comment if he wants to continue in the debate.

The Hon. J. D. WRIGHT: There is no doubt in my mind as to who was more degraded—the Minister degraded himself. To sink so low, to have a shot at a person and a passing shot at the honourable member leaving the House is about the lowest thing I have seen in this place. I still say that the Bill will not work. My legal advice is that the Bill is of very doubtful quality. If it works, it will cause problems, and that is what I fear. The Minister talks about a wage explosion. I said in the second reading debate, and I say again, that, generally speaking, I would support a central wage-fixing system. I do not believe that anyone in South Australia, or even in Australia, has been a stronger supporter of the wage indexation system than I have been. I have made numerous speeches on that subject, and I support a central wage-fixing system.

However, I do not support the way in which this Government has gone about this Bill, because this action was taken in isolation. The Government has not conformed with other State Governments: it has not had discussions with other Governments. It has introduced this Bill on its own. The Victorian Government is talking about the privilege of having its own system. The Minister has not had consultation with other States. The final point I wish to make—

The Hon. D. C. Brown: We have so.

The Hon. J. D. WRIGHT: The Minister might have had consultation, but there was no agreement. I have attended many Ministers' conferences: Ministers talk about this and that, but that does not mean that the States take action. Action has not been taken by the States in this circumstance. My major objection to the Bill, apart from the principles contained therein, is that the Minister did not consult with other people in the community. Even though the Bill is about to pass through the House, I am still receiving complaints about the lack of consultation. If the Minister's performance continues in that way, he will certainly rue the day that he did not consult with those people who are affected by this Bill—the Trades and Labor Council, the employers, and other people in the community who should have been consulted.

It may be that the Minister would have gone on with the Bill, if that was the Government's policy, irrespective of those consultations, but at least it could have been said that a rational, sensible attempt to try to get some consensus about the Bill had been tried and failed. The Minister is not in a position to say that, because there was no consensus and no consultation, and in those circumstances the Bill should not have proceeded. As I said last night, the Minister still had an opportunity to go back to those consultations by withdrawing the Bill. He has chosen not to do that. So he wears the crown of the non-consultator. I hope this Bill has little success in the Legislative Council, and we oppose it.

Mr LEWIS (Mallee): I do not intend to take much of the time of the House but I do intend to ensure that the record shows just how contemptible the Opposition's arguments in relation to this matter really are. Speaking of the classics, as I heard the Minister do some little time ago this evening, though I know not which character, it was William Shakespeare who in the play about Caesar had a character saying, 'Methinks he doth protest too much.' That is about the best way to summarise the Opposition's attitude to this measure. When I listened to their debate in the second reading last night, I heard howls of indignation—

Mr HEMMINGS: I rise on a point of order, Mr Deputy Speaker. The member for Mallee is now referring to the second reading debate. I understand that under Standing Orders, that in the third reading stage one can only talk about how the Bill came out of the Committee stage.

The DEPUTY SPEAKER: I uphold the point of order. However, I was temporarily distracted and did not hear the exact words of the honourable member. I do ask the honourable member for Mallee to restrict his remarks to the Bill as it arrived from the Committee stage.

Mr LEWIS: Thank you Sir. The remarks I was making referred to the way in which the Bill had been considered to arrive in its present form, and from my certain memory the Deputy Leader had referred to the way in which members of the Opposition had strongly opposed this measure. Unquestionably, their howls of indignation, their hamming up of opposition to this measure, and the kind of attempt they made to whip each other into a lather about the prospects that they saw before them were pitiful. The kind of comment to which I refer was that which I heard stated by a member opposite in words to this effect: 'I now turn to the substitution of confusion, delay, suspicion and class hatred for the order, expedition, trust and equity that has gone on before. We all know that is the whole intent of the Government. They want people thrust up to the barricade and in particular want people who can least protect themselves, mainly the lower echelons of the Public Service to pay for their own inequities and disabilities. It is a disgrace that a commission which has been built up so well over the past few years should be put down to such a humiliating position—'

Mr HEMMINGS: Mr Deputy Speaker, I again draw your attention to the fact that the member for Mallee is now quoting from a second reading speech that was made on this side of the House. I remind you, Sir, of Standing Orders which says that at the third reading stage a member can only speak on the Bill as it came out of the Committee. I know the member for Mallee will be upset—he has had this prepared speech and he wants to—

The DEPUTY SPEAKER: Order! Will the honourable member come to his point of order?

