LEGISLATIVE COUNCIL

Tuesday, February 25, 1975

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

LOAD LIMITS

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before directing a question to the Minister of Health, representing the Minister of Transport.

Leave granted.

The Hon. R. C. DeGARIS: Recently the Parliament passed legislation amending the Road Traffic Act and the Motor Vehicles Act in relation to load limits for trucks operating in South Australia. During the passage of that legislation undertakings were given by the Government relating to exemptions on application from producers who would be disadvantaged in moving from farm to silo or from sidings to their farms. First, would the Minister make a clear statement on the policy to be followed by the Government in relation to the undertaking given; secondly, would the Minister be good enough to make a clear statement on other matters related to that legislation, such as braking, so that producers will know before the end of June next whether it will be necessary to make alterations to existing plant or whether they can operate with the plant they now have?

The Hon. D. H. L. BANFIELD: I will refer the Leader's question to my colleague and bring down a reply.

COUNCILS' LEGAL COSTS

The Hon. C. M. HILL: I seek leave to make a short statement prior to directing a question to the Minister of Health, representing the Minister of Local Government.

Leave granted.

The Hon. C. M. HILL: I refer to the question of legal costs incurred by councils in this State. Some local government bodies find this expense a serious financial problem, and the matter has been raised with me from time to time. Specifically, on one occasion recently the Chairman of a small district council explained to me the predicament in which his council finds itself because of the need to seek legal advice on behalf of ratepayers; the expense involved has been quite considerable in comparison with the rate revenue of that council. The problem has been worsened in recent times by the need for many councils to seek legal opinion as a result of the proposal concerning local government boundaries and amalgamation of councils. Proposals put forward to try to assist local government in this area generally have included, first, the allocation of a solicitor from the Crown Law Office to act for councils at either no cost or minimal cost to the councils concerned. A second suggestion relates to subsidising the employment or full-time retention of a solicitor within or by the Local Government Association. A third suggestion has been that compensation be given directly to councils where legal expenses have been excessive, by comparison with the rate revenue of such councils; I mean compensation directly by the State through the Local Government Department. Will the Minister investigate this problem further and say whether any scheme can be put in train to assist local government in this way?

The Hon. D. H. L. BANFIELD: I will refer the honourable member's question to my colleague and bring down a reply as soon as possible.

BUSH FIRES

The Hon. G. J. GILFILLAN: I seek leave to make a short statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. G. J. GILFILLAN: I refer to the disastrous bush fires that have been raging throughout the State. Last week the Chief Secretary explained why Kangaroo Island received special attention, and he said that the Government was willing to subsidise freight charges on fodder and on stock for agistment. Special circumstances apply to much of the State this year that do not normally apply. Some of the areas of greatest fire risk are in the fringe areas. Normally these areas are not so flammable; for this reason and because of the broad hectares involved, it is not usual in many instances for landowners in these areas to carry such heavy fire insurance as is done in the areas where this risk is annual. When the country to which I have referred is burned out, there are no other avenues of production available to the landowners. In the inside country, after a bush fire the landowners can in the following season put in a cash crop; for example, wheat, barley or oats. However, in the fringe areas, which are available only for stock, it may be 12 months before landowners have any worthwhile feed for their stock. Under present conditions the subsidising of freight charges on fodder and on stock for agistment is very little help; with the current low prices for stock, it would not pay. These people need other help through grants or long-term low-interest loans. One young man bought a property and received the title just before the disastrous Orroroo bush fire, and he was absolutely cleaned out; about 16 hectares of grassland remained. We in Parliament have made things so easy for so many who will not do anything for themselves, but we often overlook the position of the real battler. I therefore ask the Government to give applications from these areas very serious attention.

The Hon. A. F. KNEEBONE: I am aware of the nature of the problem. Last week I said that subsidies were available on the transport of fodder and of stock for agistment. I do not know whether on that occasion I drew honourable members' attention to the fact that people in this type of situation can apply under the Primary Producers Emergency Assistance Act for long-term loans at concessional rates of interest. Some provisions of the Act enable the Minister to use his discretion, at the end of 12 months, on whether he will give a holiday in relation to interest rates or whether he will extend the period of repayment. I assure the honourable member that every consideration is given to the unfortunate people who have had a great area of their properties burnt out. I urge people who are so affected and to whom finance is not available through the general financing institutions to apply for assistance under the Act. The Government will then examine the matter and see whether it can assist them. I assure the honourable member that every consideration will be given to these people.

The Hon. A. M. WHYTE: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. A. M. WHYTE: I have probably chosen a bad day to ask the Minister for the relaxation of fire controls in view of the remarks made by my two colleagues from Northern, who have suggested that there should be further control measures. There has always been a problem associated with the clearing of scrub in developing areas.

It is accepted that it is difficult because the Director and the Meteorological Department have a most difficult and unenviable task in providing accurate predictions of fire danger in individual areas. On the other hand, the initial burn of log scrub is worth thousands of dollars to the farmer involved. This year has included many days of extreme fire danger and the Minister has withdrawn the privilege of local government areas being assessed by a fire officer and the subsequent advancing of permission to burn on fire-ban days. My point is that the risk in many areas has diminished considerably. In conversation the Minister said he would look at this matter and would send an officer to investigate the situation in the areas to which I referred. Has the Minister anything to report at this stage?

The Hon. T. M. CASEY: I have not yet received a report from the officer who visited the West Coast last week. I was hoping to receive the report this morning, but I understand it will be on my desk this afternoon. I should like to point out to all honourable members that the situation this season throughout South Australia has involved a high fire risk. This has resulted in nearly all of the State being declared a total fire-ban area, including the North-West pastoral, North-East pastoral and the Flinders Range area. Everyone has become conscious of the explosive situation existing throughout the dry season and, apart from strikes by lightning, we have fared well.

Nevertheless, there have been cases where adequate precautions have not been taken and these have resulted in tremendous damage being caused to many properties in various areas. This situation prompted me to look at the issuing of permits, which was handed to local government authorities in 1957. I think the reason for this procedure was that when the Minister issued a permit himself the fire got away. The result was that all hell rained loose on the Minister, who said, "I am not going to accept the responsibility in future of issuing permits so I will hand it to local government."

Since I have withdrawn this permit system, local government authorities have written to me, indicating their agreement with what I have done. This has not helped individual farmers in some areas, because they have complained that they have not been able to obtain permission to get a good fire going in their heaped-up scrub unless it is on a fire-ban day. I cannot fully agree with that view, because this year there have been many more fire-ban days declared by the Meteorological Department than in the past. I believe the department has taken a sensible attitude to the explosive situation throughout the countryside this year. It is now almost March, and doubtless we could see some falling off in the number of fire-ban days. I sincerely hope so. The whole purpose of the Bush Fires Act was to prevent people from lighting fires, especially on fire-ban days. We have the ridiculous situation, however, where a farmer living in a town cannot use a barbecue or burn his rubbish in an incinerator, yet he can go out into the scrub and burn a scrub fire. To me, that does not make sense; I hope common sense will prevail in the future. We are looking at the situation to see whether the Meteorological Department may be able to give a long-range forecast to farmers in certain areas where there is the possibility of a fire-ban day in 24 hours. It is most difficult, but we are trying to meet the requirements.

DISEASES

The Hon. V. G. SPRINGETT: I seek leave to make a statement before asking the Minister of Health a question.

Leave granted.

