

LEGISLATIVE COUNCIL

Tuesday, July 26, 1977

The PRESIDENT (Hon. F. J. Potter) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

SUCCESSION DUTIES

The Hon. R. C. DeGARIS: Has the Minister of Health a reply to my recent question concerning succession duties?

The Hon. D. H. L. BANFIELD: One application has been received by the Succession Duties Office for the rebate from duty applicable to unmarried brothers and sisters. This application was received on July 4, 1977, and final assessment has not been issued. The value of the half interest in the dwellinghouse derived by the surviving unmarried sister is \$13 600, and the saving of duty is expected to be \$2 180. I point out that, as the amendment applied from May 5, 1977, and as a grant of probate may be required in these estates, it is unlikely that many applications could be lodged to the present time.

CATTLE GRIDS

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a question of the Minister representing the Minister of Transport.

Leave granted.

The Hon. M. B. DAWKINS: My question refers to the problems encountered by station people on the Stuart Highway and on similar unfenced roads in the Far North of this State. It has been brought to my notice very recently by a constituent that when such roads are graded the stock grids or ramps at gateways between adjoining properties are sometimes partially filled in (I believe that is done unintentionally) to the extent that stock are able to negotiate grids and ramps and consequently stray into other properties. Although my informant is aware that the matter has been raised previously, some remedial action, or more care, is still needed. Will the Minister bring this matter to the attention of his colleague to seek to have the problem overcome?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague in another place and bring down a reply.

OPAL LEASES

The Hon. R. A. GEDDES: I seek leave to make a brief statement prior to directing a question to the Minister representing the Minister of Mines and Energy.

Leave granted.

The Hon. R. A. GEDDES: Last night I watched with interest *This Day Tonight* and the attempted answer given by the Minister of Mines and Energy (Hon. Hugh Hudson) regarding the problem encountered by Andamooka opal miners as regards their opal leases. Legislation was passed by this Council last year to assist in overcoming problems encountered by Western Mining Corporation in the development of the Roxby Downs area as

well as maintaining the privileges of opal miners. The legislation passed by this Council provided for a type of strata title, which meant that opal miners were allowed to mine to a certain prescribed depth. Development miners such as Western Mining Corporation were to be permitted to mine below that strata title depth. In his explanation during the television programme, the Minister made no reference to the strata title, which I thought was the nub of the opal miners' problem. Is the strata title legislation dealing with opal miners satisfactory, or will amendments be necessary to make it satisfactory, so that there will be fairness for the two parties concerned?

The Hon. B. A. CHATTERTON: I will refer the honourable member's question to my colleague and bring down a reply as soon as possible.

FIRES

The Hon. ANNE LEVY: A radio report this morning quoted some American figures suggesting that 30 per cent of all fires to which a fire brigade was called were the result of arson. Has the Minister of Health any information on the proportion of fires in Australia suspected of being due to arson? This has obvious implications for the study of the effects of vandalism, although I realise that arson can also be undertaken for the purposes of revenge or making a profit.

The Hon. D. H. L. BANFIELD: Because I was interested in the figure of 30 per cent that was quoted, I made some inquiries concerning this matter. Whilst an accurate figure is not available because arson is one of the hardest crimes to prove, the authorities believe that 30 per cent would be about the proportion of fires suspected of being due to arson. This figure has been accepted in quite a number of countries, although one cannot be certain as to its accuracy, because arson is one of the most difficult crimes to prove. As the honourable member said, there are sometimes other motives behind arson apart from vandalism; for example, to cover up a crime, for revenge or financial gain, etc. Although there are no accurate figures, it is suspected that about 30 per cent of fires are caused by arson.

CLASSIFIED PUBLICATIONS

The Hon. J. A. CARNIE: I seek leave to make a brief explanation before asking a question of the Minister of Health, whom I ask to refer the question to either the Premier or the Attorney-General.

Leave granted.

The Hon. J. A. CARNIE: In the public notices in last Thursday's *Advertiser* a notice inserted by the Classification of Publications Board states that the board has classified certain publications. Then follows a list of prohibitions that apply to the publications. The books which are the subject of my question all carry the classification A. Classification A is defined as follows:

A condition prohibiting the sale, delivery, exhibition or display of the publication to a minor (other than by a parent or guardian or a person acting with the authority of a parent or guardian) or the exhibition or display of the publication in circumstances in which it is likely to be perused by minors.

The books which are the subject of my question are as follows: *The Australian Weed*, *Drug Manufacturing for Fun and Profit*, *A Guide to Growing Cannabis under Fluorescents*, *The Complete Cannabis Cultivator*, *Herbal*

Highs, The Marijuana Consumer's and Dealer's Guide, and The Super Grass. With one exception, all of these publications are published by a publishing house calling itself the Flash Post Express Company. It is well known that the possession and growing of *cannabis* is illegal in South Australia. From the titles of at least some of these books, it appears that they advise how to grow *cannabis* and, in one case at least, it goes a little further and purports to be a guide for dealers in *cannabis*. As honourable members know, this Parliament only last year greatly increased the penalties for dealing in drugs. How is it that publications designed to help people to carry out illegal activities are allowed to be sold in South Australia, and will the Minister take steps to remove these books from sale?

The Hon. D. H. L. BANFIELD: As requested, I will refer the honourable member's question to my colleague.

CITIZEN BAND RADIO

The Hon. N. K. FOSTER: I seek leave to make a short statement prior to directing a question to the Chief Secretary.

Leave granted.

The Hon. N. K. FOSTER: Recently, there has been much public comment by people in the community who have been interested in citizen band radio operations. Honourable members will recall lengthy submissions made to the appropriate Federal Minister, Mr. Robinson, in regard to this matter, he being the Minister with the portfolio covering radio communications, and so on. The citizen band radio operators were seeking to be permitted to operate within the law, and found they could not do so because the Federal law had not taken into consideration the growth of citizen band radio use within the community. In addition to that, Mr. Robinson had promised a number of delegations that the Federal Government would in due course give every consideration to the citizen band radio operators' demands or submissions made to the appropriate Minister and his department. That Federal Minister and the department have now legalised the operation and ownership of citizen band radios and, of course, the units remain available through normal trade channels.

I am not for one moment suggesting that they operate any type of appliance that is illegally in force; these radios are procurable through normal trade outlets at some considerable cost to the individuals concerned. Now that the Federal Government has legislated for that and has levied a fee for procuring such a licence, it is found that the police, perhaps throughout the States and certainly in South Australia, are now apprehending members of the public who are operating citizen band radios. Some sets have been confiscated and there have been some prosecutions; names have been taken of many people, so I am informed. The officers of this organisation are sending letters to the *Advertiser* as a result, to rebut some of the news reports of that newspaper, some with some degree of success but others have been ignored.

In addition to that, prior to asking my question, I think it is fair to acquaint the Council with the fact that there is a form of industrial dispute, as I understand it, within that Federal department, which means that, whilst the members of the public have paid their fee and have in fact received a receipt, they have not been granted an actual licence, because the immense amount of additional work experienced by that section of the department is such that the employees cannot promptly process the

demands of the public in this area of licensing these radios and they have placed some form of limitation on the amount of work that can be processed in that area. I point that out to the Council in the hope that, particularly members opposite, will understand that it is not the fault of the citizens themselves that they are not in receipt of licences.

The Hon. C. M. Hill: Are you going to introduce a Bill?

The Hon. N. K. FOSTER: The Hon. Mr. Hill has a way of dealing with that. It is not the fault of the citizens who have applied for licences that they are not in receipt of them. Does the Minister consider it fair that the police have taken such action as they have since the legalising of this type of radio receiver-transmitter? Secondly, does he—members opposite will not shut up over there; it is quite disconcerting.

The PRESIDENT: Order! There is too much audible conversation.

The Hon. N. K. FOSTER: It is the height of bad manners that the Leader of the Opposition and other honourable members should carry on like this during Question Time when they themselves demand absolute silence from this side of the Chamber. Will the Minister take up the matter with his department and give every consideration to those people who have been apprehended by the police, the vast majority of whom are not in breach of the law, having paid their licence fee. The receipts possessed by those people for their licence fee ought to be regarded as a licence pending the resolution of any dispute that may exist between the Minister and his department regarding this matter.

The Hon. D. H. L. BANFIELD: The administration of citizen band radio matters is in the hands of the Commonwealth police, although it is true that on occasions the State police, acting on information from the Commonwealth, have questioned certain people who are in possession of citizen band radios. Contrary to what the Hon. Mr. Foster has said, it is illegal for a person, even though he has paid his licence fee and possesses a receipt therefor, to operate a citizen band radio. However, because the South Australian police believe it is imminent that this practice will be legalised, they are taking no action in relation to the confiscation of citizen band radio sets. I will seek information from the Commonwealth Government and ascertain whether it will agree to the honourable member's request that a receipt for a licence fee held by a person should be treated as a licence, thereby removing the possibility of prosecution or confiscation of the radio set.

HEALTH EXPENDITURE

The Hon. J. R. CORNWALL: I seek leave to make a statement before asking the Minister of Health a question. Leave granted.

The Hon. J. R. CORNWALL: The Hon. Mr. Hill, the Opposition's shadow Minister of Health, has expressed considerable concern in the Council that the State Health Department apparently underspent its allocation from Loan funds on Government and non-government hospitals by \$1 300 000 in the last financial year. One would presume that, as a former Cabinet Minister, the Hon. Mr. Hill would have considerable experience and expertise in budgetary exercises.

The Hon. R. C. DeGaris: He certainly did in the two years that we were in office.

The Hon. J. R. CORNWALL: That is an interesting interjection.

The PRESIDENT: Order! Interjections are out of order. I will ask the honourable member to ignore interjections.

The Hon. J. R. CORNWALL: Thank you, Sir, for your protection and concern. As a matter of interest, and for the sake of comparison, can the Minister of Health recall what was the position in this area for the financial years 1968-69 and 1969-70, the only two years in the last 12 years when the Liberal Party was in Government? In other words, how closely did their estimates coincide with their spending?

The Hon. D. H. L. BANFIELD: That is a most interesting question. I, too, was concerned about this matter. Honourable members opposite should know that in no way, when one draws up a Budget 12 months in advance, does one know what will actually be spent. It is always difficult for one to make an exact allocation all of which will be spent, as there are various reasons why an allocation may not be completely spent. I was also interested in the matter raised by the Hon. Mr. Hill, because he was going to do a fine job with \$1 000 000 that was not spent out of a total allocation of \$42 000 000 last year. It so happens that I have taken out some figures, and I find that, in the year that was so catastrophic for South Australia, when the former Labor Government was defeated, an allocation was made for Government hospitals. In the 1968-69 Budget, for Government hospitals there was an allocation in the Estimates of \$11 600 000. Of that amount (and this is most interesting) only \$7 791 477 was spent. Therefore, there was a difference of \$3 805 000 in regard to an allocation of a miserable amount of about \$11 000 000. An amount of 32·8 per cent of the allocated budget was not spent during that year.

We also have interesting figures in relation to non-government hospitals and the Government's achievement. The allocation in the Estimates that year was \$2 525 000, and the expenditure was \$2 092 604. The amount not spent was \$432 396, or 17·12 per cent. Taking the position overall, the allocation for those two groups in 1968-69 was \$14 125 000, and the expenditure was only \$9 884 081. The total amount not spent was \$4 240 919, or 30·02 per cent, in that year. I do not know what happened in that year, but the Government did not go very well.