Mr HEMMINGS: He is quoting a second reading speech.

The DEPUTY SPEAKER: The honourable member has already informed the Chair of that particular course of action. I draw the honourable member for Mallee's attention to the fact that the third reading debate is far more restrictive than a second reading debate, and he must confine his remarks to the Bill as it has arrived at the third reading stage.

Mr LEWIS: Thank you, Mr Deputy Speaker. Unlike the way in which Opposition members and the Deputy Leader in his third reading speech predicted that this measure would affect the community, I believe that it will enhance industrial relations in South Australia and improve the lot of all employees subject to the influence and control in their awards of the South Australian Industrial Commission.

Unquestionably, members opposite are overlooking the fact that workers are also members of the general public. As stated in clause 9, new subsection (3) provides that we are now required to make determinations consistent with the public interest. Accordingly, the industrial authority shall consider the state of the economy. That clause also refers to the likely effects on the level of employment and inflation. What would and does happen at the present time, prior to this measure becoming law, is that the industrial authority—the commission—cannot take those factors into account. It must merely consider the relationship between the employer and the employee—the parties involved in the dispute; not the third party, not the workers, not their families or anyone else, just the people involved in the dispute: the union and the employer. That approach is very narrow, very parochial and very indifferent to the real needs of people in the community. If wages go up, prices will also rise. That is in the public interest—

Mr HEMMINGS: Mr Deputy Speaker, I rise on a point of order. I repeat what I said before: the member for Mallee is not speaking to the Bill as it came out of Committee. His remarks are totally irrelevant to what was considered in Committee. The member for Mallee has completely strayed away from the subject. Mr Deputy Speaker, in order to allow the House to continue with its important business, I request you to ask the member for Mallee to desist and sit down, so that we can get on with the business before the House.

The DEPUTY SPEAKER: Order! It is not for the member for Napier to suggest that a member should not make a contribution.

Mr Hemmings interjecting:

The DEPUTY SPEAKER: Order! The honourable member will not speak while the Chair is determining a point of order. I have already pointed out to the honourable member that I have instructed the honourable member for Mallee that he must refer to the Bill as it arrives at the third reading stage. I have been listening to the honourable members' remarks, and at this stage I intend to allow him to continue.

Mr LEWIS: The public interest that I referred to not only relates to the interests of other people seeking work and other people already in employment and their families; it relates also to the majority of people in my electorate. Where wage rises have occurred in my electorate because of an artificial dispute created between employee representatives (the unions) and the employer, that has increased the cost of production, particularly for primary produce. However, it is not possible for those other members of the public, part of which is comprised of the primary producers I represent, to go to arbitration and seek a price rise.

The Hon. J. D. WRIGHT: Mr Deputy Speaker, I believe that the member for Mallee is making a second reading speech, not a third reading speech. Surely this must stop at some stage. The member for Mallee has had an opportunity during the second reading debate and in Committee to make the points that he is now making. He is clearly

making a contribution worthy of a second reading and not a third reading debate.

The DEPUTY SPEAKER: Order! I cannot uphold the point of order. The honourable member is in order. However, the contribution being made by the honourable member is traditionally made at the second reading stage of a debate. It is unusual for a member to continue in this vein. In accordance with Standing Orders, the Chair is prepared to allow the honourable member to continue.

Mr LEWIS: The end result of the factors to which I have referred is that employment in rural areas is reduced, because the margins left to farmers who traditionally have employed people are inadequate to do more than allow them to merely support themselves. With regard to employment, provision is made in paragraph *(a)* of new subsection (3) of section 146b for consideration of the 'effects on the level of employment and on inflation'. I am referring to levels of employment, and pointing out that disputes between employers and employees elsewhere, artificially contrived by those unions, presumably acting in the interests of the employees, result in employees in other industries losing their jobs when those industries depend upon world market prices for the products they sell, such as the people whom I represent.