The Hon. V. G. SPRINGETT: Changes in ecology in any part of the world follow closely on the alteration of the available water supply. Other factors also influence the ecology, but perhaps none more so than does water. We are building man-made lakes and reservoirs, and I should like to ascertain whether the incidence of malaria and schistosomiasis, two readily spreadable diseases, has changed with the construction of dams, reservoirs, and artificial lakes. Will the Minister also ascertain whether there has been any increase in these diseases in the last 10 years? I have at the back of my mind, in asking this question, the West Lakes scheme and the water supply, and its use, at the new city of Monarto.

The Hon. D. H. L. BANFIELD: I will try to obtain a report on this matter for the honourable member and bring it down as soon as it is available.

EMERGENCY FIRE SERVICES

The Hon. R. A. GEDDES: My question relates to the subsidy paid on equipment for the Emergency Fire Services or for bush fire needs generally in the community. Bearing in mind the increased inflationary spiral, the frightening cost of E.F.S. trucks, and so on, is the Minister sympathetic in this matter, and will he say whether consideration has been given to increasing the Government subsidy in order to ease the burden on councils and community donations that are needed to enable this equipment to be obtained?

The Hon. T. M. CASEY: I draw the honourable member's attention to what he said when asking this question: he realises that a 50 per cent subsidy is provided on certain types of equipment and, because of spiralling inflation, the Government is now contributing more than it has contributed in the past. It therefore cuts both ways.

The Hon. R. A. Geddes: Are you considering giving even more?

The Hon. T. M. CASEY: Under the existing situation we are giving 50 per cent, and thereby meeting our commitments under the inflationary trend. However, I will examine the situation to see how badly off some E.F.S. units are.

LOANS TO PRODUCERS

The Hon. C. R. STORY: I seek leave to make a short statement with a view to asking a question of the Chief Secretary, representing the Treasurer.

Leave granted.

The Hon. C. R. STORY: Under the provisions of the Loans to Producers Act, the co-operative movement in South Australia is funded in the way of loans. I understand that in recent times it has become more and more difficult for some of these companies, wishing to expand, to be allocated the funds necessary to enable them to do certain new work. I refer particularly to the Waikerie Co-operative Winery. Can the Treasurer say whether sufficient funds are available out of existing allocations to fund all the approved applications under the Loans to Producers Act; if not, is it the intention of the Government to provide for additional funds in the next State Budget?

The Hon. A. F. KNEEBONE: I shall be happy to refer the honourable member's questions to my colleague, the Treasurer, and bring down a reply when it is available.

BEVERAGE CONTAINER BILL

The Hon. A. F. KNEEBONE (Chief Secretary) moved:

That the time for bringing up the report of the Select Committee on the Bill be extended until Tuesday, March 18, 1975.

Motion carried.

PUBLIC SERVICE ACT AMENDMENT BILL (CONSOLIDATION)

Second reading.

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That this Bill be now read a second time.

The main purpose of the Bill is to amend the principal Act with a view to preparing it for consolidation under the Acts Republication Act, 1967-1972. Most of the clauses of the Bill are therefore of a corrective or consequential nature. The Bill also removes certain difficulties in the administration and in the preparation of the consolidation of the Act which arise from sections 25 and 26 and the second and third schedules of the Act.

The second schedule contains a list of departments that were in existence at the commencement of the principal Act, and opposite the name of each department is shown the title of the office of the permanent head, if any, of that department at that time. The third schedule contains a list of officials who are vested with the powers and functions of permanent heads in relation to the departments which have no permanent heads as such. Under section 25 the second schedule can be amended by proclamation and under section 26 the third schedule can be amended by proclamation. Since the Act was first enacted a number of proclamations have been made which have had the effect of amending both the second and third schedules and those schedules can be updated only from the records kept by the board or from an examination of every *Gazette* published since the Act was passed.

A schedule to an Act which contains information or matter that is capable of alteration by an administrative act like the making of a proclamation has been found to be of doubtful or no value as the schedule (which is originally enacted as an integral part of the Act) becomes out of date upon the making of each proclamation and, even if new up-to-date schedules were enacted in place of the second and third schedules, the same situation would recur as and when each subsequent alteration to each of the schedules was made by proclamation. Besides, it has always been found to be indefinite, time wasting, and inconvenient to have to examine a mass of *Gazettes* to discover whether or whenever an Act has been so amended. This being so, there would seem to be little or no purpose in retaining or consolidating the second and third schedules to the Act if a more suitable alternative could be enacted whereby the same or a better and more flexible system of administration could be achieved without sacrificing any of the advantages of the existing policy of the legislation.

In the process of removing the difficulties in the preparation of the consolidation of the Act that arise from sections 25 and 26 and the second and third schedules, the Bill simplifies the system of administration of the Act by amending the provisions of those sections and doing away with those schedules. Those amending provisions make certain consequential amendments to the definitions in section 4 of "department" and "permanent head" necessary and desirable and I shall explain the provisions of the Bill as I deal with them clause by clause.

Clause 1 is formal. Clause 2 corrects an error in section 3 of the Act. Clause 3 replaces the definitions of "department" and "permanent head" so as to simplify the definitions and make them more meaningful, especially in view of clause 4 which amends section 25 and clause 5 which replaces section 26 with a new provision. The definition of "department" in its present form in the Act is linked with the second schedule which is being repealed by clause 17 because that schedule becomes out of date with every proclamation creating or discontinuing a new department or creating or abolishing the permanent head of a department. In place of that schedule the Bill (in clause 6) enacts provisions for the keeping of a register of departments (new section 26a) containing essential information and such other entries as the board thinks proper. In its present form the definition of department does not include a department of the Public Service established by special Act of Parliament but the proposed new definition in clause 3 (*a*) is wide enough to cover such a department. The definition of "permanent head" in its present form is also linked with the second schedule, and paragraph (*b*) of that definition links it with the third schedule which is also to be repealed by clause 17 for the same reason as it repeals the second schedule. Moreover, paragraph (*b*) of that definition in its present form is applicable only to a person referred to in the third schedule when exercising the powers and functions of a permanent head when the intention of Parliament must surely have been to extend its application to a person who possesses those powers and functions whether he is at any particular time exercising them or not. The new definition in clause 3 (*b*) removes this anomaly.

Clause 4 (*a*) repeals subsections (1) to (5) of section 25 which deal with the departments of the Public Service and the offices of permanent head by reference to the second schedule to the Act which is capable of amendment by proclamation, and replaces them by new subsections (1) to (4) which preserve the existing departments and permanent heads with power to increase or reduce their number, or change their names or titles as at present but in new subsection (3), as proposed by clause 4, provision has also been included whereby new departments can be formed by the amalgamation of two or more departments or parts of departments or by the amalgamation of a part or parts of a department or parts of two or more departments with another department and whereby a department or part of a department can be amalgamated with another department so that the former becomes part of the latter. The new subsections also widen and simplify the procedures for making changes in the structures of departments of the Public Service and place beyond doubt the policy that all departments of the Public Service, whether declared as such under the Public Service Act or established by or under any other Act, will clearly come within the jurisdiction of the Public Service Board, unless Parliament otherwise enacts.

New subsection (1) of section 25 as proposed by clause 4 (*a*) enacts that, on and after the commencement of this Bill, the departments of the Public Service shall be those in existence by virtue of any Act immediately before the day of such commencement and those brought into existence thereafter but excluding those discontinued or those which have become part of some other existing or new department. That new subsection makes a similar provision in relation to the offices of permanent head of those departments. New subsection (2) of section 25 deals with the name of each department in existence immediately before the day of comencement of the Bill and the name of each department brought into existence thereafter, regard being paid to the case where the name of a department is changed. New subsection (2) also deals similarly with the titles of each office of permanent head of a department.