However, I thought we should find out whether the Government did better in the next year, and I came up with interesting figures. The Government did much better, because it overspent its allocation in that year. That shows that the Government (or any department) cannot accurately assess the amount. So that it would over-spend in the next year, the Government allocation for 1969-70 was reduced from the 1968-69 figure of \$11 600 000 to \$10 700 000. That was a reduction in the amount of money spent on hospitals, despite the fact that the Government hospitals were in a state of disrepair. Glenside and Hillcrest hospitals needed upgrading, but the Government allocated nearly \$1 000 000 less in that year for Government hospitals. It also reduced the allocation for non-government hospitals and institutions for 1969-70 from the 1968-69 figure of \$2 525 000 to \$2 400 000. However, in that year the Government did spend \$11 073 714 on Government hospitals, an over-expenditure of \$373 714.

I again make clear that this was done after the allocation had been reduced by \$900 000. For the non-government hospitals, whilst the allocation in 1969-70 was

\$2 400 000, expenditure was only \$2 326 602, a difference of \$73 398, or 3 per cent of the allocation, not being spent. Overall, whilst the Government spent only about \$9 000 000 out of about \$14 000 000 in 1968-69, it made the position a little better in the next year and allocated \$13 100 000 and spent \$13 400 316, an over-expenditure of \$300 316. The Government reduced the allocation in 1969-70 from the 1968-69 figure by 7 per cent.

These figures are interesting: they show the amount of interest that members opposite have in the hospitals and in upgrading them. This compares—

The Hon. C. M. Hill: That's the weakest rebuttal you have ever made.

The Hon. D. H. L. BANFIELD: It is a weak rebuttal because, in 1976-77, we underspent our allocation by only 1·04 per cent! We got within 1·04 per cent, yet in 1968-69 members opposite were not able to get within 30 per cent of the expenditure allocation set down!

The Hon. A. M. Whyte: In 1968-69—there's only another eight years to go.

The Hon. D. H. L. BANFIELD: Members opposite need be in office for only another three years—

The PRESIDENT: Order! The honourable Minister is out of order in debating the interjection.

The Hon. D. H. L. BANFIELD: I apologise, Sir, but someone else must have been out of order by interjecting. Did you notice that, Mr. President?

Members interjecting:

The PRESIDENT: Order! I have asked Ministers to ignore interjections.

The Hon. D. H. L. BANFIELD: What about asking honourable members to refrain from interjecting so that this problem will not arise. In 1968-69 the total amount unspent was \$4 240 000 out of \$14 125 000, which is 30 per cent, so that we have not done too badly by being only 1·04 per cent down on our allocation.

CONTAMINATED FOODS

The Hon. N. K. FOSTER: I seek leave to make a short statement prior to directing a question to the Minister of Health.

Leave granted.

The Hon. N. K. FOSTER: Honourable members, especially members opposite, will recall the unfortunate recent occurrence when several baby food powders were removed from the shelves of distributors and supermarkets, delicatessens, chemists and other suppliers. One must pay a great tribute to the South Australian Institute of Medical and Veterinary Science for discovering and analysing the offending foreign matter which had contaminated this wide range of infant food products. Whilst on my feet, I may say also that I was disappointed—

The PRESIDENT: Order! The honourable member's explanation must be sufficient only to explain his question.

The Hon. N. K. FOSTER: The question will indeed be explained. I indicate that my question deals with the contamination of a food product, and nothing other than that. I believe that it was remiss on the part of the press (and this matter was reported widely by the whole of the media, which has some clear responsibility in such cases), but it neglected later to inform the public on what was the cause of the contamination. One paper in South Australia suggested it was merely a crack in the production pipes of the Tongala complex in Victoria. Yet another prominent member of the press in Victoria came forward and made more than a suggestion saying that the contamination was from rat excreta. However,

there is a vast difference between the two suggested sources of contamination. I further understand that there are some firms involved with certain products and their marketing, but not necessarily their manufacture, who have introduced a system to allow for reasonably efficient withdrawal of products from retail outlets. Further, I understand that another company, Nestles, a well-known firm in Australia, has not carried out withdrawal of these products in the same manner as that undertaken by some other companies. I have also been made aware of other facts, and the burden of my proof lies heavily in the question, as this aspect is serious, that some large supermarkets have merely had these foods numbered so that they can be categorised and removed from one end of the storeroom to the other end. This fact raises the danger that, if the manager of a store—

The PRESIDENT: Order! If the honourable member is going to express many opinions—

The Hon. N. K. FOSTER: It is important that I do, and I ask for your leniency in this regard.

The PRESIDENT: I will—

The Hon. N. K. FOSTER: I will bow to you on this occasion, Mr. President. I only went on purposefully—I am going to ask the question. You were lenient, Mr. President, to the Hon. Mr. Hill one day last week to the point of dereliction of duty.

The PRESIDENT: It seems that I am too lenient all around.

The Hon. N. K. FOSTER: You let the Hon. Mr. Hill waffle for almost three-quarters of an hour in Question Time one day last week, yet on such an important matter as this you seek to stifle me. Well, you will not do it, so far as I am concerned, Mr. President, as this matter is too important. It is important to the political machinations of people both inside and outside this Parliament.

The PRESIDENT: Order! In another place you have to put your question first. Perhaps we will have to adopt that system.

The Hon. N. K. FOSTER: We are not in another place.

The PRESIDENT: Perhaps we will have to do that here.

The Hon. N. K. FOSTER: I have taken this up in the interests of the people throughout the State.

The Hon. C. M. Hill: You'll never win a seat in the House of Assembly.

The Hon. N. K. FOSTER: I am not concerned with winning a seat in another place.

The PRESIDENT: Order! The honourable member must come to his question.

The Hon. N. K. FOSTER: A good idea. I will do that if you can control members on your side of the Chamber.

The PRESIDENT: Order! Will the honourable member ask his question?

The Hon. N. K. FOSTER: Yes, I will, if you, Mr. President, can get silence from the Opposition while I do so. First, I ask the Minister whether, at the next conference of Health Ministers (a conference between State Ministers and the Commonwealth Minister) he will see whether the Commonwealth will consider ensuring that companies manufacturing foodstuffs are placed on the same footing and accept the same responsibility regarding the withdrawal from sale of contaminated foodstuffs as now applies throughout the retail trade outlets for medicinal drugs? I do not want to elaborate.

The PRESIDENT: That is the question?

The Hon. N. K. FOSTER: That is only part of the question. I repeat that, in the interests of public health, will the Minister at the next meeting of the conference seek such a change in the interests of public health, particularly infants? Secondly, will the Minister through his department force retail outlets to declare within the next 48 hours the total of their stock, numbered and designated so that the stock can be isolated from stock produced during the period of contamination and processed, packaged, delivered and available for purchase by innocent consumers? Thirdly, will the Minister consider calling an urgent conference of manufacturers' distributors in order to obtain a solemn undertaking to health authorities in this State that they have done everything possible to ensure that the sale of the contaminated foodstuffs cannot in any way, shape or form be made to retailers for further distribution? Finally, will the Minister seek the co-operation of the press and electronic media to publish emphatically and clearly the production numbers of the contaminated food to ensure that members of the community, especially mothers, can easily and readily identify and check their purchases against the numbers printed on the labels of past, present and future purchases?

The Hon. D. H. L. BANFIELD: I made a press statement at the time of the outbreak, and the press, television and radio co-operated very well. They announced the number of the contaminated batch. However, I will take up the matter with the department to see whether it believes it is necessary again to seek the co-operation of the media. The number of the contaminated batch has already been announced. As the matter is important, I will be taking it up by correspondence, rather than waiting for the next Ministers' conference. Undertakings have been given by the retail outlets and manufacturers that the contaminated batch will be withdrawn. In fact, manufacturers have sent trucks to retail outlets to collect the contaminated batch. In the meantime my department is checking with various stores to ensure that none of the contaminated batch is left on the shelves of shops.

SHIP FIRE

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

Leave granted.

The Hon. A. M. WHYTE: Last Saturday evening or some time last Sunday a fire was discovered in the hold of a ship already loaded with 7 000 sheep for the Middle East. A seaman or wharf labourer noticed the fire before the ship sailed; if the fire had not been noticed, there could have been tragic results. Can the Minister say whether the cause of the fire has definitely been ascertained and, if it has, was the cause instantaneous combustion, as the news media suggested? If so, someone must have been careless to load fodder in such a way as to give rise to combustion by heat caused through dampness. What measures will be taken to ensure that a recurrence of this situation is not possible?

The Hon. B. A. CHATTERTON: I heard one report which stated that self-combustion of the fodder could have been the cause of the fire. Another report said that the cause could have been a fault in the electrical wiring. I will refer the matter to the Minister of Marine, because there are safety regulations covering this situation which should ensure that it does not happen again.

TUNKALILLA BEACH

The Hon. ANNE LEVY: Has the Minister of Lands a reply to the question I asked last session about access to Tunkalilla Beach?

The Hon. T. M. CASEY: Tunkalilla Beach is part of the southern boundary of the District Council of Yankalilla, and inquiries from the District Clerk reveal that the beach is regarded as a particularly dangerous bathing beach. There are no public roads constructed on road reserves to give access to the beach. The only constructed access is on privately-owned land, the owner of which maintains privacy by means of a locked gate and therefore the provisions of section 375 of the Local Government Act do not apply.

CONTAMINATED FOODS

The Hon. R. C. DeGARIS: In view of the Hon. Mr. Foster's question, is the Minister of Health aware of the wide powers that his department has to ensure that the public is protected when contaminated foods unfortunately get on to the market? Is the Minister satisfied that the department has sufficient powers to ensure that something like this does not happen again?

The Hon. D. H. L. BANFIELD: Yes; the department has the powers, and it has to fulfil certain conditions before it can exercise those powers. In the meantime we do not want to invoke the powers, because we are getting co-operation from the manufacturers and storekeepers. I am satisfied that we have sufficient powers.

PRAWN FISHING

The Hon. F. T. BLEVINS: I seek leave to make a short explanation before asking a question of the Minister of Fisheries.

Leave granted.

The Hon. F. T. BLEVINS: During the week before last I attended a convention in Port Lincoln, and I found that there was much consternation among the fishing fraternity there concerning the situation in Investigator Strait and authorities to fish for prawns. It seemed to me rather strange that the Federal Government was pleading poverty all the time.

The Hon. C. M. HILL: That is an opinion.

The PRESIDENT: Order! Expressions of opinion at Question Time are out of order.

The Hon. F. T. BLEVINS: I just wanted it confirmed; that is why I made my remark. There is much consternation among the fishing fraternity (that is their opinion) and I am sure the Minister is aware of the situation regarding prawn fisheries. Port Lincoln fishermen are very concerned, and I am sure that people fishing in St. Vincent Gulf are concerned, too.

The Hon. A. M. Whyte: The fishermen are concerned about many things.

The Hon. F. T. BLEVINS: Interjections are out of order.

The PRESIDENT: The Hon. Mr. Whyte is out of order.

The Hon. F. T. BLEVINS: Can the Minister state the South Australian Government's position on the proposed duplication by the Commonwealth Government in the area of this State's managed prawn fisheries?

The Hon. B. A. CHATTERTON: The fishing industry is very concerned about the apparent course of action that the Commonwealth Government intends to take. The industry expressed its concern to me, and it also approached the Federal Minister for Primary Industry when he was in Adelaide at the weekend. The fishing industry, as represented by the Australian Fishing Industry Council, is strongly behind the State Government's stand which, briefly, is the position taken at the meeting of the Australian Fishing Industry Council in Perth last year.

The Hon. F. T. Blevins: Are the Liberals behind the State Government's stand?

The Hon. B. A. CHATTERTON: All of the States are taking the same position.

The Hon. F. T. Blevins: What is the stand of the Opposition here?