That is the strength of the point that I want to make in urging all members present to support this Bill at the third reading. It is most important that in future, if this community of ours and the civilisation that we have built up over the years is to survive, we must take these points into account in determining what the price of labour shall be.

The Hon. J. D. WRIGHT: On a point of order, Mr Deputy Speaker. Can I ask a question?

The DEPUTY SPEAKER: The Deputy Leader is entitled to raise a point of order.

The Hon. J. D. WRIGHT: I have a question to put to you, Sir, not really a point of order. Is it to be your ruling and intention in the future—

The DEPUTY SPEAKER: Order! The honourable member can rise on a point of order, but it is not in order to ask a question.

The Hon. J. D. WRIGHT: I will rise on a point of order, and raise it in this way: I ask you, Sir, whether it is your intention in the future to permit speeches of the nature of the one just made by the member for Mallee at the commencement of the third reading debate, or, if you agree with my point and consider that that speech was a speech that really should have been made during the second reading debate, would you take the matter up with the Speaker to ensure that these circumstances do not occur again? Otherwise one could find that, due to the precedent set tonight by the member for Mallee, members on my side would want to take the same opportunity and make second reading speeches at the third reading stage. I believe it is quite improper. It is the first time that I have seen it occur. If you do not want to give me an answer tonight, Sir, would you think about it and discuss it with the Speaker?

The DEPUTY SPEAKER: I repeat what I said on the previous point of order that was taken. The member for Mallee was speaking in accordance with Standing Orders, but I must point out that the speech he made was rather unusual, because that type of debate normally takes place at the second reading stage.

The House divided on the third reading.

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

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

Pair—Aye—Mr Goldsworthy. No—Mr Corcoran.

Majority of 3 for the Ayes.

Third reading thus carried.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 5)

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN COLLEGE OF ADVANCED EDUCATION BILL

Adjourned debate on second reading.

(Continued from 19 November. Page 2093.)

Mr LYNN ARNOLD (Salisbury): It is a great pity that this Bill is coming on in the dying stages of the pre-Christmas part of this session of Parliament. It really should have come on a considerable time ago, as the first Bill was handed to Cabinet many months ago. It lay on the Cabinet table for months as Cabinet members tussled, hassled, fought and struggled over its provisions and debated at great length the various amendments that ought to be made to it. Then, the Bill was introduced in the House on 19 November.

One should have thought that, after all those months of heart-rending anguish in the Cabinet room, as Cabinet members struggled against each other (not the least of all the Minister of Education, who was being beaten down by his colleagues), that was the final haul and the consensus of opinion from the Cabinet room. However, apparently it is not. Even tonight, we have on our benches another amendment to the Bill that is to be moved by the Minister.

The Hon. H. Allison: It doesn't weaken it though, does it?

Mr LYNN ARNOLD: It certainly does not weaken it. In fact, it is an appalling amendment. One could not imagine that the Government could make the Bill much worse in relation to that clause. However, it has done so. The hatchet men of the Cabinet have managed to go one step further.

I know that I would be out of order to concentrate on that at this stage and I will, in the due process of Committee debate, concentrate on it then. Because the college amalgamation will be proceeding and because it requires ambit legislation for that to happen, the Opposition is not in opposition to the concept of this Bill. Indeed, we will support it at the second reading stage, with a view to amending it in the Committee stages. We hope that the Government will see wisdom and accept the amendments we have put forward, which at that stage, should have been circulated.

The Opposition is still in the process of considering many aspects of this Bill and is still consulting with people in the community on the basis of the Bill as we know it. It may be possible that in another place, there are other amendments that may be moved as a result of those further consultations that are still going on. I have been strongly critical of the delay of the Government in this regard. The college will begin operating from 1 January 1982 and here we are, in December, with very few days to go, trying to work out the legislation that will cover that college. What reasons can there be for the delays? I suggest that Cabinet infighting was one of them. Another one is that the Government could be incompetent and could not get its act together and work out where it was going.