New subsection (3) re-enacts the provisions of subsections (3) and (4) of the section as they now stand but sets out and expresses the powers exercisable by proclamation in a more direct and definite way in order to avoid the

necessity for restructuring and amalgamating departments and making other essential changes by means of complicated proclamations. New subsection (4) provides for a proclamation under subsection (3) to take effect on a day fixed by the proclamation or, if no day is so fixed, upon publication in the *Gazette*. This is a modification of the present subsection (5) which provides that each proclamation under the existing subsection (3) takes effect upon publication in the *Gazette*, which frequently makes it administratively most inconvenient.

Clause 4 (*b*) and (*c*) makes consequential amendments. Clause 4 (*d*) removes a superfluous passage in section 25 (6) (*b*) (ii). Clause 5 enacts a new section in place of section 26 which deals with departments which have no permanent head as such but have Government officials vested with all the powers and functions of permanent head in relation to those departments. The present section is also linked with the third schedule to the Act which is being repealed by clause 17. The new section preserves the existing position and retains similar powers for altering that position as the occasion arises but in a more flexible and less complicated manner.

Clause 6 enacts two new sections 26a and 26b. New section 26a provides for the keeping of a register of departments as from a point of time immediately before the Bill becomes law. The section provides that the register must show, in relation to each department, the title of the office of its permanent head or the title of the office or appointment held by the person who is vested with the powers and functions of permanent head in relation to that department. The board is required to cause such other entries to be made in the register as it thinks proper and to publish in the *Gazette* a copy of the register made up to the time immediately preceding the day of commencement of this Bill and whenever any alteration is made to the register or whenever directed by the appropriate Minister. New section 26b is an evidentiary provision designed to save the time of the Commissioners and their officers and to avoid the necessity for them to attend courts and other tribunals for the purpose of giving formal evidence as to the authenticity of their signatures and authority.

Clause 7 substitutes for references in section 31 to the Chief Secretary references to the Minister for the time being responsible for the administration of the Act. Clause 8 strikes out from section 35 (2) the reference to subsection (3) of that section as that subsection had been struck out by section 3 of Act No. 38 of 1974. Clauses 9, 10 and 11 make grammatical corrections to sections 71, 84 and 87 (3). Clauses 12 and 13 up-date references to the Superannuation Act, 1926-1967, in sections 93 and 112 (3) (*c*) by adding to each of those references a reference to any corresponding subsequent enactment. Clause 14 up-dates the reference to Division VI of Part II of the Industrial Code, 1920-1966, in section 115 (1) by adding to that reference a reference to any corresponding subsequent enactment.

Clause 15 (a) amends section 123 (1) (*a*) by extending its application to any award of a conciliation committee within the meaning of the Industrial Conciliation and Arbitration Act, 1972, as amended. Clause 15 (*b*) and clause 15 (*c*) up-date the references in section 123 (1) (*b*) and in section 123 (2) to the Industrial Code, 1920-1966, by adding to each of those references a reference to any corresponding subsequent enactment. Clause 16 up-dates the reference in section 128 (2) (*c*) to the Superannuation Act, 1926-1967, by adding a reference to any corresponding subsequent enactment. Clause 17 repeals the second and third schedules to the principal Act, which will become redundant when the register of departments is to be kept and maintained as provided by new section 26a (clause 6).

The Hon. F. J. POTTER secured the adjournment of the debate.

KINDERGARTEN UNION BILL

Second reading.

The Hon. T. M. CASEY (Minister of Agriculture): I move:

That this Bill be now read a second time.

The purpoe of this Bill is to provide for the continued existence of the Kindergarten Union as a statutory body with powers and functions conferred by Statute. This is desirable so that the union may have access to public money for the establishment and administration of kindergartens. The union (and the Education Department) will be subject to the Childhood Services Council for approval of both capital and recurrent expenditures. The Bill provides for the registration of kindergartens either as branches of the union or as kindergartens affiliated with the union. The Bill confers on the union the power to make statutes governing the administration of the union, and the relationship between the union and the registered kindergartens.

Clauses 1, 2 and 3 are formal. Clause 4 contains a number of definitions necessary for the purposes of the new Act. Clause 5 defines the juristic nature and capacity of the union. Clause 6 sets out in detail the objects of the union. Clause 7 defines the powers that the union may exercise in pursuing its objects and provides that the union must collaborate with various other authorities that are intimately concerned with the welfare of the pre-school child.

Clause 8 establishes the board of management. Clause 9 defines the membership of the board. Clauses 10 and 11 deal with the conditions upon which members of the board shall hold office. Clauses 12 and 13 deal with procedures of the board. Clause 14 deals with the appointment of a President and Vice-President, or Vice-Presidents, of the board. Clause 15 empowers the board to appoint a chief executive officer of the union.

Clause 16 empowers the board to delegate its powers. Clause 17 provides for the board to make an annual report. Clause 18 establishes the council of the union. The council is to be a representative body with a much larger membership than the board. It is to be concerned broadly with general policies and objectives, while the board concerns itself with the matters of detailed administration. Clauses 19 and 20 deal with conditions on which the members of the council shall hold office. Clause 21 provides that the Chairman of the board is to preside at meetings of the council. Clause 22 sets out the functions of the council. Clause 23 deals with annual general meetings of the council. Clauses 24 and 25 deal with the registration of kindergartens either as branch kindergartens or as affiliated kindergartens. Clause 26 enables the union to act on behalf of a registered kindergarten in certain circumstances and permits amalgamation of registered kindergartens.

Clause 27 confers on the board power to make statutes governing the administration of the affairs of the union. Clause 28 is a financial provision requiring the board to submit estimates of expenditure to the South Australian Pre-School Education Committee. This committee will advise the Minister, who in turn will recommend to the Treasurer what payments should be made from the general

revenue to the union for the purpose of promoting pre-school education. Clause 29 requires the board to keep proper accounts of its financial affairs and provides for an audit by the Auditor-General. Clause 30 enables the union to borrow money for the purpose of promoting pre-school education. Any such borrowing is to be guaranteed by the Treasurer.

Clause 31 exempts the union and registered branch kindergartens from gift duty, land tax, and local government rates. Clause 32 enables the Governor to transfer unalienated Crown land to the union. Clause 33 is a transitional provision dealing with the existing employees of the union and their rights on the commencement of the new Act. Clause 34 exempts the union and registered kindergartens from the operation of certain Acts. Clause 35 contains powers to make regulations.

The Hon. C. M. HILL secured the adjournment of the debate.

WHEAT DELIVERY QUOTAS ACT AMENDMENT BILL (COMMITTEE)

Adjourned debate on second reading.

(Continued from February 20. Page 2481.)

The Hon. C. R. STORY (Midland): I agree with the principle that the Minister of Agriculture espoused in his second reading explanation: I see no purpose in our having a committee comprising 11 members to deal with this matter. The initial concept of the committee was to give it as wide a coverage as possible over the State when the crisis period occurred in 1968 and when action had to be taken quickly. It was then thought that as wide a representation as possible would be advantageous. However, since then things have changed considerably, the committee having done its advisory job. In the latter period, I believe it got down to a reasonable work basis and that, in the main (as much as one could expect), the committee has done a good job.