The Hon. B. A. CHATTERTON: I do not know the view of the Opposition here. All of the States believe that administration between the States and the Commonwealth should be rationalised. The new approach should result in either the State or the Commonwealth having the main responsibility in a particular fishery. There should no longer be wasteful duplication of administration in connection with fisheries managed jointly. The Investigator Strait prawn fishery fits very well into the definition of a State-based fishery; that was determined at the council meeting in Perth last year. Despite that, the Commonwealth Government seems to have taken the same course of action and ignored all the discussions and submissions of the States. I have objected strongly to the Federal Minister and have received the support of all State Ministers of Fisheries throughout Australia; whichever Party is in power has supported the stand I have taken to oppose the intrusion of the Commonwealth into what is a fishery already so efficiently and economically managed by the State Government; the intrusion of a second administration is unnecessary and wasteful.

The Hon. F. T. Blevins: You can expect support from Mr. Tonkin at any time.

The Hon. B. A. CHATTERTON: I would hope so.

CONTAMINATED FOODS

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Minister of Health.

Leave granted.

The Hon. C. M. HILL: My question relates to the questions asked by the Hon. Mr. Foster and the Hon. Mr. DeGaris dealing with the problems of salmonella bowel infections in babies, on which I asked a question on July 19 last. In his reply to my question, the Minister said:

First, the Australian Minister for Health found out about this matter only as a result of investigations made by the South Australian Institute of Medical and Veterinary Science.

Later, he said:

Late yesterday afternoon the institute isolated the cause and, as a result, I made a statement late yesterday afternoon. The Australian Minister for Health was told of the findings.

On the radio yesterday morning the shadow Minister of Health in the Victorian Parliament (I am referring to a senior Labor Party member of that Parliament) claimed that this problem was known as far back as April this year, and that warnings should have been given by the authorities to the public at that time. Because this matter has been raised by a front bench member of another Parliament, can the Minister of Health assure this Council that in his opinion warnings need not have been given as far back as April; and, secondly, did he act soon enough, in his view, in waiting for the isolation of this problem by the institute before he made the announcement publicly?

The Hon. D. H. L. BANFIELD: Action was taken as soon as it was known that the cause of the complaint had been isolated. I indicated to the Council in my statement that the cause of the outbreak had been discovered and isolated, and this was immediately conveyed to the Australian Minister for Health; and warnings came out immediately. I do not know about the Victorian position or whether people there had any information that we did not have.

ROAD TRAFFIC REGULATIONS

The Hon. R. C. DeGARIS: I seek leave to make a brief statement before directing a question to the Minister representing the Minister of Local Government.

Leave granted.

The Hon. R. C. DeGARIS: The Minister will recall that late last year, when a motion for disallowance of certain regulations under the Road Traffic Act was withdrawn by this Council, he gave a clear undertaking that they would be repealed or rescinded and a new set of regulations made before April 1. When Parliament resumed in the autumn session a question was asked of the Minister by the Hon. Anne Levy, to which the Minister said in reply that there were some difficulties but that the undertaking would be carried out as soon as possible. It is now towards the end of July and, as far as I can ascertain, the undertaking given previously by the Government still has not been carried out. Has the Minister any information on the matter and does the Government intend abiding by that undertaking?

The Hon. T. M. CASEY: I will refer the Leader's question to my colleague in another place and bring back a reply.

PREMIER'S PRIZE

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

Leave granted.

The Hon. C. M. HILL: I received in the post yesterday a sheet publicising the 1977 South Australian productivity awards, and prizes were offered as a result of seeking ideas that might improve productivity in industry, commerce, and other activities; the opportunity to apply for these prizes was open to all employees. The Productivity Promotion Council of Australia, which is arranging this promotion, indicates that the first prize is the Premier's Award for Productivity Improvement, \$1 000; and then there is a list of other prizes, the second prize being a trip for two to Perth by T.A.A. airlines, accommodation being supplied in Perth. I am surprised that the first prize

is to be known as the "Premier's Award for Productivity Improvement"—\$1 000. Can the Minister representing the Premier tell me whether this \$1 000 is a personal donation by the Premier or does it comprise taxpayers' funds?

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

"OIL" SHRUB

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. M. HILL: On July 14 the Minister for Science in Canberra issued a statement dealing with the study of an "oil" shrub, known as jojoba, by the Commonwealth Scientific and Industrial Research Organisation. Apparently, it is a native shrub of northern Mexico and south-western United States of America and it is being tested, the Minister said, in Australia to see whether it can be stabilised for commercial cultivation. He indicated that it had an oil-producing potential, and that oil, as he called it, could be used for industrial purposes, including polishing waxes, carbon paper and cosmetics, and other purposes. The Minister in Canberra went on to say:

In the meantime, C.S.I.R.O. and some of the State Departments of Agriculture and universities are continuing their research into the adaptability of the shrub to Australian conditions.

Has the Minister's department offered the C.S.I.R.O. facilities at various research centres in South Australia to investigate further the new "oil" shrub?

The Hon. B. A. CHATTERTON: The South Australian Agriculture Department is well aware of the existence of the jojoba plant. We have been looking at this matter for the past 18 months and studying literature on it. An officer of the department, when in California, examined the growth and cultivation of this plant, which in the United States can certainly be grown in arid areas and used to produce synthetic and carbo-hydrone products for use as lubricating oils and the other uses mentioned by the honourable member. In Israel a development programme is also proceeding along these lines. We will certainly co-operate with the C.S.I.R.O. in any further trials that need to be conducted.

SHOPPING HOURS

The Hon. N. K. FOSTER: I seek leave to make a statement before asking a question of the Chief Secretary, as Leader of the Council.

Leave granted.

The Hon. N. K. FOSTER: Members opposite undoubtedly realise that they have abdicated their responsibilities regarding shopping hours. No doubt, some of those honourable gentlemen are examining their consciences—

The PRESIDENT: Order! The honourable member cannot go on expressing opinions about what Opposition members are doing.

The Hon. N. K. FOSTER: I said that those honourable gentlemen were no doubt examining their consciences in relation to torpedoing their State President into the witness box of the Royal Commission investigating shopping hours in this State.

The PRESIDENT: Order! I regard that as an opinion.

The Hon. N. K. FOSTER: I thought you might have regarded it as something else, Sir. Seeing that you have not done so, I will now proceed. Members of the Liberal Party are also aware of the devious attempts that have been made by the Kauri Timber Company recently to defy the laws of this State. Honourable members opposite have been behind their Leader (they have said so publicly) regarding the Liberal Party's law and order campaign.

The Hon. C. M. Hill: Your leader advocated breaking the law if that is what your conscience dictated.

The Hon. N. K. FOSTER: Yes, but—

The PRESIDENT: Order! The honourable member has been granted leave to make a statement before asking a question. However, we are now getting into a debate on political issues and there is much cross-fire across the Chamber. That situation is out of order during Question Time. The honourable member has been granted leave to make a statement, which must relate to the question he intends to ask. I ask the honourable member briefly to make his statement and then to ask his question.

The Hon. N. K. FOSTER: I will do that, Sir. The Kauri Timber Company, aided and abetted by the Liberal Party, and at its suggestion, embarked on a campaign to break the law regarding shopping hours. Can the Minister tell the Council whether the manager of that company (or a member of that gentleman's family) is a member of the Liberal Party, and whether he is the same Mr. Lewis who recently stood as the Liberal Party candidate for the Coles District?

The Hon. D. H. L. BANFIELD: I am not personally aware of the—

The PRESIDENT: Order! I think the Minister must confine his reply to the question, because he is getting close to a matter that is *sub judice*.

The Hon. N. K. Foster: I wondered whether you'd get that in.

The PRESIDENT: Order!

The Hon. D. H. L. BANFIELD: I have been asked whether I am aware of the political Party to which this gentleman belongs. I think that that was the question.

The Hon. N. K. Foster: Yes.

The PRESIDENT: Order! The honourable Minister can answer "Yes" or "No" to that.

The Hon. D. H. L. BANFIELD: That would be a brief reply for me, Sir, and I am not accustomed to giving such a brief answer when I think I should be more explicit. I am not aware of the political Party to which the manager of this company belongs. Perhaps honourable members opposite may be able to say which Party it is.

RADAR SETS

The Hon. C. M. HILL (on notice):

1. Is it a fact that last year eight French-made traffic radar sets were purchased by the South Australian Police Department and that most of these proved to be faulty?

2. If so, what went wrong with the faulty sets?

3. Was any attempt made to have these faulty sets repaired before tenders were called locally for replacement sets?

4. What is estimated to be the monetary loss occasioned in this whole matter?

The Hon. D. H. L. BANFIELD: The replies are as follows:

1. Yes. The radar sets had minor faults.
2. The operating length of the radar beam was less than was specified.
3. The radar sets have either been modified, are in the process of modification, or are awaiting modification. Tenders were called for additional, not replacement, sets.
4. There was no monetary loss.

CHRISTIES BEACH HOSPITAL

The Hon. F. T. BLEVINS (on notice): What specific financial arrangements are contemplated in the proposal of the Hon. Mr. Hill to build a hospital at Christies Beach as announced by the Liberal Party on June 13, 1977, and in particular:

- (a) what would be the estimated cost of the proposed hospital;
- (b) will this involve an increase in charges or taxation for the South Australian public or the residents of the Christies Beach area in particular;
- (c) if no increase in taxation or charges is envisaged, from what other sources will the hospital be financed;
- (d) if other Government services are to be cut, what specific reallocations will be made, detailing the specific items in other departmental revenue that will be transferred for the purpose?

The Hon. C. M. HILL: The Liberal Party's policy regarding a hospital in the Christies Beach region—

The Hon. C. J. Sumner: It looks like he's got a policy speech.

The PRESIDENT: Order!

The Hon. C. M. HILL: —envisaged a community hospital to serve the southern districts. In view of the Labor Party's steadfast refusal to provide a hospital for the area, which includes the expanding suburbs of Morphett Vale, Christies Beach and Port Noarlunga, my Party announced on June 13 of this year that, on coming to Government, such a hospital would be built. It is now history that, about a week after this announcement, the Labor Government announced some rather vague plans to back a private development group, with financial guarantees to build some hospital facilities in the area, and to allocate \$250 000 of Government funds for a maternity section in the proposed development.

The Hon. C. J. SUMNER: I rise on a point of order. I have a copy of the Question on Notice that the Hon. Mr. Blevins asked, and I fail to see, from what the Hon. Mr. Hill has said so far, how his comments go towards answering any of the specific questions asked by the Hon. Mr. Blevins.

The PRESIDENT: Order! The Hon. Mr. Hill is doing what has been done on a number of occasions: he is making some preliminary remarks before answering the question.

The Hon. D. H. L. BANFIELD: I draw your attention—

The Hon. C. M. Hill: Are you frightened of the answer?

The Hon. D. H. L. BANFIELD: No, I am not the slightest bit frightened of it. We have already seen what members opposite think of hospital buildings.

The PRESIDENT: Order! What is the point of order?

The Hon. D. H. L. BANFIELD: You, Sir, say that this has happened before, and that the Hon. Mr. Hill is making some preliminary remarks before answering the

question asked of him. True, this has been done in relation to making explanations before asking questions. However, less than 10 minutes ago, you, Sir, ruled that I should give the Council a "Yes" or "No" answer to a question that an honourable member opposite asked, whereas now you are ruling in a different direction. Let us have some uniformity in this matter. If I am to be confined to a "Yes" or "No" answer, I think honourable members opposite should also be confined to giving specific answers.

The PRESIDENT: It has not been unusual for Ministers, in replying to Questions on Notice, to give a preliminary explanation of their forthcoming replies. As I see it, that is what the Hon. Mr. Hill is doing.

The Hon. D. H. L. BANFIELD: How long is it since preliminary explanations have been allowed to be given in reply to Questions on Notice? Today I gave replies numbered 1, 2, 3, and 4 to specific questions. I disagree with what you have said about giving preliminary explanations to Questions on Notice. Again I ask how your present ruling goes along with your previous ruling when you indicated to me that I had to give a "Yes" or "No" reply.

The PRESIDENT: I did not indicate that. I said that you could give a "Yes" or "No" reply. In other words, the question was capable of such a reply.