Mr Peterson: The same as the Roxby Downs indenture.

Mr LYNN ARNOLD: Exactly the same as the Roxby Downs indenture, which is another piece of evidence that the Government does not know where it is going. It comes on very strongly with a lot of hot air and, when it comes to actually providing the goods, it cannot deliver.

The third possibility is that of cynical political motives. It is not easy to suggest that members opposite are cynical politically, but is highly possible to interpret their actions over this Bill in that light. For example, what will happen when this Bill is passed? A council will be established for the college, which will then be the governing body for that college and will be responsible for making statutes and enacting decisions for that college. That council, the Bill tells us, will consist of representatives from various quarters. It tells us that student opinion has been protected and is represented on that council; that is very good, but the Bill comes before the House at this time of the year and nobody can be appointed to that council until the Bill has become an Act, after its passage through this Parliament.

This indicates how cynical this Government is and what the true motives of this Government are. How is it going to be possible for the student bodies of the constituent campuses of that college to elect their representatives for the council to meet in December? Most students are on vacation work in December or have left after the exams are finished. This means that they cannot effectively get representation in these vital early days of the college. They will be without an effective means of ensuring a cross-section of student opinion until the early days of February next year. What vital decisions will have to be made in those first two months? A great many fundamental decisions will have to be made, and they will be made, as I say, without adequate access to that cross-section of student opinion. Likewise, there will be similar, although not as great, problems with staff representation at those colleges. I know that the Minister of Transport amply understands and concurs with that.

There will also be the problems caused for the new college in its own operations. It cannot be considered an ideal situation for a college council to operate within when it is given its terms of reference in December and is expected to have its act together by the end of the month.

It is now 2 December and this Bill will not pass through Parliament until next week. It will not have gone through all the stages until the second week of December. Therefore, the college in its present anticipated form is waiting until the eleventh hour to know the exact provisions under which it will operate. It cannot be certain of the ambit of the legislation until it has passed the House. The college cannot take this Bill as the certainty that will guide it, because it is not certain until it has been passed through both places.

The college must feel that there are inherent problems in having the election of the council at such a late time in the academic year, with so many of the constituent groups unable to be adequately represented.

I indicated that the Opposition supports the concept of a Bill to amalgamate the colleges, and it does so for a number of reasons. First, it does so because it takes account of realities. We have had the situation in recent years of a decline in the student population in this State which has resulted in a lower demand for teachers. That has had two consequences. One has been for the colleges of advanced education to diversify into other areas of study. The other consequence has been for them to narrow down their operations. Narrowing down the operations naturally means that perhaps individually some of those colleges may no longer be viable, or at least in the years ahead may not be viable. That of course led to the recommendations of the Commonwealth Government with regard to funding. It recommended that, unless there were amalgamations, two of the colleges in South Australia should not continue to be funded. Of course, the Commonwealth was just a little bit out of date because, at that stage, when it made that recommendation, it had already been proposed that the four colleges amalgamate in this State. That was certainly consistent with those findings.

In the light of that, there are distinct administrative advantages by having those colleges amalgamate. The sharing of administrative resources results in a lower administrative overhead in the cost of running those institutions. Another positive educational benefit is that it will offer wider course offerings, and that those course offerings will be less subject to unreasonable competition between colleges in an attempt to attract students.

There will be a rationalisation of course offerings between those campuses, and that can only be to the benefit of students of this State and, by consequence, it will be of benefit to the State at large. When talk of amalgamation of colleges has taken place in other States, it has not always met with unanimous support. There was some opposition to amalgamation of certain colleges in Victoria, but the reasons for the opposition are not necessarily always applicable in every State. One of the grounds for the opposition in Victoria is that there have been studies undertaken which indicate that there will be a growth in the number of teachers required from about 1985 onwards, and that it is not necessarily a good idea to restrict teacher training capacity of colleges when one may have to expand it in only three or four years hence. That situation does not apply to the same extent in South Australia. While it is true that there will be an upsurge in primary student numbers and secondary student numbers anywhere from five years to 15 years from now, we do not anticipate that the extra demand for new teachers will be such as to justify the continued independent existence of each of those colleges for all of that period. That aspect of opposition to amalgamation does not become particularly relevant in South Australia. So, that broad concept we accept.