However, as times have changed and as the need for wheat quotas seems (at least temporarily) to have disappeared, this seems to be an unduly large body the members of which would, I take it, still be receiving some remuneration from the industry and which is not fulfilling its initial function. I therefore agree with the Minister regarding what should happen in this non-quota period, the Commonwealth Minister having already announced that quotas will not apply this season (that is, for the year commencing October 1).

This committee must be kept in operation on a holding basis. This is a good idea. I always favoured it, and had written specifically into the South Australian legislation a provision to this effect. I tried to induce the other State Ministers to do likewise. Some did, and others did not. However, I am pleased that we in South Australia have such a provision in our wheat quotas legislation. Section 4 (1) provides:

This Act shall apply and have effect to and in relation to any quota system.

Subsection (2) provides:

The Governor may by proclamation declare any season to be a quota system for the purposes of this Act and may by proclamation revoke any such declaration.

That is a two-fold provision. It keeps the legislation on the Statute Book but, more importantly, it does not keep it there unnecessarily. It enables Parliament to review the legislation from time to time and, if more legislation on our Statute Book contained that sort of provision, Parliament would be paramount instead, as so often happens, of this sort of thing becoming a Public Service prerogative and, before we know where we are, the tail is wagging the dog. In this instance, I should have liked to see South Australia's wheat producers retaining majority representation on any committee that was set up because, as I see this legislation, it belongs not to the Government or to Parliament but to South Australia's wheatgrowers and producers, who asked for it.

We should be interested only to ensure that sufficient power is given under the Statute to enable the wishes of the industry to be carried out. The Government's function in the matter should be for the Minister to exercise the powers granted to him under the legislation to ensure that fair and equitable consideration is given to everyone in the industry. In those circumstances, the industry should have majority representation in relation to any decisions that are made, irrespective of whether quotas are operating.

Decisions have to be made while feeding the computer during a non-quota period, and records will have to be kept going. I know that provision is being made in the legislation to enable the Chairman to be nominated by the Grain, Wheat, Barley, Oats and Seeds State Commodity Section of United Farmers and Graziers of South Australia Incorporated, referred to as the "Commodity Section". That Commodity Section can nominate to the Minister one person who shall be Chairman, and the Government will appoint that person. The Minister will choose two other persons, and the Governor will appoint them. Even though the Chairman will have a casting vote and a deliberative vote, the decision can be one of equality only if two persons happen to be of the same opinion, and neither of them needs to be remotely interested in wheat production. They may be intimately connected with the processing or the handling of wheat, but as producers they may have no interest whatever. I am not decrying that, but I say that there should be provision for the wheat industry to nominate a majority of the persons comprising this committee. I do not say that all these people should be primary producers, but the industry should have the right to appoint a majority of the committee members.

My first reaction was that we should provide in this Bill to increase by two the number of persons to be nominated by the United Farmers and Graziers, and that they should be nominated and appointed only in years when a declaration under section 4 of the Act was issued, which would be when a quota year occurred. However, I ran into some difficulty with the Parliamentary Counsel, who believed that there was some drafting difficulty in this. Nevertheless, I still believe that a majority of the persons comprising the committee should be provided or nominated by the U.F. & G. grain section. The best I can do in seeking to amend the legislation is to try to amend it by increasing the size of the committee by two. Therefore, if the amendment on file is accepted, the committee will comprise five members. I do not especially want that to happen, but it appeared to be the only way in which I could get my amendment drafted.

As I do not want this amendment to cost producers any more than is absolutely necessary, I have provided that the amount of remuneration paid to committee members should be left in the capable hands of the Minister of Agriculture to decide. I know the Minister will use his good judgment in this matter, as he will agree with the sentiment that I have expressed that we do not want to inflict any more pain than is necessary at this time on struggling primary producers.

At the same time, I believe that farmers should be protected by their retaining a majority on the committee. Under my foreshadowed amendment, the Minister will fix

the remuneration for the members he nominates and also for those nominated by the U.F. & G. grain section. One error which has come forward and which requires amendment concerns clause 4, which amends section 7. In paragraph (*b*) of that clause, the reference to paragraph (*b*) of subsection (1) should be to paragraph (*a*). This makes all the difference, as the provision did not make sense before. My amendment is aimed at keeping the onus squarely where it belongs, that is, with the producers. I have always thought that the function of Government is to regulate and assist, not to take over and dictate. As a result of my amendments, I believe that those sentiments will be carried out. I support the second reading.

The Hon. J. C. BURDETT (Southern): I, too, support the second reading, and I will support the foreshadowed amendments to be moved by the Hon. Mr. Story. The principle of grower control on the advisory committee should remain. The present period when quotas will not apply should not be used as an excuse to deprive growers of future control. Far be it from me to discourage the Government from trying to reduce the cost of any Government function, and that is partly what is being done in reducing the size of the committee from 11 members to three. The foreshadowed amendment increases the size of the committee to five members, but part of it gives the Minister power to fix the remuneration of the committee, and I think this takes care of the matter.

The introduction of this Bill at this stage seems rather strange to me. I refer to an article in the November 26, 1974, *Bridge Observer* under the banner "Minister says—Quota worry 'over now' ". The article states:

Farmers who have been displaced by acquisition of their land at Monarto by the city commission should have no difficulty in producing and selling wheat from their new properties this year, or in the foreseeable future, the Minister of Agriculture (Mr. Casey) said yesterday.

On that day I asked the Minister a question relating to that matter, and at page 2191 of *Hansard* the Minister was reported to have said that there was no significance in having a quota, as quotas did not exist. In response to further questions from me the Minister did qualify his statement, but nonetheless he stated (and that was the purport of the answer he gave me) that there was no significance in having a quota, because quotas did not exist. Why is it necessary to introduce a Bill to change the composition of a committee whose duty it is to fix non-existent quotas? That appears most strange.

The Hon. R. C. DeGaris: Not these days!

The Hon. J. C. BURDETT: No, I suppose there is a history of back-to-front legislation, but it seems odd to change the composition of a committee whose job it is to fix quotas that do not exist. The situation, therefore, makes it relevant to refer to the history of references to the Wheat Delivery Quotas Act in this session. On October 2 (page 1225 of *Hansard*) I asked the Minister to table a letter I claimed he wrote to Mr. Max Saint, of the U.F. & G., concerning the transferability of wheat quotas for land acquired by the Government. The Minister declined to table the letter, and subsequently, on October 30, he denied that there was any such letter. However, in the meantime, on October 16, I introduced a Bill, which was subsequently passed by this Council, relating to the transferability of wheat quotas for land acquired by the Government. Then, on November 26, the Minister said that quotas did not exist. Now, however, he introduces a Bill to change the constitution of the committee that fixes the quotas that do not exist.

The Hon. T. M. Casey: The composition of it?

The Hon. J. C. BURDETT: I will repeat that, because the Minister does not seem to understand. Now, the Minister introduces a Bill to change the constitution (or the composition; it is the same thing) of the committee that fixes the quotas that do not exist. I suggest the truth of the matter is that, by introducing this Bill, the Minister has admitted that quotas are important. I support the Bill, provided that the principle of grower control is maintained. I am sure the Minister was right in introducing the Bill, because quotas will be important in future. I hope that, as he now recognises the importance of wheat quotas, he will urge his colleagues in another place to support the Wheat Delivery Quotas Act Amendment Bill, 1974.

The Hon. R. C. DeGaris: Is that the Bill you introduced?

The Hon. J. C. BURDETT: Yes, and so he should. I support the second reading.