The Hon. D. H. L. Banfield: So is this.

The PRESIDENT: I will have something to say about this procedure at the conclusion of the remarks by the Hon. Mr. Hill.

The Hon. D. H. L. Banfield: Let us have that now.

The PRESIDENT: The honourable member, being a private member of this place, is not bound to answer the question, anyway. If the honourable members want him to reply, I am proposing to let him reply in his own way.

The Hon. D. H. L. BANFIELD: I ask, then, for a ruling on future replies. If you are going to let one honourable member reply in his own way and if this same benefit is going to be extended to members on this side, including Ministers—

The PRESIDENT: It always has been.

The Hon. D. H. L. BANFIELD: Good. This always will apply that way, I presume?

The PRESIDENT: Yes.

The Hon. F. T. BLEVINS: To assist the Council and yourself, Mr. President, perhaps the Hon. Mr. Hill could specify to what part of the question he is addressing himself. If it is the first part, let him say so, so that we can see it on the Notice Paper.

The PRESIDENT: It seemed to me that he was explaining the whole reply.

The Hon. F. T. Blevins: He didn't say so.

The Hon. C. M. HILL: Why do you not keep quiet and let me reply? Are you frightened of the reply? I am accepting that the Hon. Mr. Blevins asked his question in good faith, and I am giving him a reply in good faith.

The Hon. F. T. Blevins: That remains to be seen.

The Hon. C. M. HILL: I am telling you what I am doing. Your view of that is a matter for you. The Hon. Mr. Blevins can see from the first part of his question that he dealt with the general subject. He went on to say, "and in particular", and then listed the detailed questions.

The Hon. F. T. BLEVINS: I rise on a point of order. *Members interjecting:*

The PRESIDENT: Order! What is the point of order?

The Hon. F. T. BLEVINS: That was a deliberate untruth and a misreading of my question.

The PRESIDENT: That is a matter for me to determine. The honourable member can put his question in writing; he cannot dictate to the honourable member who is replying how that honourable member will give his reply. It is as plain as that.

The Hon. C. M. HILL: I will start again so that the honourable member can try to understand. The Liberal Party's policy regarding a hospital in the Christies Beach region envisaged a community hospital to serve the southern districts. In view of the Labor Party's steadfast refusal to provide a hospital for the area, which includes the expanding suburbs of Morphett Vale, Christies Beach and Port Noarlunga, my Party announced on June 13 this year that, on coming to Government, such a hospital would be built. It is now history that, about a week after this announcement, the Labor Government announced some rather vague plans to back a private development group, with financial guarantees to build some hospital facilities in the area, and to allocate \$250 000 of Government funds for a maternity section in the proposed development.

The Hon. F. T. BLEVINS: On a point of order, nowhere does the question mention the Labor Party or its proposals. I asked what specific financial arrangements were contemplated by the Liberal Party.

The PRESIDENT: An honourable member cannot dictate word for word how another honourable member will reply to his question. Let the honourable member be patient and he will get his reply, I am sure.

The Hon. C. M. HILL: I will continue with the reply. The Liberal Party proposed that hospital expenditure (which in the Loan Estimates for the 1976-77 year amounted to \$33 000 000) and non-government hospital and institutional buildings expenditure (the estimated payments for which were \$9 500 000 in the same Loan Estimates) would be reassessed to achieve our goal of starting a community hospital in the 1978-79 year.

Incidentally, the proposed hospital announced by the Liberal Party was to be a two-ward hospital of 60 beds initially, with accident and emergency services (a feature unfortunately lacking in any Ministerial announcement so far in the Government's scheme), X-ray, outpatients' facilities, maternity wing, and theatre.

The Hon. N. K. FOSTER: I rise on a point of order.

The PRESIDENT: The honourable member will state his point of order.

The Hon. N. K. FOSTER: I will state my point of order. It is your responsibility, or the responsibility of whoever occupies the Chair in this place, to ensure that the Notice Paper is adhered to. Nowhere on the Notice Paper (and I say this even though I got only the Qualifying Certificate) can I read anything to relate what the honourable member is reading to the Notice Paper. I implore you to ensure that the Notice Paper is adhered to.

The PRESIDENT: I have indicated already that I will have something to say later about this matter.

The Hon. F. T. BLEVINS: On a further point of order, I point out that the Hon. Mr. Hill already has mentioned the reallocation of resources in the Health Department budget. Specifically, part (d) of my question asks:

If other Government services are to be cut, what specific reallocations will be made?

The PRESIDENT: The honourable member surely can wait until the Hon. Mr. Hill has finished his reply. He can ask a supplementary question, if he wishes.

The Hon. N. K. Foster: Has he shown you the document? I do not know that he will—

The PRESIDENT: No. Will the honourable member be silent? I will hear the reply by the Hon. Mr. Hill.

The Hon. C. M. HILL: As demand in the area dictated, expansion would enable a major hospital to be completed in the future. The proposed size was modest, yet realistic, bearing in mind the care, responsibility and discipline with which the Liberal Party intends to administer its hospitals programme. I say this because my research revealed that, based on the Noarlunga City Council area population (47 352 at June 30, 1976) this population could, in theory, justify a hospital of 165 beds, based on the criterion of the Hospital and Health Services Commission. This calculation is based on the standard of 3.5 general acute beds (that is, no super specialty, obstetric or psychiatric beds) for each 1 000 population. I now deal with the honourable member's particular questions:

(a) I estimate between \$3 000 000 and \$4 000 000.

(b) The Liberal Party proposal does not involve an increase in charges or taxation for the South Australian public. Indeed, the Liberal Party intends to get more value for the health dollar. That is basic to our health policy. The provision of such a service where it is needed should provide savings, rather than increased costs, as regionalisation brings financial benefits. The residents of the Christies Beach area would not specifically have charges or taxation increased. As the honourable member would know, Liberal Party policy is to abolish the compulsory local government hospital levy, which the Labor Party has so far refused to do, and which has cost the ratepayers of the Noarlunga Council \$223 000 over the past 10 years. However, I point out two important points:

First, the Liberal Party expects local government to continue expenditures for the provision of health services to serve local communities, after this compulsory levy is abolished, but the extent and degree of commitment will be decided by the local ratepayers' representatives, who will enjoy flexibility and initiative, characteristics lacking in the compulsory system favoured by the Labor Party.

Secondly, a community hospital involves the establishment of a fund-raising auxiliary, a voluntary organisation aimed at mobilising the huge potential of voluntary resources which exist in a community such as in the Noarlunga and Christies Beach area.

(c) The Liberal Party intended to be generous to the proposed board of a community hospital as regards subsidy arrangements, and the Government's contribution would come from the reallocation of priorities as mentioned earlier.

The next point is the one that the honourable member suggested a moment ago I was not going to answer.

(d) As regards specific allocations, no other departmental revenue would be affected. However, it is quite apparent from Government announcements of hospital plans and huge proposed expenditures that \$3 000 000 to \$4 000 000 over the time to complete such a proposal would be feasible. For example, Mr. Dunstan said in Whyalla in June, 1975 (one month before

the last election), two new hospitals, worth \$25 000 000 each were to be built at Elizabeth and Whyalla respectively. In April this year, the press announced that the Public Works Committee had given the go-ahead to a Government plan to build a \$40 000 000 Para District Hospital at Elizabeth. In July, this year, the Whyalla project surfaced again—there must be an election in the wind—with a \$19 000 000 proposal. Also, I point out that Mr. A. W. W. Godfrey, spokesman for P. A. Consulting Services, the management consultants investigating the Royal Adelaide Hospital at the present time, said in the *Mail*, April 16, 1977, referring to possible savings that might be achieved in hospital administration as a result of new approaches throughout Australia, "In operating costs, the savings would represent \$100 000 000 a year." If South Australia could enjoy 10 per cent of such saving, projects such as an adequate hospital at Christies Beach would be realised with little effort.

In 1975-76, Parliament approved capital expenditure of \$33 000 000 for hospital buildings, but the Government could only spend \$31 874 791. This was shown up in last years Loan Estimates. This meant a credit of \$1 125 209. The \$33 000 000 approved for similar expenditure in 1976-77 included \$6 000 000 on the frozen food factory (which I understand is now under a black ban), \$1 400 000 for preliminary investigations and design (details not stipulated), \$1 300 000 for purchase of land and property (again details not stipulated), \$4 270 000 for alterations and additions at the Royal Adelaide Hospital, and \$12 640 000 for Flinders Medical Centre. The Liberal Party believes that when in Government, with close scrutiny, some minor shaving of such expenditures could be achieved. It would then be possible to reallocate sufficient funds for initial work at Christies Beach, without any loss of service to the sick elsewhere. Finally, I should say that the Liberal Party is proud that it has prodded the Government into some action, and thankful that \$250 000 can be spared by the Minister. On coming to Government we will honour any existing agreements entered into at Christies Beach, to provide facilities there, but will not be satisfied until our goal of adequate and proper health services for the people in that region has been achieved. In all decisions on this matter, our yardstick has always been, and will always be, the needs of the local people.

The PRESIDENT: Following the conclusion of that reply I must say to honourable members that I have given further consideration to the questions that were asked originally by the Hon. Mr. Burdett and then by the Hon. Mr. Blevins concerning the Christies Beach hospital. Standing Order 107 provides:

At the time of giving Notices, Questions may be put to a Minister of the Crown relating to public affairs; and to other Members—

I emphasise that—

relating to any Bill, Motion, or other public matter connected with the business of the Council, in which such Members may be specially concerned.

It seems, from my study of Council practice and of House of Commons practice as laid down in "May" that a question directed to a member other than a Minister must be based on a matter connected with the business of the Council in which such member may be specially concerned. In this context "specially concerned" means a matter of which the member is in charge or for which he is responsible for the Council, that is, perhaps a Chairman of a

committee of this Council. There is no doubt that honourable members who have asked questions are specially concerned with that subject matter, but the interpretation of the words "specially concerned" is too wide and is not in accordance with practice. Accordingly, in future I intend to rule similar questions out of order.

The Hon. N. K. Foster: That is a dictatorial attitude to take.

The PRESIDENT: I might also add that I intend next week to call a meeting of the Standing Orders Committee to consider this and other Standing Orders. Perhaps, if honourable members do not like my ruling they will have some suggestions to put to that committee.

The Hon. N. K. FOSTER: If I may make a casual observation for the benefit of the Chair, would it not have been of benefit to call that committee together prior to your giving your ruling in this place? I refer to some of the more infamous rulings—

The PRESIDENT: Order! I gave my ruling under Standing Order 107 as it stands. If honourable members want to alter that, it is a matter for the committee.

SUPPLY BILL (No. 2)

Received from the House of Assembly and read a first time.

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That this Bill be now read a second time.

It provides for a further \$190 000 000 to enable the Public Service to carry out its normal functions until assent is received to the Appropriation Bill. Honourable members will recall that it is usual for the Government to introduce two Supply Bills each year. It is expected that the authority provided by the first Bill will be exhausted late in August and the amount of this second Bill is estimated to cover expenditure until debate on the Appropriation Bill is complete and assent is received in the latter part of October. The Bill provides the same kind of authority as has been granted in the Supply Acts of previous years.

The Hon. R. C. DeGARIS secured the adjournment of the debate.

ADDRESS IN REPLY

(Continued from July 20. Page 45.)

The Hon. C. J. SUMNER: I move:

That the Address in Reply as read be adopted.

I join with the Lieutenant-Governor in expressing my regret, and I am sure that of all members of this Council, at the enforced premature retirement from the office of Governor of Sir Douglas Nicholls, owing to ill health. Although some eyebrows were raised at his appointment as the first Aboriginal Governor in Australia, I know that Sir Douglas endeared himself to South Australians during his brief term of office. I am pleased, and I am sure all South Australians would be pleased, to join in the Lieutenant-Governor's best wishes to Sir Douglas and Lady Nicholls for a long and happy retirement.