However, it is the number of other areas that this Bill seeks to touch on that worries us greatly. The Government has not introduced into this House merely a Bill to facilitate the administative arrangements made necessary by the amalgamation of four colleges into one. It has gone beyond that to introduce concepts of political bashing of students and staff that do not do it any credit. It has sought to kill more than one bird with one stone and these birds are of very diverse species, the one species entirely reasonable, functional, administrative and the like, the others are merely answering some knee-jerk political responses and obligations that this present Government believes it has to do to be certain of its supporters in the electorate. In so doing it has proposed much wider Ministerial control over the operations of the new college than exist for any of the constituent colleges at the moment.

The groundrules being established for that are very vague. The clause (and we will deal with it in the Committee stage) does not specify the areas in which that control should be exercised or the manner in which it should be exercised: it merely gives the Minister a blank cheque. The Parliament should not or could not possibly be happy about that. Indeed, we know that the community at large is not happy about that, and I will come to some of the community opinions in a moment.

The other aspect relates to the introduction of a clause that makes non-compulsory student fees. That is quite unique in this State. There have been a number of attempts in this area in other States of Australia, but it is the first time that this has been introduced in a Bill before this House. Of course, that, too, is merely answering some political knee-jerk obligation of the Government to calm

the savage breasts of some of the Government supporters out in the field. In the process, the Government will be undermining a system of student support and student welfare in tertiary institutions in this State which achieve a great deal of benefit, not only for students but again for the wellbeing of those institutions at large and, by consequence, for the wellbeing of society at large.

The Government has made much of the fact that it has consulted with people over the months; it has had working parties to consider various aspects of the Bill or proposed aspects of the Bill. It has sought opinion from staff, students, councils, other tertiary institutions and people in the community. It has attempted to say that therefore is indicative of its ability to listen and to take into account opinions as they are expressed. Then, without any warning, the Government comes forward with some of the provisions as are contained in this Bill. That merely devalues and depreciates any attempt it may have made at consultation before this.

I will come back in a moment to the way in which the community has reacted to these two proposals. Some other issues are involved in this Bill: first, the South Australian School of Arts, which has had a varied history since its foundation in the last century, now, according to the Bill, disappears. It had an independent existence initially. It was then incorporated with the Adelaide Teachers College and finally, with the amalgamation with the Western Teachers College, it became part of the Adelaide College of the Arts and Education.

In each one of the Acts that came down it appeared in the actual enabling legislation. It does not, however, appear in this legislation as a separate, identifiable institution. One may ask, 'Why should it?' Well, in fact, the legislation does acknowledge that there is cause to recognise certain particular components of this new multi campus college. It does so by virtue of its recognition of the De Lissa Institute. I believe that it is quite reasonable for that De Lissa Institute to be so recognised, and I support that. However, I put before the House that not only is that reasonable but that it would be entirely reasonable for the South Australian School of Arts to be similarly recognised.

Another matter that is not touched on in a manner entirely satisfactory is that related to appeals with regard to procedures operating within the new college. I will debate this point in some greater detail during the Committee stage, but I do believe that, given the events that have taken place recently, it is important when we are passing legislation that we at least consider what appeals mechanism exists for those who feel unfairly treated in the processes of the institution, be it on the staff side, the student side, or whatever. The rights of appeal and rights of operation do not seem to be protected in this legislation before us.