The Hon. T. M. CASEY (Minister of Agriculture): If anyone should wish to give the honourable member who has just resumed his seat a nickname outside this Chamber—

The Hon. R. C. DeGaris: What about inside the Chamber?

The Hon. T. M. CASEY: Outside I would refer to him as "Jumbo", because an elephant never forgets. He made his point here today; he just cannot get off the episode that took place some months ago in relation to Monarto. As I have indicated many times in this Chamber, before I introduce legislation I always consult the industry, or the industry comes to me telling me what is required. The industry came to me 18 months ago wanting a reduction in the numbers on the Wheat Delivery Quotas Advisory Committee. At that time I was not satisfied that the quotas had been correctly administered, and I gave the committee until February of last year to put the quotas in order so that we could be satisfied at long last that wheat quotas would be administered correctly and that everyone would get a fair share of the cake.

That was the situation 18 months ago. Last year I had discussions with the Commodity Section of the United Farmers and Graziers of South Australia Incorporated, and the representatives of that organisation said they thought it was rather stupid, as quotas would be going out, to have an advisory committee of 11 members. I agreed, and I asked how many they thought necessary; they suggested three, and I agreed. After all, it is only a holding committee; it has no decisions to make. It will be required only to keep an eye on transfers of farms and sales of farms, and therefore on any transfers of quotas. It is practically a book entry; that is all. It will not be called on to make any decisions.

I suggested to the U.F. & G. people that we could have the present Chairman (Mr. Ed. Roocke), as he knows the provisions of the Act and has administered it for a long time. He is quite capable of doing it, knowing quotas from A to Z. The second member would be an officer from the Agriculture Department, because he must be tied in with the commodity section as part of the Government's eyes and ears. I asked who they thought the third member should be. We thought perhaps it should be a representative of Co-operative Bulk Handling Limited, or a member from the South Australian branch of the Australian Wheat Board, and we settled for that.

Under the Bill as it stands, the three members would be Mr. Roocke (or the nominee of the commodity section of U.F. & G., and I presume it would be Mr. Roocke), the present member from the Agriculture Department (Mr.

McAuliffe) and the General Manager of the South Australian branch of the Australian Wheat Board (Mr. Acton). Those three people are vitally concerned with the wheat industry in South Australia. No decisions are to be made; it is purely a holding operation.

It is difficult to ascertain whether quotas will be imposed for the 1976-77 season, or even for the season after that. I should like to give honourable members some idea of the world situation at the moment. According to the latest reports from the Bureau of Agricultural Economics, the short-term to medium-term outlook for Australian wheatgrowers is extremely favourable. The long-term market will remain volatile, due to unpredictable weather conditions; we can never judge that, anyway. Nevertheless, even if record crops of wheat, rice, and coarse grains are harvested in the coming season, they could probably do no more than meet the normal growth in demand and achieve some replenishment of depleted stocks.

The world wheat market could continue to remain favourable for the next few seasons beyond 1974-75. With that outlook, it is possible that we will not be thinking about wheat quotas for at least two or three seasons. No-one can see into the future, but those are the predictions of the B.A.E. The International Wheat Council now estimates that total wheat stocks at the end of the 1974-75 selling season in the five main exporting countries will be down to about 20 000 000 tonnes, 6 000 000 tonnes less than a year previously, compared with not far short of 50 000 000 tonnes three years before. The following figures will no doubt be of interest to members:

Closing Wheat Stocks in Major Wheat Exporting Countries
(million tonnes)

	U.S.A. (June 30)	Australia (November 30)
1972	23·5	1·4
1974	6·8	1·8
1975 (forecast)	5·6	0·5

The United States grain stock report recently released puts wheat stocks at January 1, 1975, at 29 900 000 tonnes, an increase of 19 per cent over levels a year earlier. Stocks of all other grains are reported to be down. I think honourable members realise this, because this has been one of the problems with the Japanese market; they have not been able to import a great quantity of grain into the United States. Stocks of the four feed grains (maize, oats, barley, and sorghum) totalled 114 000 000 tonnes, 22 per cent below holdings on January 1, 1974. Soybean stocks totalled 27 100 000 tonnes, a reduction of 14 per cent; maize stocks totalled 3 614 000 bushels, a reduction of 19 per cent (and down 25 per cent on January 1, 1973); sorghum stocks totalled 381 000 000 bushels, a reduction of 41 per cent, while oats totalled 511 000 000 bushels (down 20 per cent) and barley 229 000 000 bushels (down 29 per cent). I have mentioned these figures to give an idea of the position. Wheat is a substitute for other grains; perhaps I should say the other grains are a substitute for wheat, because wheat is the most nutritious grain known, although others are cheaper. The whole purpose of the exercise is to meet the requirements of the commodity section of U.F. & G.

It is no good for the Hon. Mr. Burdett to shake his head, because this is a fact. As recently as last week, when I told them I was introducing the Bill, I asked whether they were happy with it and they said there were no problems, as it was only a holding committee. However, they said that, in the event of quotas being introduced again, the committee would have to be reconstituted. I give that undertaking; no question about it.

The Hon. J. C. Burdett: Why not do it now?

The Hon. T. M. CASEY: I do not think it can be done at this stage. It is not necessary, for one thing. I would rather wait until quotas come on and get the views of the wheat producers themselves when the time comes. I think that that is the time to act. It is no good acting now, because there may not be quotas for two or three years. People may change their minds in the meantime.

The Hon. R. A. Geddes: Will you have to do this by amending this legislation?

The Hon. T. M. CASEY: Yes. Any Minister administering legislation like this would have to take into consideration what the situation was at the time quotas were reimposed. It is no good saying that we must have a majority of producers on the committee at this time, because there is nothing to do and there are no decisions to be made: it is purely a holding committee. This has the full backing of the commodity section of the U.F. & G., which asked me to introduce a three-man committee. At that stage I said that I thought it was a little premature, because quotas had not been corrected. They lost 2 000 quotas in the beginning of the quota year, and things were messed up. The whole matter was resolved in the early part of last year.

This is what the industry asked me to do, and I have agreed that the Chairman of the committee will come from the United Farmers and Graziers, another member will come from the Agriculture Department, and the third member will come from the South Australian branch of the Australian Wheat Board. I undertake that, in the event of quotas coming on again in the future, there will have to be a new advisory committee to deal with wheat quotas if they are imposed at that time. The question of establishing that new advisory committee would have to come before Parliament.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Composition of Advisory Committee."

The Hon. C. R. STORY: I move:

In new subsection (1) to strike out "three" and insert "five"; and in new subsection (1) (*a*) to strike out "one member who" and insert "three members one of whom".

These amendments are not exactly what I would have liked to move. However, it seems that it is the best I can do. The amendment that I had intended to move seemed to me to be very simple, but I have been informed that it cannot be done. If we have commodity committees, the people who own the commodity ought to retain the say in how that commodity is disposed of. Regarding the Minister's statement about having four or five years without quotas, I hope we do. No-one was more reluctant than I to have quotas put on. However, at that stage, in 1968, we were forced by the biggest surplus we had ever known to do something fairly quickly. I am delighted that quotas are not on, because farmers will have an opportunity to get ahead while world markets are receptive. When the next quota year comes, readjustment will be necessary, and I hope that 12 people from all over the State will not have to be gathered to do this thing. By that time the technology and computerisation will have advanced very much further. We want a nucleus of people who understand the human element. A computer can give useful information only if there are people who understand the human situation.