Fortunately, for several years we have had in South Australia a Lieutenant-Governor of considerable eminence and ability in Mr. W. R. Crocker, who has participated fully in the life of South Australia, whether called upon to fill a vacancy in the Governor's office or in his own right as Lieutenant-Governor. I am sure that I express the views of all honourable members in thanking him for his continuing commitment to this public service.

I am particularly pleased to see in the Speech of the Lieutenant-Governor reference to the establishment of an ethnic affairs branch in the Premier's Department and the recognition that that implies of our cultural and linguistic minorities, or ethnic communities, as they are almost universally referred to. It has almost become trite to say that post-war migration, particularly from non-Anglo-Saxon countries, has changed the face of Australia. However, the change needs to be emphasised because of the important implications it has for the nature of Australian society and the policies that should flow from it. Although migrants from English-speaking countries or Anglo-Saxon cultural backgrounds encounter problems in settling into the Australian environment, their difficulties are much less than the difficulties experienced by non-Anglo-Saxons. On the one hand, there is the difficulty experienced by the individual in settling into a totally alien environment and, on the other hand, there is the difficulty, not as great, of the existing society in adapting to the introduction of peoples from diverse cultures and lifestyles.

I shall refer to a few statistics derived from the 1971 census to indicate the degree to which the composition of the Australian population has changed. On June 30, 1971, there were 12 750 000 people in Australia; of this number, 2 500 000 were born overseas—about 20 per cent. Of this number 1 410 642 (about 11 per cent) came from non-English-speaking countries. These figures do not take into account children of migrants born in Australia. If the children are taken into account, 39.6 per cent of the Australian population came from overseas, and more than half came from non-English-speaking countries. So, 20 per cent of Australia's population is from a non-Anglo-Saxon background or a non-English-speaking background.

In addition, there is a concentration of migrant groups in capital cities or regional industrial centres; this means that in some areas the concentration of these migrant groups is much larger than the figure for Australia overall; for example, according to the 1971 census, in Leichardt, Sydney, 29 per cent of the population was born overseas. If we take into account the children of those people, that area alone would have a proportion of 50 per cent or 60 per cent migrants. So, population changes in some localities, particularly in our large cities, would be even greater than in Australia overall. The situation I have referred to in Australia generally is reflected in South Australia.

Australia has responsibilities toward the migrant groups that arrive in this country, and I will refer particularly to groups from non-Anglo-Saxon backgrounds. Article 55 of the United Nations Charter provides that the United Nations is to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. In addition, the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out in the declaration, without distinction of any kind, in particular as to race, colour or national origin.

Another important United Nations sponsored document is the International Declaration on the Elimination of all Forms of Racial Discrimination, which was signed by Australia, through the Minister for External Affairs (Mr. Hasluck), on October 13, 1966. It was not ratified by Australia until the passing of the Racial Discrimination Act in 1975 in the Federal Parliament—an Act sponsored by a Federal Labor Government. It was ratified on September 28, 1975, and it came into force on October 31, 1975. That convention was incorporated as a schedule in the Racial Discrimination Act. It deals with the rights which people of all races and nationalities have within a signatory country. Article 5 deals with these rights: civil rights, the right of freedom of movement and residence, the right to leave a country, and the right to nationality.

The Hon. R. C. DeGaris: The right to representation?

The Hon. C. J. SUMNER: In what context?

The Hon. R. C. DeGaris: Parliamentary representation.

The Hon. C. J. SUMNER: I thought the Leader could have been referring to representation in courts. Political rights are referred to, as is the right to participate in elections. Universal and equal suffrage is referred to. Other important rights are economic, social and cultural rights, the right to work, protection against unemployment, to free choice of employment, just and favourable conditions of work, equal pay for equal work, the right to housing, the right to form and join trade unions, the right to public health, medical care, social security, social services, education and training, and equal participation in cultural activities. That convention deals with two aspects of discrimination.

First, I refer to active discrimination, where, for example, a person is not allowed to enter a hotel or some other place because of his race or nationality. Reference is also made to passive discrimination, which is less easily detected but no less pernicious than active discrimination. I refer to discrimination thrown up by language barriers, by unequal educational opportunities, by lack of respect in the host community for the culture of the migrant group, and the destruction of that culture by the host community. That type of discrimination needs to be dealt with just as much as does active discrimination. Australia also has international obligations under a convention of the United Nations Educational, Scientific and Cultural Organisation dealing with discrimination in education. Article 5 of the convention obliges the parties to recognise "the right of members of national minorities to carry on their own educational activities" and "the use or the teaching of their own language".

Unfortunately, in the early days of migration (indeed, until this decade) community attitudes and Government policies were completely assimilationist and, apart from some English courses, little was done to assist non-English-speaking migrants to overcome the many problems with which they were confronted when arriving in Australia. Not the least was the problem of cultural identity. Many people felt ashamed of their nationality and ashamed that they came from a foreign country, despite the fact that their countries had cultures and languages with a much longer history than our own.

The Hon. R. A. Geddes: Was this done deliberately or by accident?

The Hon. C. J. SUMNER: I do not think it was done as a matter of deliberate Government policy but it was certainly the attitude of the community at the time that migrants who came here should completely assimilate into the local community and not retain their own languages

or lifestyles in any way. It was a community attitude; it was not an attitude that was privy to one or other political Party, either, but it did exist and I think it did great harm to many people who came to Australia, particularly from a non-English-speaking background.

I mention the loss of identity by many people, the fact that they felt completely ashamed of their own background when their cultures and backgrounds had a much longer history than ours. In fact, one could say, in the case of the background of Greeks and Italians, that very much of Western culture derives from the thoughts and ideas that were promulgated by those people some 2 000 years ago.

The Hon. R. A. Geddes: Some of those people came here believing that they were under what they thought was the stigma of war, and that was another problem at that time.

The Hon. C. J. SUMNER: That is correct. In general, I think in the period of a mass immigration after the Second World War there was little respect in Australia, as a community attitude, for the languages and cultures of immigrant groups. Thankfully, there is a consensus in the community that this policy was misguided; it imposed hardships on the individuals who arrived and it led to a much less rich, diverse and interesting society. We should recognise that Australia is a multi-cultural society that benefits from the diversity of lifestyles and cultures introduced by the migrant groups that now comprise part of the Australian nation. The culture of our non-English-speaking migrant groups is as much a part of our community as is the dominant Anglo-Saxon culture. The creation of a unique Australian identity must depend on the interaction of the different ethnic components of our society (including the Aboriginal) on the basis of equality and mutual respect. No person or group should be discriminated against by reason of his racial, ethnic or national origin.

Each ethnic group has a right to the preservation of its culture, language and lifestyle. The special problems of minority ethnic communities should be recognised. Policies should be directed towards (1) fostering recognition and acceptance by the community of the multi-cultural nature of Australian society; (2) encouraging the retention of the language, culture (in all its manifestations), and lifestyles of ethnic groups; and (3) overcoming their special disabilities and problems.

Having said that, I think it should be pointed out that it is unlikely that these groups will retain the culture, perhaps even the language, in the same way in which it exists, and will continue to exist, in the country from which they have come. There will be some mix between the dominant culture in Australia and the culture that is introduced by the migrant groups, but there certainly should be a right to a retention of that culture in the way desired by the group. While I believe that this may not be precisely the culture that will continue to exist in the home country and that there will ultimately be a mix that will provide a unique Australian identity, which will be multi-cultural, we should try to eschew attitudes that existed in what I believe was a very xenophobic period both before and after the Second World War in Australia. Of course, as far as language is concerned, it is important that we promote the community languages that exist in Australia not only for the immigrant groups, the cultural minorities, but also because in an increasingly internationally oriented world it is absurd for Australians to say, "No consideration should be given to other languages"; it is absurd to waste the resources (existing community languages) we have in Australia to promote the learning of languages.

Some of the things I shall be saying will relate also to the Aboriginal communities but most of my remarks will be directed towards the non-English-speaking migrant groups that now live in Australia. I believe the State Government more than any other Government in Australia has taken action to fulfil the aims to which I have referred, the aims specified by international conventions, and the aims that I outlined as my personal hope for policy in this area.

I should like to outline to the Council some of the action that has been taken by the State Government in this area. First, in the Premier's Department there has recently been announced the establishment of an Ethnic Affairs Branch. This will not be a Government department but a specialist advisory group with direct access to the Premier, who will be responsible for policy and co-ordination of Government department services for ethnic groups and will provide some support services for ethnic communities in what they wish from other specific Government departments. So that, while the services will in general continue to be supplied by the Department of Community Welfare or the Education Department, the Ethnic Affairs Branch in the Premier's Department will be able to advise the Premier on what needs to be done in these areas, not only in those departments but also in all Government departments, for ethnic communities. Of course, it will provide a reference point for the ethnic communities in any problems or matters they wish to put to the Government.

The Government has also established a State Interpreter Service, which has operated particularly in the courts but also provides translations and interpreters for other Government departments. There is a limited interpreter service in the major hospitals at present. Some criticism of the standards of interpreting and the lack of training of interpreters has been voiced, including the fact that interpreters have not been given professional recognition and registration. In response to this concern, the Government set up a working party on interpreters and translators on December 30 last year, and a report of that working party was published in May of this year. It is now open to public discussion and comments from any member of the community. When comments have been received on this report, the Government will no doubt take action to implement its recommendations.

The Department of Community Welfare provides grants to migrant welfare agencies. I should like briefly to list the organisations that received grants in the years 1976-77: the Greek Community of Hindmarsh, the Greek Orthodox Community, the Greek Workers Education Association, the St. Georges Boys Club, the Hellenic Society of Barmera, the Inter Italian Social Club, the Italian Federation of Migrant Workers and their families, the Netherlands Society in S.A., Plus Ultra (Spanish), the Ukrainian Youth Association, the National Association of Migrant Families, and the Thebarton Community Association.

The Hon. R. A. Geddes: How much money did they get?

The Hon. C. J. SUMNER: They received varying amounts. I could provide the honourable member with the details, if he so desired. Indeed, I seek leave to have the amounts inserted in *Hansard* without my reading them.

The PRESIDENT: Does the honourable member have the amounts in front of him?

The Hon. C. J. SUMNER: Yes.

The PRESIDENT: Then I think the honourable member ought to read them out.

The Hon. R. A. Geddes: That information was requested by way of interjection only. I certainly do not want the honourable member to read out all those figures.

The Hon. C. J. SUMNER: Each of those organisations received a grant, and the amounts of the grants varied. It is open to any migrant group in the community to apply to the Community Welfare Department for a social welfare grant.

The Hon. C. M. Hill: Do you support the Filef donation?

The Hon. C. J. SUMNER: It made an application, as any migrant group is entitled to do. As the Hon. Mr. Hill knows, the application was assessed by the Community Welfare Grants Advisory Committee, which advises the Minister on these matters, on the usual criteria that relate to the funding of welfare bodies.

The Hon. C. M. Hill: You haven't answered my question.

The Hon. C. J. SUMNER: It was on that basis that the grant was made to Filef. That facility is available to all groups.

The Hon. C. M. Hill: Will you answer my question?

The Hon. C. J. SUMNER: I have already done so.

The Hon. C. M. Hill: Do you support the donation made to Filef?

The Hon. C. J. SUMNER: The Government has made a grant—

The Hon. C. M. Hill: Do you support it?

The Hon. C. J. SUMNER: —to a migrant welfare organisation, which applied through the proper channels and which has met the proper criteria.

The Hon. C. M. Hill: Do you support it?