That, Sir, takes us to another area, the area of discrimination. There is no clause in this Bill preventing discrimination from taking place. It is quite possible for discrimination to take place in the operation of this new college, and it is not precluded by this legislation at all. Again, we will deal with that in the Committee stage. Likewise, there is no possibility of what may be referred to as positive discrimination being entertained on any basis at all by the council in order to ensure that certain groups in the community that might not otherwise get access may be given some opportunity of access. That, also, does not appear in the legislation.

One would have thought that after months of deliberation and consideration these matters would naturally have cropped up in debates in the Cabinet room, that someone out of the body of 13 men and women there would have considered these details and suddenly said, 'We have forgotten this, let us now put it in.' Someone may have said that, but if he did he was obviously beaten down by other members of Cabinet. What is particularly amazing is that some of the areas I have touched on are not brand new to legislation in this Parliament; they have existed in other legislation this Parliament has passed on previous occasions. For example, I referred to the lack of a discrimination clause in this legislation.

In fact, such provisions exist in other legislation that this Parliament has passed on earlier occasions. They exist in various forms. It may not be that those forms are always the most ideal or the most comprehensive, but the concept exists. Likewise, a more specific and detailed aspect of Ministerial control also exists in other pieces of legislation, but not the blank cheque approach that we see in this legislation. Of course, the capacity exists in other legislation for tertiary institutions to collect students' fees on behalf of organisations within those institutions.

I also refer to the fact that the South Australian School of Arts presently exists in legislation, yet it has disappeared in this Bill. Over the past few days since 19 November, when this Bill was introduced, many members would have received a great deal of correspondence from a number of organisations representing a variety of viewpoints. Some of those organisations from which I imagine all members received representations were the Council of the South Australian College Student Organisation, Student Liaison Committee, the Salisbury College of Advanced Education Council, the Adelaide College of the Arts and Education Council, the Sturt College of Advanced Education Council, the Principal designate, representing himself and the directors, of the South Australian College of Advanced Education, the University of Adelaide Council, the Faculty of Arts at the Adelaide College of the Arts and Education, and the State Council of Academic Staff Associations.

Not all of those bodies represented the same opinions, although there was a surprising degree of unanimity. Those organisations made approaches, but I know that a number of members also had representations from concerned individuals.

The Hon. M. M. Wilson: Why would you think that that degree of unanimity was surprising?

Mr LYNN ARNOLD: When a number of different organisations are operating within particular institutions, it is perhaps interesting to see the unanimity, especially when some of those organisations are staff bodies, some are student bodies, and some are comprehensive bodies that represent both staff and students.

The Hon. H. Allison: You said earlier how reasonable they were, and we accept that. They have been marvellous all the way through.

Mr LYNN ARNOLD: The Minister will accept the suggestions that they put forward. That is good. A number of representations from individuals have been most worth while and deserve consideration. I will refer to some of those again in the Committee stage. To remind honourable members of some of the points made, I will quote from some of the comments that were made in the representations. For example, the Secretary of the Council of the Salisbury College of Advanced Education, in a letter addressed to members (which I know all members in this House received today) and speaking on behalf of the entire council (which passed a number of resolutions) made the following points:

> Council is deeply concerned about certain sections of the Bill, as presented, and believes that they are neither in the interests of tertiary education and the community, nor consistent with legislation which governs tertiary institutions elsewhere in Australia.

That is highly significant and identifies the interests of tertiary education. It would behove the Minister to respond to that assertion when he replies.

The Hon. H. Allison: Why?

Mr LYNN ARNOLD: The Minister asks why it behoves him. I would have thought that, when tertiary institutions express an opinion about legislation and when the opinion is presented to the Minister, it is not unreasonable to expect him to comment on that opinion, when it deals with a Bill that affects the institution. The Minister has the gall to ask why. Let us go on. Perhaps the next example will fare better. It stated:

> The council considers that the omission of effective clauses relating to discrimination is inconsistent with generally accepted societal expectations.

Indeed, that is a very valid point. We in Australia have reached the stage when, for the most part, we have come to accept societal expectations about discrimination, yet those societal expectations are not fulfilled in this Bill. Perhaps that is an oversight, but I do not believe it is. Nevertheless, again I invite the Minister to respond to that point.