Regarding the Minister's statement that the industry favours this provision, I believe that the industry is in favour

of it temporarily. However, I am not sure that the industry thinks things through on a long-term basis. Regarding undertakings, I do not doubt that the Minister would give an undertaking and, if he were here, he would honour it at the appropriate time, but there is no guarantee that the Minister will be in a position to honour the undertaking that he offers. Further, there is no guarantee that the Secretary or the Chairman or any other officer of the present United Farmers and Graziers will be there to push the point. At present, all over Australia we are in a mental turmoil over the appointment of a person to take a seat in the Senate. We are in that turmoil because we are relying on a convention, instead of relying on written words in legislation. I am not willing to rely on undertakings in these matters. A letter only has to get lost or be taken from a file, and the undertaking is up the spout. However, if it is written in legislation, one must get Parliament to change its mind. We should have a majority of producer members on the committee.

The Hon. J. C. BURDETT: I support the amendment, because I believe that the principle of grower control is most important and must not be lost sight of, even temporarily. With the Minister holding the purse strings, it cannot possibly do any harm to have a five-man committee. There will be no excessive demands on money, and the principle of grower control will be preserved. I support the amendment.

The Hon. G. J. GILFILLAN: I, too, support this sensible amendment. The Minister said, probably correctly, that a quota system might not be needed for some years. Indeed, I sometimes wonder whether we ever needed it, as I believe quotas have not been filled since this system was introduced. The situation obtaining when there were massive harvests was brought about largely by depressed wool prices, and that followed a drought year when many people had bare country with few stock. The problem was not so much one of excess production but of a shortage of storage space. If we are to make the most of world markets, we must be prepared to have stocks of grain on hand. A more realistic approach would be for us to build more storage areas to enable us to overcome these temporary problems.

The idea of a five-man committee, even in a holding situation, is a sensible one, as it will mean that more people will be obtaining experience. If we have only a three-man committee, with two members forming a quorum, only a few people would be gaining experience in all the intricate aspects of the world marketing of grain. I do not think a larger committee of five members will place a burden on anyone because, after all, the wheat is the growers' own commodity and they must finance the storage systems. This will not place an additional burden on the Government either, and it is eminently sensible to have a larger nucleus of people retaining touch with world conditions and the production and handling of grain in South Australia.

The Hon. T. M. CASEY: Honourable members who have supported the amendment stagger me with their arguments, which do not hold water. The committee will not have to make decisions, as it is to be purely a holding committee. The Hon. Mr. Story said that it would decide what would be fed into the computer, but I do not think a decision would need to be made in that respect. If returns are coming in, they are automatically fed into the computer. Surely a majority of grower representatives is not needed to decide what should go into the computer.

The Hon. R. C. DeGaris: Are you saying you don't need the committee at all then?

The Hon. T. M. CASEY: A committee comprising only one member could do it. However, the Commodity Section of the U. F. & G. suggested that a committee of three would be satisfactory. After all, the money to pay these people will come out of the pockets of wheatgrowers, and I certainly will not be saddled with a decision that I must decide how much will have to be paid.

The Hon. A. M. Whyte: Surely they will not be paid while they aren't operating.

The Hon. T. M. CASEY: Naturally not. At present the co-operative pays these people, the money coming out of industry funds. Honourable members say that the enlarged committee will not cost more. However, the extra two members will have to be paid. I would certainly agree that, if this was a commodity committee, growers should have majority representation on it. However, this has nothing to do with a commodity committee: it is solely a holding committee, and all the information that is required by producers can be obtained from their committee representatives. The industry wanted to reduce membership on the committee some time ago, but I was not willing to agree to such a reduction at that stage. However, I said that they could renew their request when the time was ripe. Although the industry has suggested that the committee should comprise three members, honourable members want to increase it to a five-man committee. I do not think they have approached U.F. & G., as it has said that it would be satisfied with a three-man committee.

It seems incredible that, when the Government tries to do something that the industry wants, honourable members opposite desire, for one reason or another, to change the situation. I cannot accept the amendment. I repeat that this is to be a holding committee only; it is important that the Agriculture Department should be represented, as this will enable the department to keep an eye on things and see what transpires. I believe, too, that it will be an asset to have the General Manager of the Wheat Board on the committee, as he knows what stocks are being held, what sales are made, and so on. The third member will come from U.F. & G., and all the necessary information can be obtained from these three people, all of whom are directly concerned with the industry.

I do not think any votes will have to be taken; nor can I think of any decisions that will have to be made, except regarding what must be fed into the computer and, if three level-headed, responsible people cannot decide that, I do not know where we are going. The three-man committee, requested by the industry, is a sufficient holding committee. It is only natural that new growers will come into the industry before any quotas are reintroduced and that a new committee will have to be formed, irrespective of who is Minister of Agriculture. However, I do not think this will be as unwieldy a committee as was the previous one, on which there were too many members. I remember saying, when I was a member of another place, that the committee should comprise experts such as accountants, who would be a great asset to other committee members. This is still important, and perhaps it would be a good idea if this was considered when a new advisory committee was contemplated if and when quotas were reimposed.

The Hon. Sir ARTHUR RYMILL: The Minister keeps talking about a holding committee, but I can find nothing in this Bill saying that this committee is a holding committee. The committee is appointed to substitute for a rather large

committee existing under the 1969 Act. I clearly see the Minister's argument that this is all that is currently necessary, but it is not described as a holding committee and, unless some future Government sees fit to alter the committee by another piece of legislation, then this committee will be responsible for regulating the future situation.

The Hon. T. M. Casey: There's nothing to regulate, because it only regulates quotas.

The Hon. Sir ARTHUR RYMILL: There is nothing to regulate now, but there will be if quotas are reintroduced. Unless this amendment is accepted, a committee comprising three members will establish any future quotas.

The Hon. T. M. Casey: I don't think so.

The Hon. Sir ARTHUR RYMILL: That is what it seems to me, because there is no provision for any other committee in the event of quotas coming back. As I understand the Hon. Mr. Story's amendment, it does not do exactly what he wants, but apparently he does not think he can get an amendment in any other form accepted by the Government. Surely what the Hon. Mr. Story wants to achieve is the correct answer to the situation. The holding committee is established, but provision should be made whereby, in the event of quotas being re-established, the committee of five suggested by the Hon. Mr. Story then becomes the committee dealing with quotas. I cannot see any argument against this, as it seems the sensible way to do it.

What is the use of substituting a different committee without saying that it is merely to be substituted while there are no quotas? This Bill seeks to establish a new committee without saying that it is only established in the existing circumstances and, if the Act comes back into operation with full force and effect concerning quotas, there is nothing to say that this committee does not still continue to exist. As the Hon. Mr. Story has said, it does not matter about undertakings when the people who give the undertakings probably will not be there when the situation again arises.

I have had experience of this. I refer to an undertaking from the Postmaster-General that, when his department's installations in the west park lands were no longer required, they would be allowed to revert to the park lands. This undertaking was made in writing from the Minister, yet when the time came, the new Minister said it was not his undertaking and, as it was the undertaking of a previous Minister, he could not abide by it. Undertakings might be useful during the term of existence of a Government, but after that they are not worth anything. I suggest that the Hon. Mr. Story's original amendment be accepted, because it will achieve both objectives: it will achieve what the Minister wants (a small holding committee in the meantime), and it will provide protection in case quotas are re-established, without the necessity of reamending the legislation.