The Hon. C. J. SUMNER: Of course. Obviously, the Government has made a grant, and the application therefore was assessed in accordance with the criteria that are laid down. This opportunity is open to all migrant communities. In addition, as a result of the Fraser Government's disbanding the Australian Assistance Plan, which action would have resulted in three migrant organisations losing funds, the State Government stepped in and provided funds to those organisations. They were the Migrant Action Committee, which received \$36 420, the Italian Catholic Federation, which received \$15 000 (which grant I also support), and Ethnic Broadcasters Limited, which received \$8 000. In addition, the department has a policy of recruiting community welfare workers with a bicultural and bilingual background.

I have already referred to the limited interpreter service that is available to major hospitals. A large number of the mental health visitors within the department are bilingual, and English language classes are being conducted for migrants in hospitals. In the Transport Department (and South Australia may be the only State that has introduced this scheme), written tests for drivers' licences can be conducted in the native language of the person applying for the licence.

The Hon. R. A. Geddes: Is that for the great majority of languages?

The Hon. C. J. SUMNER: I am not sure whether it is for all of them, but it is certainly for most languages.

The Hon. C. M. Hill: Do they have to be able to read the road signs?

The Hon. C. J. SUMNER: Is the honourable member criticising this scheme?

The Hon. C. M. Hill: No, I am not. I am merely asking you a question. If the holder of a licence does not know what "S-L-O-W" means, he is in trouble.

The Hon. C. J. SUMNER: I wonder whether, when the Hon. Mr. Hill goes to Italy or France, he can read the road signs there that are printed in Italian and French. I am fully aware that the Hon. Mr. Laidlaw drove a car around Europe, and I am sure that the Hon. Mr. Hill would not have let him go had he known that the Hon. Mr. Laidlaw could not speak those languages. I am sure that the Hon. Mr. Hill has also driven in Europe, and I know that his knowledge of foreign languages is minimal; in fact, it is non-existent.

The Hon. C. M. Hill: We're not all as clever as you are.

The Hon. F. T. Blevins: That's right.

The Hon. C. M. Hill: Someone told me the other day that the Hon. Mr. Sumner really ought to learn to speak Italian.

The Hon. C. J. SUMNER: Is that right? In addition, the Transport Department accepts licences from other countries as evidence of a person's practical ability to drive, thereby obviating the necessity for a migrant to go through a practical driving test. I refer now to the State Planning Office, and particularly to the social plan for Monarto, under which special consideration was given to the problems experienced by migrants. Through the Arts Development Branch of the Premier's Department, a number of grants have been made to migrant groups, and I should like to list those grants. In 1975-76, grants were made to the Council for the Hungarian Association of South Australia, the Islamic Society of South Australia, the Italian Festival Society, the "Jandalin" Latvian Dancers, the Ukrainian Association of South Australia, the Aboriginal Youth Orchestra for the purchase of seven Aranda tjuringas, to the Italian Choral and Arts Society, and to the Latvian Mixed Choir.

In 1976-77, grants were made to the Adelaide Aboriginal Orchestra, the Adelaide Folkloric Society, the Italian Festival Society, the Kernewick Lowender (Cornish Festival), the Port Pirie Centenary Celebrations Committee, Radio Paesani, the Serbian Folk Group "Oplenac", and the Italian Choral and Arts Society. The opportunity of applying to the Premier's Department for grants for cultural activities is available to all migrant groups. Indeed, following an application made by the committee concerned, the first National Italian Festival was staged in Adelaide last year. As a result of that application, the Government was willing to back the holding of the festival. This contributed, in the long run, to its ultimate success. The Government has announced that it intends to provide a specific sum in the coming year to support ethnic festivals of this nature. In the Premier's Department for some time two bilingual officers, one speaking Greek and one speaking Italian, have been working to assist people with problems in those communities. Pamphlets on Government information in foreign languages are issued from the Agriculture Department, the Environment Department, the Attorney-General's Department, the Public and Consumer Affairs Department, and the Community Welfare Department.

In addition, under the auspices of the Premier, a working party on ethnic radio has been established because of the lack of action in this area by the Federal Liberal Government. Although that Government mentioned specifically that the funding of ethnic radio would cease this year, it has now finally announced that a corporation will be established to fund ethnic radio. However, the Federal Government has closed down one station in Victoria.

The Hon. C. M. Hill: That was not an ethnic station: it was a community station.

The Hon. C. J. SUMNER: It was made available substantially as ethnic radio.

The Hon. C. M. Hill: Not specifically. Every time you people refer to it, you say that it was specifically ethnic.

The Hon. C. J. SUMNER: It was available largely to the ethnic groups. No action has been taken by the Federal Government in this area in South Australia and, as a result, the Premier has set up this working party after receiving representations from people concerned with ethnic broadcasting, hoping that the State Government may be able to assist. That committee has been meeting, and I understand that the Premier soon will consider a report. The Premier's action was caused by the total lack of action by the Federal Government in this area.

The next department to which I wish to refer is the Education Department, and the achievements of that department have been considerable. They have led the way in Australia. Compliments are due to the Minister, the department, and particularly to Mr. J. R. Giles, Assistant Director of Schools (Curriculum) in the department, for their interest. For some time the department has adopted a multi-cultural approach to education, rather than an assimilationist approach. The Government has fulfilled the recommendations of the 1976-78 report of the Schools Commission on establishing a Migrant Advisory Council in the department. It has also established an Ethnic Students in Secondary Schools Committee to consider the problems of migrants in secondary schools.

It carries out an annual Child Migrant Survey that examines numbers, backgrounds, and the English language competence of students entering our schools. Programmes in the Education Department are funded partly by the Schools Commission and partly by the State Education Department. These programmes include the provision of special teachers to teach English to migrant children. They also include the teaching of community and ethnic languages. At present, Greek is being taught in 23 of our primary schools, Italian in 21, and Spanish, Russian, Serbo-Croatian each in one primary school. French is being taught in 22 primary schools, German in 32, and Malay-Indonesian in 19. Overall, Greek, Italian, German, French, Spanish, Polish, and Pitjantjatjara are being taught in primary and secondary schools.

In addition, the Government has established two drop-in centres for teachers of Greek and Italian, where they have the opportunity to meet and to discuss the problems that they have with their work. It is a tragedy that previous attitudes in Australia were such that much of the resource of our community languages was lost. It is strange to think that, although Japan is our major trading partner, few Australians bother to learn Japanese, whereas most Japanese in the business world have a knowledge of English. A knowledge of foreign languages, including those of our migrant groups, is important because of the position that Australia occupies in the world.

Another project being conducted by the Education Department is the Italian bilingual project at the Trinity Gardens and St. Morris Primary Schools. It involves teaching in the native language of the child at the commencement of the course and then transfers to teaching in English later. As a result of what I saw overseas recently, I consider that what the Government is doing in this area is in advance of what is happening in other countries, particularly Switzerland and Germany, where little bilingual teaching in the Government-sponsored schools has been commenced, despite the large amount of migration

to those countries. The philosophy behind it is that it is difficult for a child in primary school to learn a foreign language and also keep up with a study of the normal curriculum. If a curriculum is presented in the native language initially and a transfer is made later, the child will not be disadvantaged.

Other programmes in the Education Department include the special programme for teaching the curriculum in the Pitjantjatjara language, an Aboriginal language, in the special schools in the North-West and the West. Another programme is the multi-cultural education materials project, in which six teachers and a co-ordinator have been appointed to provide curriculum material for schools, and to advise on the preparation of modern, accurate and non-sentimental materials related to food, family life, occupations, music, and dance, in six major community cultures. The information will be made available to schools, particularly schools where there are many migrant children.

The Government has encouraged migrant participation on school councils and the establishment of committees to advise them. The Government also has established a modern curriculum to meet the changing school population. Bilingual teachers and teacher aides have been appointed to schools and, apart from the normal teaching tasks, they have the task of liaising with the local communities, and this has been working successfully, particularly in Kilkenny and Thebarton Primary Schools.

Apart from those programmes, the most important initiative taken by the Education Department is the Ten Schools Project. That is somewhat of a misnomer as 16 primary schools are involved. The objectives are to concentrate on changing attitudes of staff and students towards migrants and establishing migrant-oriented curricula. English and ethnic language teaching and communication with local communities. This is an important initiative, unique in Australia, and I should like to describe to the Council the objectives of this project, as follows:

A school in the 10-school project will have a substantial number of students from ethnic backgrounds. It will reject assimilation as a policy. It will value and support different cultural groups, both in mainstream Australian society and in the ethnic setting. It will modify its programmes, organisation and relationships in order that ethnic students and parents may be more supported, and tolerance, acceptance and understanding develop among the different groups in the school. In particular, a school in the 10-schools project will discover the particular needs of students from ethnic backgrounds (as seen by the people themselves); set up effective and frequent communication between the school, the ethnic parents and the wider community; modify its curriculum in content, methods and materials to profit from, and adapt to, the rich and varied backgrounds, skills and knowledge of students and their parents; put into operation programmes in the teaching of English to allow all students to become more proficient in speaking, listening, reading and writing; put into operation programmes by which the major languages of the student body are taught to all students; and encourage ethnic parents to participate in decisions about school policy, budgeting and programmes.

It is an important initiative deserving wholehearted support. That initiative, like several State Government initiatives, is unique in Australia. Additionally, the Government provides (and this is not provided in other States) to ethnic schools, about 70 of which operate outside normal school hours, a per capita grant for the running of these schools.

The Hon. J. C. Burdett: How many ethnic schools are there?

The Hon. C. J. SUMNER: There are about 70. The grant was \$9 but it has been increased to \$12. Also, for these schools the Government provides, through the department, rent-free accommodation in existing Education Department schools. Further, the department participated in the Italian Festival and encouragement was given to schoolchildren to participate widely in that festival conducted by the Italian community generally. The Government has commenced providing in school libraries foreign language books to both parents and children.

In 1976 the Government made a specific allocation of funds to the Adelaide College of Advanced Education to permit the commencement of a course for Italian teachers at that college. Funding for colleges of advanced education, as all honourable members know, is a Federal responsibility. However, if it had been left at that, the course for Italian teachers would not have commenced in 1976. An approach was made to the State Government, and an allocation of funds was made to the college to provide for the commencement of this course last year.

The Hon. C. M. Hill: Do you favour such separation compared to the former assimilation approach?

Members interjecting:

The Hon. C. J. SUMNER: Of course.

The Hon. C. M. Hill: Does your Leader in another place agree with it?

The Hon. C. J. SUMNER: Of course. Do you?

The Hon. C. M. Hill: I will answer that question when I speak.

The Hon. C. J. SUMNER: I will take that reply as a negative.

The Hon. C. M. Hill: You will not take it as a negative. Don't you understand plain English?

The Hon. C. J. SUMNER: Do you support the multi-cultural ideas that I have outlined?

The Hon. C. M. Hill: You must agree there is much contention about that, even amongst migrants.

The Hon. C. J. SUMNER: Do you support it?

The Hon. C. M. Hill: I will tell you—

The Hon. C. J. SUMNER: It is obvious that the Hon. Mr. Hill will not commit himself. I suspect that he is opposed to it, and he is not denying that. By his silence, the Hon. Mr. Hill is denying that policy.

The Hon. C. M. Hill: I merely wanted to know where you stood. The question was not unfair.

The Hon. C. J. SUMNER: If the honourable member had listened to my preamble he would be aware of my position.

The Hon. C. M. Hill: Do you favour a "they and us" concept?

The Hon. C. J. SUMNER: If the honourable member had been listening, he would have realised what I am saying. There is no question of "them or us": it is a question of all being Australians and all being able to participate in the Australian community, but participating in a way which means that one does not have one's language, culture and ideas totally destroyed by a dominant Anglo-Saxon community. I have referred to the enormous problems that have flowed from that, particularly the identity crises and the number of people who have grown up under the old assimilation programme and who feel totally ashamed of their culture and the language of their parents, which is something that should never have been allowed to happen. Not only is it a personal tragedy: it is a tragedy for Australian society if we continue in that way. That is clear. It seems that the position the Hon. Mr. Hill is taking is an assimilation one.