There are others. I will read some, but not all of them. One of them for example, comes from Mr Justice Hogarth, President of the Sturt College of Advanced Education, who wrote on 30 November about a number of features of the Bill, in particular relating to that which has the blank cheque provision for the Minister. He wrote this:

> I am not clear as to what is intended by this provision. In particular, what is meant by 'collaborate'? The word is defined as 'work in combination with'. This at least must involve discussion. The section is silent as to who has the responsibility of initiating the discussion. [Question 1] If discussion leads to agreement, well and good. But if at the end there is disagreement, who has the responsibility of making the final decision, the Minister or the Council? [Question 2] I hope that the Council is intended as being 'the governing authority of the College' otherwise the Council would seem to be only the agent of the Minister.

That is a kind way of referring to it—rubber stamp is the unkind way. It continues:

> In that case I forsee difficulty in recruiting people of sufficient status and experience to constitute a satisfactory council.

That is the nub of the issue, that you cannot expect people to be a party to a governing authority of a tertiary institution, unless you recognise that they have some degree of capable responsibility. Judge Roder, President of the Council of the Adelaide College of Arts and Education, similarly makes some comments on a number of aspects of the blank cheque approach. He says that the proposal would, in effect, place the responsibility of enacting statutes and making policies with the Minister and not with the governing authority of the college, so his interpretation answers the question raised by the President of the Sturt College of Advanced Education, but I would not believe that it answers them to the satisfaction of either gentleman.

What is highly significant is that we have had the respresentations of councils of two tertiary institutions, so let us now look at the opinion expressed by a meeting of the Principal designate and the directors of the constituent colleges that will make up the new college. In a press release issued on 26 November, they said, in part, that they expressed concern particularly regarding clause 13 (2), which they believe would be unworkable in practice and gave the Minister powers well beyond those which generally apply in higher education institutions. There are two points there. First, they believe it would be unworkable in practice. Secondly, they indicate that it gives powers to the Minister well beyond those that generally apply.

The point is conceded that the Minister should have a range of powers concerning the operation of the new college. The Minister under present legislation already has powers relating to the constituent colleges. There are provisions giving the Minister power to collaborate in the public interest in regard to admissions. There are other provisions in the legislation at present that also give the Minister power to participate in the way in which the college is operated. There are the powers given to Parliament to act on regulations to permit disallowance of regulations and statutes as passed by the present constituent colleges.

Of course, even in this very Bill we have before us, the Minister has a significant degree of control by virtue of the fact that over half of the appointments to the proposed council are, in fact, Ministerial appointments. That indicates a fair degree of control, yet apparently the Minister doubts his own capacity to select nominees, because he is not convinced that he can select nominees who will do a decent job on his behalf, so he has to add in there another rider that gives him that opportunity.

Of course, that is a fairly slighting comment not only to his own nominees but also to the community, staff and student representatives on that council. A number of comments were made about student union fees by many of the same authorities that I have quoted. Again, significantly, the President-designate and the directors of the proposed South Australian College of Advanced Education issued a joint press release as follows:

> The President and directors also join with the Council of the University of Adelaide in their concern relating to the provision for voluntary membership of any association of students and the fact that there was no anti-discrimination clause included in the Bill.

The Council of the University of Adelaide, following a meeting on 20 November, said:

> Council restates its opposition to any legislation likely to impinge upon the autonomy of tertiary institutions in relation to student unions.

Those sentiments are echoed in all the representations that I have received from the tertiary institutions in this State. One would have thought that with that degree of unanimity the Government may have taken that into account. One could believe that the Government was not aware of that body of feeling when it drafted this Bill, which worked its way through five months of Cabinet deliberations, and that the Government could be forgiven for introducing a Bill that contained such a provision, knowing full well that wisdom would lead it to withdraw that provision when the Bill was debated. But not at all. The proposed further amendment takes us much further down the road of trying to kick the student bodies, and trying to undermine the student bodies in these institutions.