The Hon. R. C. DeGARIS: I entirely agree with the comments of the Hon. Sir Arthur Rymill. It was the original intention of the Hon. Mr. Story to move in this direction. This seems to fit in with what the Government wants, and I see no contention between the argument put up by the Minister and the argument put up by the Hon. Mr. Story. They are in agreement, the only problem being in respect of the question of what the committee's function should be in the present circumstances and what its function should be if quotas are reintroduced. I suggest that the Minister reports progress to allow the matter to be further examined.

I know that the U.F. & G. has made certain statements on this matter, but I have also received approaches from other members of that organisation expressing the view that, if quotas are reintroduced, they want a fair undertaking that this three-member committee will not be the committee fixing future quotas. I ask that progress be reported to discuss the matter with the Parliamentary Counsel. If this is done we might find a satisfactory solution to these differences of opinion over a minor point.

The Hon. T. M. CASEY: I want to make one point clear to the Hon. Mr. DeGaris. If he has been approached by farmers and members of the U.F. & G. who do not want a committee of this size (and I can well understand this), I point out that this was one of the reasons why the old committee was so large, and the Hon. Mr. Story knows this. The U.F. & G. is divided into eight zones in South Australia, and each zone wants to be represented on the committee, which explains why there were previously 11 committee members. Do we want a committee of 11 members? Do we want individual farmers represented from each zone? If the Hon. Mr. DeGaris has been approached by a member or a grower in a particular zone, there is no reason why other honourable members in this Council could not be approached by other zone members—

The Hon. R. C. DeGaris: I was not approached by a zone member.

The Hon. T. M. CASEY: —that is what we will come back to, eight members from eight zones.

The Hon. R. A. Geddes: But quotas were not known at that time and there was a suspicion of how the system was to work.

The Hon. T. M. CASEY: This matter has to be dealt with by the industry if and when quotas are reimposed. As some doubts have been raised about exactly where we are going, perhaps we can resolve this through a short discussion.

Progress reported; Committee to sit again.

SOUTH AUSTRALIAN COUNCIL FOR EDUCATIONAL PLANNING AND RESEARCH BILL

Adjourned debate on second reading.

(Continued from February 20. Page 2482.)

The Hon. JESSIE COOPER (Central No. 2): In rising to speak to this Bill I do not intend to attempt to amend or hinder it. I assume that this matter has been extensively discussed and considered by all the leading educationists in the State, and that the Bill represents the consensus of their opinions and desires. We are being asked to pass a Bill to establish a council for educational planning and research in such a way that it will be free to promote any research *ad infinitum* so far as it can go with any funds it can wangle from the Budget.

It does not require a person to be gifted with extra-sensory perception or even second sight to realise that this council will in no time become a Parkinsonian institution, because it goes without saying that the council will grow with a bigger and bigger staff, with a greater and greater expense account for trips of investigation and inquiry. What better place is there for educational research than the United Kingdom or North America, or South-East Asia, or indeed Outer Mongolia; you name it! In other words, this is to be an extraordinarily expensive way of arranging for the heads of our wide-ranging educational establishments to meet together, to exchange information, and to advise the Minister.

Clearly, this Bill contemplates the possibility of a large staff; at least it does not pretend to put any limit on the number to be employed, subject, of course, only to money being available for salaries and expenses. In view of the

extraordinary growth in top weight in some of our Government departments, even in the matter of researching and spying on the output of the media and the extraordinary strain on the Treasury that this is creating, even to the point that the extra money recently granted to South Australia by the Commonwealth Government is required to meet the already existing debits of the Treasury and is not available to increase employment, as was the Commonwealth Government's intention, will the Minister inform this Council as to the likely number to be employed under the proposed Act and the expected cost over the first three years of its operation? That is my first question.

In examining the Bill in detail we find, in clause 6, that there are to be 24 members of the council, plus up to two more co-opted members. Of the 24 members, nine appear to be appointed *ex officio*. We have the Chairman, the Executive Director, the Director-General of Education, the Director of Further Education, the Vice-Chancellor of the University of Adelaide, the Director of Catholic Education, the Chairman of the Childhood Services Council, the Chairman of the South Australian Board of Advanced Education, the Director of Environment and Conservation, and the Director of the South Australian Institute of Technology. The other 14 members are to be appointed on the nomination of the Minister; indeed, six at least of the 14 are appointed on the nomination of the Minister without any apparent outside recommendation.

So what have we got? We have 14 of the 24 required appointed on the Minister's nomination, a top-heavy arrangement indeed. Strangely enough, the one representative of the independent schools (one, mark you, in a council of 24) is also to be appointed on the nomination of the Minister—after consultation, of course. Whether that consultation will be regarded or not is a moot point. To my mind, this is another example of the old political racket of loading bodies when you want a radical outlook established. Turning to clause 12, what do we find? It provides:

12. (1) There shall be an executive board of the council.
(2) The executive board shall consist of—
(*a*) the chairman;
(*b*) the chief executive officer;
(*c*) the Director-General of Education or his nominee; and
(*d*) four other members of the council . . .

Subclause (4) provides:

(4) The council may delegate to the executive board, or to any committee constituted of members of the council, any of its powers or functions under this Act.

I consider this to be far too wide. That the council, through lack of interest or because of insufficient time of its members or for any other reason, should delegate its greatest powers or any part of them or its responsibilities to any executive or subcommittee is extremely undesirable. Particularly do I draw the attention of honourable members to the fact that this council will be dominated, owing to the method of its appointment, by one section of educationists. Therefore, the executive of such a council will, as I see it, be a pressure group. We will then have in effect the voice of the executive equating the voice of the council with complete freedom to ignore numerous minority interests represented by some members of the council.

The Hon. R. A. Geddes: Will they be right wing or left wing, do you think?

The Hon. JESSIE COOPER: Guess what? I turn now to clause 15. I should like everyone to read this clause carefully. It provides:

15. (1) There shall be an executive director of the council.
(2) The first executive director of the council shall be a person nominated to that office by the Minister prior to the commencement of this Act.
(3) The terms and conditions upon which the executive director shall hold office shall be determined by the Governor.

How can you, Sir, nominate someone to an office that does not exist? What authority is there for paying this person some current salary? Have these matters been determined, and on what authority? As we are being asked to approve something that presumably has already taken place, or at least will take place before Parliament has granted its authority by an Act, will the Minister please inform this Council who has been (or is about to be) appointed to this position? If this information is not produced to the Council I would recommend to honourable members a delay in the passing of this Bill. That is my second question.

It is no secret that English expression, handwriting, ability to compose even the simplest letter, and arithmetic have all deteriorated or vanished in recent years under our education system. It is no secret that, in this alleged Christian country, a country in which 80 per cent to 90 per cent of people claim to be Christian, we find in our teaching establishments and teacher training colleges (no matter what they are called, that is their purpose, to train teachers) a percentage, assessed by some to be almost 70 per cent, of atheists.

It is no secret that, in many faculties of our universities, over 30 per cent of first-year students, allegedly educated by our secondary school system, are unable to pass their first year and either drop out or have to repeat that year. I suggest that these situations should be among the first things examined by the new council when it is established. Again, I am informed by some in the teaching profession that discipline has greatly decayed in the State schools, that in many classes it is almost impossible to give any continuous and valuable instruction, and that many of the children are allowed to remain in classes simply to fill in their time.