The Hon. C. M. Hill: I merely want to know where you stand.

The Hon. C. J. SUMNER: I am happy that the honourable member has come out and said that he is an assimilationist in this area.

The Hon. C. M. Hill: There is no point in being ashamed of trying to parry the question. I merely wanted to know where you stand.

The Hon. C. J. SUMNER: The honourable member is willing to interject, but he is unwilling to state his position.

The Hon. R. C. DeGaris: You're making the speech.

The Hon. C. J. SUMNER: Then the honourable member should not be interjecting. In addition to those matters I have mentioned in the Education Department, the Further Education Department provides facilities for the teaching of European languages, facilities for the teaching of English through the migrant education centre, including the provision of English courses in the work place, women's day classes for hospital patients, a home tutor scheme and advanced classes. The South Australian Government was the first Government in Australia to introduce legislation prohibiting discrimination on racial or ethnic grounds.

The Labour and Industry Department undertook a survey of working conditions of migrant women following the publication in Victoria of a report sponsored by the Centre for Urban Research entitled *I wouldn't want my wife to work here*. The South Australian Government has taken many steps to fulfil its international obligations and its obligations toward immigrant communities and to recognise the multi-cultural nature of Australian society.

I will now turn to the Federal policies that have applied since December, 1975. These policies need to be considered in the light of what occurred during the Federal Labor Government's term of office between 1972 and 1975, during which period the requirements for Australian citizenship were made uniform. A community relations committee was set up, and a telephone interpreter service was initiated. In the same period, adult migrant education and child migrant education were substantially developed, the International Convention on the Elimination of all Forms of Racial Discrimination was ratified, a Community Relations Commissioner was appointed, and committees on discrimination in employment were established. Funding for migrant groups was provided, particularly through the Australian Assistance Plan. Further, ethnic radio was developed. Honourable members should compare this active period, under a Labor Government, with the period of considerable inaction since 1975, under the Federal Liberal Government. In 1975, Mr. Fraser promised:

A Liberal National Country Party Government will initiate a new deal for migrants. A Department of Immigration and Ethnic Affairs will be established. Adequate bilingual staff will be made available at Government departments and public hospitals. The transmissions and perpetuation of ethnic languages and culture in Australian and in ethnic schools will be encouraged and supported.

True, immediately following the last Federal election a Department of Immigration and Ethnic Affairs was set up; what happened was that the name "Ethnic Affairs" was added to the name "Department of Immigration"; that is all that occurred. Admittedly, there has been a recent decision to establish a small section to deal with ethnic affairs, but this has happened 18 months after the election and only after considerable pressure had been applied to the Government.

Mr. Fraser's promise to provide bilingual staff has not been honoured. His promise to provide further for ethnic languages and culture in schools has been totally ignored; indeed, there have been considerable cuts in funding in this area. Nothing has been done to fulfil the promise that measures would be taken to assist migrants to overcome the language barrier. In fact, there has been a cut in the allocation for interpreting and translating services. Further, there have been cuts in child migrant education, adult migrant education, Schools Commission funding, telephone interpreter services, the staffing of the Community Relations Council and of the Community Relations Commissioner. I have referred to the Federal Government's inaction in connection with ethnic radio. If the Premier had not done anything, nothing would have been done in this area.

The Federal Government's deliberate policies to increase unemployment have also hit migrant groups particularly hard. According to the 1971 census 26 per cent of the work force was made up of migrants; 31.5 per cent of the work force in the construction industry was made up of migrants; and 38 per cent of the work force in manufacturing was made up of migrants. The 1976 census will probably show even higher percentages. As a result of the Fraser Government's deliberate policies to create unemployment, migrants' jobs are being slowly undermined. So, in comparison with the efforts made in this State to fulfil our obligations to ethnic groups and migrant communities, the Fraser Government ought to be ashamed of what little it has done.

A great change has occurred in the last few years in Australian attitudes to the languages, cultures, and lifestyles of minority ethnic groups. It has been accepted that special provision needs to be made to overcome their specific disabilities. There is a much greater recognition by the community of their value in producing an Australian nation greatly enriched by the interaction of various lifestyles. The South Australian Government has provided an important lead in these changing community attitudes. The programmes I have outlined are evidence of a continuing commitment to a multi-cultural society based on mutual respect in the different ethnic groups comprising it.

The Hon. N. K. FOSTER: I second the motion for the adoption of the Address in Reply.

The Hon. C. M. Hill: You seem to be looking over your glasses.

The Hon. N. K. FOSTER: I can look over my glasses and see all sorts of unscrupulous and corrupt people.

The Hon. C. M. Hill: I ask the honourable member to withdraw that reference.

The Hon. N. K. FOSTER: I withdraw it. I draw the Council's attention to the following statement of the Lieutenant-Governor in his Speech at the opening of Parliament:

I am confident that you will join me in expressing to Sir Douglas and Lady Nicholls our best wishes for his long and happy retirement.

I note that paragraph 4 of the draft Address in Reply states:

We join in Your Excellency's expression of regret at the premature vacation of the office of Governor of this State by Sir Douglas Nicholls and, with Your Excellency, wish him a long and happy retirement.

I suggest that the committee appointed to prepare the draft Address in Reply should consider including a sentiment expressed by the Lieutenant-Governor, namely, a reference to the good wife of Sir Douglas Nicholls. It is traditional

in the Address in Reply debate to pay some regard to what the Speech contains. It is traditional also, I understand, for a Speech by the Governor or Lieutenant-Governor to refer to the state in which we find ourselves agriculturally, be it a year of drought or of flood, fire, or famine. This practice has come down from the days when the State relied, as it did for so long, on primary products from the land and when no great mineral wealth had been unearthed, until the discovery of copper about 100 years ago. The Speech deals with matters like that, and also on this occasion with the attack of alfalfa aphid on lucerne crops, and so on.

This Speech covers a very wide programme to be undertaken by this Government. I say that because it is opportune to remind the slumbering members of this slumbering Council who sit opposite of their false attacks on the Government in recent weeks in hysterical outbursts of hate the State and knock the shop, saying that anything done by the Government for the good of South Australia is something done to the detriment of South Australia. I can think of no more negative approach by an Opposition than that. It is a trap that an Opposition can easily fall into; it is a trap that the Opposition is encouraged to be caught in by the news media. It is a trap that can befall a Party that is so bereft of ideas and of an individual approach that it has appointed a person from the media who has been described in not over-indulgent terms by a member of the Bench in this State and who has brought great problems to the Liberal Party in South Australia. With the appointment of Mr. Taylor to the hierarchy of the Liberal Party in South Australia, we have seen the defection of Mr. Vial, who was brought from another State some years ago to resurrect the Liberal Party in South Australia and was greatly praised, but was virtually booted out in disgrace and spurned by his Party followers.

I remind the Hon. Mr. Hill, who has stopped reading his papers and is now paying some attention to what I am saying, that he was deriding the State Government for appointing people who were not born within the boundaries of South Australia. He has forgotten that his Party introduced into this State Mr. Vial. What that gentleman is doing today is his own business. I do not criticise him but I criticise the Hon. Mr. Hill for saying that this Government was dishonest in bringing in people from other States; yet this person was brought into the hierarchy of the Liberal Party machine in South Australia. Today, we read in the press that Mr. Spencer, an accountant to the Liberal Party, a campaign director and jack of all trades from the point of view of the Party political machine, has resigned and that the political writer whose name appears above this article was only the other day on the end of very high praise from a prominent member of the shadow Ministry, who it is hoped will enter this debate to refer to the qualities of that political reporter.

He puts it forward clearly that there are just as many divisions within the ranks of the Liberal Party as there are in the shadow Ministry of the Liberal Party both in another place and in this place. There are just as many splits in the hierarchy as there are in the rank-and-file members of the Liberal Party. They are leaving the ship rapidly. There is as big a split there as there is amongst those who sought preselection only a few days ago, as we can see from the attitudes displayed by the winners and the losers of those ballots. The Hon. Mr. DeGaris is about to leave the Chamber. While he is doing that, I remind him that we have yet to hear him in this Chamber speak on the manner of preselecting candidates by the Liberal Party and say whether it is as honest as the

members of the Opposition may like to have us believe. The fact is that they criticise this Government for any measure it puts up in regard to electoral reform and constitutional enlightenment and change, to which I shall come more precisely in a moment. The Opposition says we are dishonest in what we have said here and elsewhere in regard to the rights of people to record equal votes—one vote one value. The Hon. Mr. DeGaris is not sincere about that.

In the course of the Address in Reply debate, we shall be anxious to hear the Hon. Mr. DeGaris speak on equal rights and votes. We shall wait a long time for him to reconcile electoral justice on the basis of votes having equal values with the value of votes that decided the Liberal Party's preselection contest, for instance, between Mr. Boundy, a former member of the Liberal Movement, and Mr. Russack, a former member of this Council and now a member of the House of Assembly who was an endorsed Liberal candidate but now is not. We should also be interested to hear the Leader's views on the conflict on the constitution of the Liberal Party, which states that one minute a person is in the Liberal Party and is bound by its rules and constitution as regards preselected candidates but in the next, because of some slight geographical change, he is having war waged against him in a seat he has represented for nearly a decade.

The Hon. R. C. DeGaris: A slight change?

The Hon. N. K. FOSTER: Yes, and a member finds himself out of the Party that he has represented since 1968, almost a decade. Who changed it? It was the shadow Attorney-General, the master of myths.

The Hon. C. M. Hill: Tell us about Port Pirie.

The Hon. N. K. FOSTER: The present member for Pirie will remain in the House of Assembly as the member for Rocky River after the next State election. What is wrong with that for a change?

I return now to the matter of the Constitution amendments that have been proposed by the Government. I remind honourable gentlemen opposite how false and hypocritical they are in this respect. I do not know about the dubious honour that they wish to have fall on their shoulders. Those gentlemen say that they have defended the State against the inroads of some dreadful change. However, they are denying the people of this State the right to determine how long honourable members of this place, having been elected for a period of six years, can remain in office beyond that time.

Members opposite have sought the right to representation at Constitution Convention meetings in a number of States. Indeed, they have tried to get themselves elected to specific committees dealing with constitutional changes, and to speak at Constitution Conventions. Although they seek open publicity regarding their attitudes on those matters, when they return to this Chamber they vote against a proposal that would give the people of this State the right to elect members to the Council in accordance with the issued writs. They deny the people that right, knowing as well as I do that the measure being debated is indeed a simple one.

Unfortunately, because of the way in which the Constitution has been written, a change is necessary to force an election for half the members of the Council whenever the House of Assembly, the people's House, goes to an election. Notwithstanding that, I can recall a number of times when the elected House (the House of Assembly in South Australia, the House of Representatives in the Federal sphere, and the Lower Houses in other States) has failed to run its full Parliamentary term. It is inherent in the

Parliamentary system in this country that a Government can be dislodged from the Government benches. This happens for a variety of reasons and, if an election ensues after such an occurrence, it is only right that half the members of the Upper House should also have to go to an election.

I note that the Hon. Mr. DeGaris has left the Chamber. Is it any wonder that I remind the Council of the over-riding and personally consuming ambition of one honourable member in this place? Members opposite would be able to confirm what I am saying if they admitted what happened in their Party room back in 1975, when it was decided to throw out the Railways (Transfer Agreement) Bill in order to precipitate an election.

The Hon. J. C. Burdett: It wasn't we who precipitated the election.

The Hon. N. K. FOSTER: The honourable member was not even a part of the contingent elected in March, 1973; he was elected about six months later at a by-election. However, for the purpose of this discussion, the honourable member falls into the same category. When, therefore, will he have to face another election? The honourable member was elected for six years, and he knows damn well—

The PRESIDENT: Order!