To satisfy its cheap political obligations, the Government will do immense damage to the work of student bodies in this State. Student organisations on campuses are not the Machiavellian groups determined to undermine the functioning of this society, and they are not there destined to work against the best interests of this State. They are not there as a constant thorn in the side of the present Minister. They have better things to do than to simply consider the Minister's day-to-day machinations. They have other things to get on with. They play a very significant part in the general well-being and life of tertiary institutions.

I know that members were circularised with a paper on this matter by the Student Liaison Committee, entitled 'Student Organisations in South Australian Tertiary Institutions'. It is a very interesting paper. I imagine that the Minister has read it, and I am sure that he found the points that it makes quite interesting, even though, from his approach, he is obviously not going to agree with all of them. I will highlight some of those points for the House. In trying to assess the areas of commonality between student organisations, between the various campuses, acknowl-

edging that they are not always the same, they came up with the following list as to what student organisations can be assumed to treat with:

1. The provision of welfare and educational services.
2. The provision of physical facilities and amenities.
3. Representation of the membership within the broader context of the decision-making processes of the institution.
4. The sponsorship of a wide range of extra-curricular activities.

I suppose it is that fourth point which is giving the Minister such a headache and which is causing certain members of the Minister's Party, in this Chamber and outside in the community, literally to see red—to suggest that student organisations are nothing other than hot beds of radical politics designed to work against if not the State then at the very least the Liberal Party.

Of course, by studying the way in which student organisations operate in this country we know that is true that they spend a certain proportion of their time involved in extra curricula activities. Students, like everyone else in the community, have an entitlement to be concerned about issues. In fact, students in other countries have played a highly significant part in the politics of their own countries. It is in fact the case that in Indonesia students are entitled to certain representations in the Legislature of that country. I do not believe that that is the best way to provide for student opinion to be heard, because I do not believe in that corporate type of Legislature. Nevertheless, that is one indication of how it happens in that country. In other countries, of course, student opinion is listened to in a variety of other ways.

It is the tradition of student opinion in this country that democratic processes should apply, and indeed that is the way it should be. One could justly argue the proposition that the Minister is presenting proposing, if we could be convinced that student organisations in this country, student bodies on campuses in this country, were not in fact democratic and not required to operate by democratic procedures, but there has not been evidence to that effect. Indeed, the proclaimed political allegiances of those on a number of campuses in this State throughout the 1970s is proof of that, because those claimed political allegiances have changed from one side of the political spectrum to another at various times as a result of student opinion changing. That would not have happened if indeed those organisations were anywhere near as sinister as the Minister would have us believe.

Therefore, if a student body is not happy with the opinions expressed by its representative organisations, it can clearly remove the office holders of that organisation at the appropriate opportunity. They have that capacity and, indeed, have done so. Therefore, students should have the right to determine what directions their organisations should take. However, the Minister would have us attempting to impose upon those organisations from outside, trying to undermine their effectiveness, trying to decimate them. I ask the Minister to consider what will happen to the other functions of those student organisations at universities when he has satisfied himself with pruning down their capacity to operate on these extra curricula activities, not all of which fit into the political area that he is concerned about, (a great many of them are entirely non-political).

What does the Minister think will happen when the decimation of these student bodies by the conversion to non-compulsory fees results in a winding down of the welfare and educational services offered by those organisations and the running down of the physical facilities and amenities offered by those organisations? Does the Minister suggest that those few who wish to pay should be the ones to bear the full brunt, that those who have the obligation, or the social responsibility, who feel that they are obliged to help to provide those services within the tertiary institutions, should be the only ones who will be paying for it, and that everyone else will be let off scot free? In many ways it is like the question of council rates. For example, local government is the provider of many services and amenities, welfare services, physical facilities and the like, and indeed, even the provider of the opportunity for many people to have a great number of extra curricula activities.

Is it suggested that council rates should not be compulsory, or that they should be voluntary? I hardly think so. In many ways, student bodies represent the local government in terms of providing services within tertiary institutions. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

At 11.56 p.m. the House adjourned until Thursday 3 December at 2 p.m.