It may interest honourable members to know that a new solution to this problem has been found. Last Friday a teacher reported to me that, when she went to the Head to say that, in a class of bright young children, two unruly teenagers destroyed the continuity of instruction (and the subject was social studies), it was suggested that she get the interest of the children and fill in their time on an excursion. Honourable members can guess that the children are to come to Parliament House! I am informed that young teachers and not-so-young teachers who request some disciplinary measures or support in their classes are told not to worry the Headmaster and to use their teaching powers to interest the children, the implication being that, if they cannot get control, they are failing as teachers. In fact, they are told that young hooligans should be controlled merely by the human voice of any teacher worth his or her salt. It is quite clear that education in South Australia under this no-discipline free-expression system is decaying and becoming inefficient.

I want to emphasise the fact that many teachers in our school system are amongst the finest people I know: they are dedicated people of high integrity but, when they should be getting support, they are getting only hindrance from subversive and radical elements. I feel very sorry for many young trainee teachers who are subjected to pressure from their radical instructors. I have had a complaint from a girl student at one of the teachers colleges who was told by her instructor that she was not liberated

enough. She was living at home, and she was told that until she became liberated and got away from the influence of her family she would never make a teacher. Her marks were so high that the instructor's case failed. The complaint came from her parents, who did not want their daughter liberated at the time of the instructor's choice: they were willing for the girl to make her own choice.

I can give an example from my personal experience of the same philosophy being thrown at freshers at a university. I happened to hear advice being given to a group of young people straight from school. My two companions, an American and a Chinese, were appalled, although they said that the position was the same in their own countries. I suggest that an inquiry into the necessity for discipline and its methods of application in our wildly expensive educational establishments should be put early on the list of tasks for the new council.

This decay and lowering of standards and the loss of efficiency in our teaching establishments are now to be covered up, I believe, by the removal of most of the examinations which formerly tested not only students but indeed their pedagogues as well. I believe that the present cry for the removal of much of the examination system comes from those who do not wish the efficiency of their own work to be assessed. Here again is a field of inquiry for the proposed council. I expect many honourable members will have other areas of dissatisfaction in connection with our educational set-up which they believe need definite scrutiny, so I will leave the matter there for the present.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

FAIR CREDIT REPORTS BILL

(Continued from February 20. Page 2481.)

Schedule of the amendments made by the Legislative Council to which the House of Assembly had disagreed:

No. 1. Page 2, lines 15 and 16 (clause 4)—Leave out all words in these lines.

No. 2. Page 3, line 17 (clause 7)—Leave out "as soon as practicable, notify the person to whom the report relates" and insert ", at the request of the person to whom the report relates, notify him".

No. 3. Page 3, line 18 (clause 7)—After "he" insert "(the trader)".

No. 4. Page 3, line 19 (clause 7)—Leave out "of his rights under this section" and insert "of the name and address of the reporting agency which provided the consumer report".

No. 5. Page 3, lines 20 to 30 (clause 7)—Leave out subclause (2).

No. 6. Page 3, line 31 (clause 8)—Leave out "Subject to subsection (2) of this section".

No. 7. Page 3, line 36 (clause 8)—Leave out paragraph (*b*).

No. 8. Page 4, lines 1 to 10 (clause 8)—Leave out subclause (2).

No. 9. Page 5, lines 21 and 22 (clause 11)—Leave out "or a trader".

No. 10. Page 5, line 23 (clause 11)—Leave out "or trader".

No. 11. Page 5, line 24 (clause 11)—Leave out "or trader".

No. 12. Page 5, line 25 (clause 11)—Leave out "or trader".

No. 13. Page 5, line 34 (clause 11)—Leave out "or trader".

Consideration in Committee.

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That the Legislative Council do not insist on its amendments.

It is best to consider the amendments *in globo* rather than *seriatim*. The amendments make it more difficult for the consumer and easier for the trader. The amendments make it more difficult for the consumer, who is refused credit as a result of a credit report that a trader receives, to find out what was said about him and where it came from, in an effort to ensure that the report is factual and fair. The majority of the amendments fall into the category to which I have referred. I have previously stated my views on the amendments, and I hold to those views.

The Hon. R. C. DeGARIS (Leader of the Opposition): The first thing I look at in this type of situation is the schedule of the reason of the House of Assembly for disagreeing to the amendments: because the amendments, in this case, weaken the effectiveness of the Bill. One must consider what effect one is seeking before one can say whether the amendments weaken the effectiveness of the Bill. In many ways the amendments strengthen the Bill. The Chief Secretary is not correct in his statement that the amendments make it easier for the trader and more difficult for the consumer. Actually, one amendment makes it a good deal easier for the consumer because it gives him direct access at any time to his file held by a credit-reporting agency, which right he does not have now.

The Hon. A. F. Kneebone: How does he know where to go?

The Hon. R. C. DeGARIS: He can go to any agency and ask whether there is a credit report on him at the agency. If the agency says, "Yes", he has a right to see the report and to correct it, if necessary, before he applies for credit. One amendment makes it easier for the consumer to go straight to a reporting agent before that report is called for by a trader and correct it if he finds it to be inaccurate. It is hardly correct, therefore, to say that the amendment makes it easier for the trader and more difficult for the consumer, because, in the circumstances I have enumerated, it makes it much easier for the consumer to examine his files with a reporting agency before he applies for credit anywhere.

It is strange that, during the debate in this place when that amendment was moved, the Government in the Council (if my memory serves me correctly) accepted it, yet we now see disagreement from the Government in another place. I think I am correct in saying that the Government accepted that amendment, because it was a perfectly reasonable one which enlarged the scope of the Bill.

We have seen over the past few years not only in this State but also at the Commonwealth level the attitude of Commonwealth and State Governments towards private enterprise, and this has not added to the confidence of the private sector. I hoped in relation to this Bill, the Council's amendments to which were reasonable (they adequately protect the consumer's interests and, at the same time, do not place excessive burdens on the trader, as I believe the former Bill did), that the Government might have been willing to somersault slightly, as its Commonwealth colleagues seem to be doing at present. However, we still have the rather dogmatic approach being taken by the Attorney-General and his Cabinet colleagues.

I refer to the Land and Business Agents Bill, on which a similar dogmatic attitude was adopted by the Attorney-General. That Bill came to the Council, was amended (and I think reasonably amended) in this place, but was dropped by the Government. It was not proceeded with because of the amendments made in this place. An election ensued, and the Bill returned to this place the second time around (it being a double dissolution issue) and, out of the original 40 amendments, the Government accepted only nine.

Honourable members in this place told the Government that that Bill was in many ways ridiculous. Indeed, it was overbearing and made it difficult for the private sector to fulfil its obligations as laid down therein. The Government has been forced to recognise this, having already come back once (and I think it will do so for the second time soon) to amend the Bill even further. I suggest that the amendments are returning to the original position advocated in the Council. I had thought that with that experience the Government might have been willing to take a more lenient view instead of the dogmatic approach it has adopted on many matters affecting private industry.

I believe the amendments moved in this Chamber were reasonable. The Bill now gives adequate protection to the consumer without placing undue burdens on private industry. One amendment extends the right of the consumer beyond the scope contemplated in the original Government Bill. I ask the Committee to insist on its amendments.

The Committee divided on the motion:

Ayes (6)—The Hons. D. H. L. Banfield, B. A. Chatterton, T. M. Casey, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

Noes (12)—The Hons. J. C. Burdett, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Majority of 6 for the Noes.

Motion thus negatived.

ADJOURNMENT

At 4.27 p.m. the Council adjourned until Wednesday, February 26, at 2.15 p.m.