The Hon. N. K. FOSTER: Why are you calling "Order"?

The PRESIDENT: The honourable member will cease using the expression "damn well". It is entirely unnecessary, and it is out of order.

The Hon. N. K. FOSTER: I did not think that, used in that context, the term would hurt anyone.

The PRESIDENT: It is my duty to maintain a certain standard of dignity in this place, and I try hard at times.

The Hon. N. K. Foster: At what?

The PRESIDENT: Order! It is a pity that the honourable member does not try a little harder.

The Hon. N. K. FOSTER: If you want to pull out the rule book on me, I will debate this matter with you outside this place at any time you like. I now return to the point which I was making previously and about which you, Sir, and the Hon. Mr. Carnie know. The Hon. Mr. Carnie knows damn well what it is all about.

The PRESIDENT: Order!

The Hon. N. K. FOSTER: Very well. One would have expected the contingent elected in 1973 to go to an election in 1979. What is so crazy about my saying that? Those honourable members were elected in 1973. Was there a House of Assembly election then or in 1976? Of course there was not. The election was held in 1975, the Government not having run its full term. It seems that provisions are included in the Constitution with a lack of foresight on the part of those involved. Because of the Constitution, the honourable members to whom I have referred did not go out in 1975, and they could not go out in 1976 because no House of Assembly election was held in that year.

Indeed, if a House of Assembly election is not held in 1979 (and there will not be one unless the next elected Government chooses to go out, or is forced out, in 1979), it means that the Hon. Mr. DeGaris will not be subjected to an election in that year, either. In fact, if the next elected Government is elected in 1978, the Hon. Mr. DeGaris will not have to face up to an election until 1981. If something happens to the Government in the meantime,

when will he ever go to an election? Why does not the honourable member get up and answer that question, and let him be honest in his reply? He can do nothing but admit that I am correct. The honourable members who were elected in 1975 (I refer to the Hon. Anne Levy and Messrs. Cornwall and Blevins, some Opposition members, and even myself) ought to be going to an election no later than 1981. Will we go then? At present, even if the next Government to be elected stays in office for three years, which does not seem likely, unless there is a change in the Constitution those who were elected in 1975 for six years will not go to an election in 1981. It is more likely that they will go in 1984. Is that not dishonest?

I have not raised that matter previously in debate, because I hoped that the Opposition would not have discarded those constitutional matters. I have intended to be purposely provocative. I have accused you of dereliction of duty on the matter of the issue of writs, and I hope for a reply. I see the Hon. Mr. Burdett almost saying that what I have said has no validity. If it has not, why have eminent constitutional lawyers and lecturers in law, virtually by the hundred, been saying since November, 1975, that the federal system is not good enough and that half the members of the Upper House should go to an election each time there is an election for the House of Representatives? I fail to see the difference here.

I want to deal briefly with a matter that I raised at Question Time today. I thought, when I opened up the matter, that you, Mr. President, would say that the matter was *sub judice* because it was the subject of a Royal Commission. You may say that now, if you wish.

The PRESIDENT: Order! Not everything is *sub judice*. It is only the subject matter before the Royal Commission.

The Hon. N. K. FOSTER: Some members opposite suggested that it was *sub judice*. The attitude of the Liberal Party in supporting that provocative type of action by the Kauri Timber Company smacked of its insincerity, having regard to the approach of members opposite to their so-called law and order campaign. I hope that, during this debate, Opposition members will offer constructive criticism in regard to one of the biggest social diseases plaguing the people of Australia, namely, unemployment. We on this side have been patient for the past two years, during which we have heard nothing but ridicule being heaped on the State Government when it has tried to make money available for relief in this sector.

The position will become worse, and blame should not be placed on any political Party here, because a return to what is normal in regard to the economic measures that must be taken to enable people to work rests principally with another Parliament. The day has passed when criticism and singling out ought to be the rule. Name-tagging as dole bludgers has become the order of the day for members opposite and the media. At present, job vacancies are deplorably insufficient in number to take up anything like the slack in the employment position.

The Hon. D. H. Laidlaw: And the position is worse in this State than anywhere else in Australia.

The Hon. N. K. FOSTER: If there is a downturn in the purchase of motor vehicles, perhaps the Hon. Mr. Laidlaw, a great industrialist and member of all sorts of boards (one who derives, from sitting on those boards, a salary about three times the salary he receives as a member of this Chamber), may refer to the enormous profits of Broken Hill Proprietary Company Limited and associated companies. He may tell us that people in

Whyalla are either unemployed or working a short week because of the present price of steel. He may also say that the State Government is not responsible for the taxation levelled by the Federal Government on the motor vehicle industry. He may also tell us why the businessmen he purports to represent here are more critical of the Federal Government than any other body in the community is. I hope that we on this side will hear some sincerity from members opposite for a change, rather than the false issues of shopping hours and baking hours.

The Hon. J. C. Burdett: Why is the question of shopping hours a false issue?

The Hon. N. K. FOSTER: Because of the way you have applied yourself to it. Do you want me to tell you what Olsen got the other day at the hands of the Royal Commission?

The PRESIDENT: Order! The honourable member will not mention what the Royal Commission does.

The Hon. N. K. FOSTER: I did not do that.

The PRESIDENT: I think the honourable member would be wise to avoid mentioning what is going on before the Royal Commission.

The Hon. N. K. FOSTER: I am not mentioning that. You are mentioning it. I told you about the false issue of shopping hours. I commend the motion and I hope that members opposite will deal with some of the constitutional matters that I have raised. I will be particularly interested in how the Hon. Mr. DeGaris deals with the figures in their preselection ballots, having in mind members of the Liberal Party and of the Liberal Movement and how those matters relate to one man one vote.

The Hon. R. A. GEDDES secured the adjournment of the debate.

STAMP DUTIES ACT AMENDMENT BILL

Received from the House of Assembly and read a first time.

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That this Bill be now read a second time.

It amends the Stamp Duties Act on two subjects. The most important of these amendments is designed to close up a loophole that has recently been exploited in the avoidance of duty. Section 66 of the principal Act provides that, where the consideration for a conveyance consists of a sum payable at stated intervals in perpetuity, the duty will be charged on the amount payable during the first 20 years. This provision has been exploited in the following manner: an agreement is made providing for the payment of a very small amount, perhaps \$10 a year, for 21 years, and thereafter a much larger amount is payable in perpetuity. This latter sum is carefully calculated so that the payments as a whole are actuarially equivalent to the present value of the land. Thus the Commissioner is prevented from using his power to tax the conveyance on the value of the property, and is forced to use a small consideration payable during the first 21 years as the basis for assessing the duty. Well over \$100 000 in stamp duty has been avoided over the past few months in this manner. The Government naturally hopes to close the loophole at the earliest possible moment. The Bill therefore provides that, where the consideration for a conveyance on sale consists of money

payable periodically in perpetuity or for an indefinite period, the conveyance is to be charged with *ad valorem* duty on the value of the property conveyed.

The second amendment deals with the transfer of a motor vehicle by one spouse into the names of both spouses, or vice versa. At present the stamp duty is calculated on the basis of the full value of the vehicle. The Government believes that there is some justification for halving the stamp duty otherwise payable in this case, and the Bill amends the principal Act accordingly. The Bill also makes a minor amendment for purely formal reasons to the second schedule to the principal Act.

Clause 1 is formal and clause 2 deals with the transfer of registration by husband and wife to either husband or wife and the transfer of a motor vehicle by one person into the joint names of himself and his spouse. The clause provides for a remission of 50 per cent on the stamp duty that would otherwise be payable. Clause 3 provides that, where the consideration for the conveyance on sale consists of money payable periodically in perpetuity, or for any indefinite period, the conveyance shall be chargeable with *ad valorem* duty on the value of the property conveyed.

Clause 4 slightly expands the provisions of section 66b of the principal Act so that the Commissioner will be empowered to have valuations made where necessary for the purpose of assessing the duty payable on conveyances under the new provisions of section 66. Clause 5 amends the second schedule of the principal Act. The amendment simply enacts an exemption that was previously made by regulation.

The Hon. R. C. DeGARIS secured the adjournment of the debate.

[Sitting suspended from 5.12 to 5.46 p.m.]

The Hon. R. C. DeGARIS (Leader of the Opposition): I thank the Minister for allowing me time to examine the Bill, which does three things, and I will deal with the minor functions first. This is the first time I have seen this aspect, incorporating existing regulations into the principal Act, included in legislation, although there may be other times when it has happened. Secondly, the Bill allows a transfer of a motor vehicle from one spouse into the name of both spouses or vice versa. Presently, the duty is calculated on the full value of the vehicle, but there will be halving of stamp duty on such items under this Bill. Thirdly, the Bill closes up what the Government describes as a loophole, as outlined in the second reading explanation. A means has existed whereby one could, on the conveyance of a large property, avoid the payment of stamp duty or the full value of stamp duty by a process of long-term payment of small amounts. This Bill closes that loophole.

One of the things the Bill anticipates is that, where no evidence as to the value of the property is furnished, or evidence about the value of the property is in the opinion of the Commissioner unsatisfactory, he may cause a valuation of the property to be made by some person appointed by him and may assess the duty payable on the basis of that valuation. In the case where no value of property is furnished or the Commissioner feels that, in his opinion, it is unsatisfactory, who is to pay for the second valuation, if it is required? Is it the Commissioner, or is it the person to whom the property is transferred, or is it the person transferring the property?

There is no opposition from this side of the Council to the Bill except that it once again, in closing a loop-hole, leaves a tremendous burden on the Commissioner to decide what is in his opinion justified. I believe that that will slow down the processing of documents, which should be avoided if possible. However, on the main issue, there is no objection to the legislation by the Opposition, and I thank the Minister for allowing me sufficient time to examine the Bill. Finally, I hope the Bill will not be proclaimed until Thursday. No retrospective provisions are included in the Bill, and honourable members will appreciate that this Council would have taken a dim view of any retrospectivity. I support the Bill.

The Hon. D. H. L. BANFIELD (Minister of Health): I thank honourable members opposite for the consideration they have given to the Bill. The Government has had ample discussions on the Bill, and I can give the assurance that it will not be proclaimed until Executive Council meets on Thursday. Regarding who pays for the second valuation if it is required by the Commissioner, the Bill provides:

. . . the Commissioner may cause a valuation of the property to be made by some person appointed by him and may assess the duty payable on the basis of that valuation.

It may be that the Commissioner will pay for the valuation, although there may be circumstances where he will make a charge. It will depend on circumstances. As those were the two matters raised by the Leader, I hope I have answered them satisfactorily.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Valuation."

The Hon. J. C. BURDETT: Will the Minister confirm that, in all of the various cases mentioned in new subsection (1), it will be the Commissioner who will have to pay for the valuation when he calls for it? There are various cases, but they are not all mentioned in that subsection.

The Hon. D. H. L. BANFIELD (Minister of Health): I draw the honourable member's attention to section 66b (2), which states:

The Commissioner may, having regard to the merits of the case, charge the whole or any part of the expenses of or incidental to the making of the valuation to the person liable to pay the duty, and may recover the same from him as a debt due to Her Majesty.

If it appeared that something was being put over the Commissioner, then that section would come into operation if the Commissioner were not satisfied for those purposes. The Commissioner would have the valuation made but, regarding the merits of the case, each case would be dealt with on the circumstances.

The Hon. R. C. DeGARIS (Leader of the Opposition): As there is no provision for an appeal, is the Commissioner the sole person to make a determination on the merits of the case?

The Hon. D. H. L. BANFIELD: True, the Commissioner is the sole person to make that decision.

Clause passed.

Clause 5 and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 5.55 p.m. the Council adjourned until Wednesday, July 27, at 2.15 p.m.